

New Hampshire Supreme Court
Professional Conduct Committee

a committee of the attorney discipline system

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**RECOMMENDATION:
TWO YEAR SUSPENSION AND ORDER ON COSTS**

On July 21, 2015, the Professional Conduct Committee (the “Committee” or “PCC”) deliberated the above matter. Members present included David M. Rothstein, Chair, Heather E. Krans, Vice Chair, Elaine Holden, Vice Chair, Peter G. Beeson, Susan R. Chollet, Richard H. Darling, Margaret R. Kerouac, Georges J. Roy, David W. Ruoff, Richard D. Sager and Martha Van Oot. Mona T. Movafaghi was absent.

This matter went before a Hearing Panel on the issue of sanctions on April 16, 2015. At the outset of the hearing, the Panel chair noted for the record that Ms. Roulston was not present and did not otherwise participate in the proceedings. (Tab 7 of the Record in this matter.) The Panel issued its Hearing Panel Report (Report) on May 25, 2015.

The Report was circulated to Ms. Roulston and to Disciplinary Counsel on May 26, 2015. Each was given an opportunity to identify issues or fact findings for this Committee to consider; to request a schedule for filing written memoranda; or to request oral argument before the Committee. (Tab 8). Ms. Roulston did not respond to the Report, submitted nothing in writing for this Committee to consider, and did not ask to address the Committee orally.

Having reviewed the Record, including the Notice of Charges, Disciplinary Counsel’s Memorandum on Sanctions (“Memorandum”), Disciplinary Counsel’s Supplemental Memorandum on Sanctions, the Transcript of the April 16, 2015 hearing, and the Hearing Panel Report, the Committee makes factual findings and rulings as detailed below. Based on these findings and rulings, the Committee has recommended the following sanction to the Court:

1. Imposition of a two-year suspension for violation of New Hampshire Rules Professional Conduct (“Rules”) 5.5, 8.1(b), 8.4(a) 8.4(b) and 8.4(c);

2. Completion of all requirements imposed on Ms. Roulston in connection with her administrative suspension, to include (a) payment of fees of Attorney Ronald E. Cook incurred in his inventory and report on the files of Ms. Roulston in 2012 and (b) submission of IOLTA trust account certifications for the years 2011 and 2012;

and
3. Reimbursement of the Committee for all costs of investigation and prosecution of this matter.

I. FINDINGS OF FACT

This case involves allegations that Ms. Roulston violated Rules 5.5 (unauthorized practice of law while under administrative suspension); 8.1(b) (failure to respond to lawful requests for information from, or to cooperate with, disciplinary authorities); 8.4(b) (commission of a criminal act involving dishonesty); 8.4(c) (engaging in other conduct involving dishonesty); and Rule 8.4(a) (violation of the Rules).¹

The Committee has determined that the Record supports the following factual findings, most of which are drawn directly from the Report of the Hearing Panel, by clear and convincing evidence:

1. Ms. Roulston was admitted to practice law in New Hampshire on October 30, 2000 and was administratively suspended by order dated April 10, 2012.
2. Ms. Roulston has not been admitted to practice law in any other jurisdiction.
3. Ms. Roulston's last known address is 78 School Street, #4, Salem, New Hampshire 03079.

¹ The Notice of Charges, dated January 21, 2015 and received by Ms. Roulston by certified mail on January 22, 2015 (Ex. 11 of ADO exhibits submitted to Hearing Panel) also included an alleged violation of Supreme Court Rule 37(9) (setting forth procedures for the regulation of attorneys convicted of crimes). The Hearing Panel did not find that Ms. Roulston's conduct implicated Rule 37(9) since there was not clear and convincing evidence of a criminal "conviction" as required by Rule 37(9). Her 2011 "admission to sufficient facts" to support a Massachusetts charge of larceny under \$250 would generally be treated as a guilty plea in Massachusetts; however, in Ms. Roulston's case the larceny charge was dismissed without a finding after a period of administrative probation. (Report at p.10).

Disciplinary Counsel did not ask this Committee to consider the Hearing Panel's ruling that Supreme Court Rule 37(9) had not been violated. In addition, Supreme Court Rule 37(9) is a procedural rule, not a substantive professional conduct rule, and therefore not an appropriate basis for a separate count in a Notice of Charges. Other professional conduct rules exist to address criminal conduct by members of the bar. *See e.g.* Rules 8.4(b) and 8.4(c).

**Allegations Regarding Respondent's Administrative Suspension and
Unauthorized Practice of Law**

4. Ms. Roulston failed to timely file her 2011 trust accounting certificate as required by Supreme Court Rule 50-A(2).
5. On February 29, 2012, the Supreme Court ordered Ms. Roulston to file her 2011 trust accounting certificate along with a \$300 late filing fee.
6. Ms. Roulston did not respond to the Court's order or bring herself into compliance with Supreme Court Rule 50-A(2). She was suspended from the practice of law by the Supreme Court on April 10, 2012.
7. On September 5, 2012, at the request of the Attorney Discipline Office, the Court appointed Attorney Ronald E. Cook to conduct an inventory of Ms. Roulston's files and to take steps necessary to protect the interests of Ms. Roulston's clients. Ms. Roulston was ordered to bear the costs of such inventory.
8. Attorney Cook conducted the inventory of Ms. Roulston's files and filed a report with the Court on November 29, 2012.
9. Ms. Roulston filed a request for reinstatement with the Supreme Court on December 4, 2012.
10. On December 20, 2012, the Court issued an order deferring a ruling on reinstatement pending Attorney Roulston's response to two questions regarding her files and her payment of Attorney Cook's fees.
11. On January 14, 2013, the Court issued an order again deferring any ruling on Ms. Roulston's motion for reinstatement until such time as Ms. Roulston filed her 2012 trust accounting certification and a "plan for repayment of Attorney Cook's fees."
12. Ms. Roulston never responded to the Court's 2013 orders. Ms. Roulston has neither filed her 2012 trust accounting certificate nor paid Attorney Cook's fees.
13. Ms. Roulston remains administratively suspended from the practice of law in New Hampshire.
14. Despite being suspended, Ms. Roulston represented a client named Jamie Badeau ("Mr. Badeau") in connection with his arrest in New Hampshire on December 6,

2012 for Driving Under the Influence.

15. Mr. Badeau was referred to Ms. Roulston by Jahan Qureshi, the grievant in this disciplinary matter.
16. Shortly after his arrest, Mr. Badeau met with Ms. Roulston in her home, signed a fee agreement, and paid Ms. Roulston \$500 for the representation.
17. Despite the fact that Ms. Roulston's Motion for Reinstatement filed on December 4th had not been acted upon, Ms. Roulston did not disclose to Mr. Badeau that she was suspended from the practice of law or limited in any way in acting as an attorney on his behalf.
18. On December 18, 2012, Ms. Roulston visited the Litchfield Police Department on behalf of Mr. Badeau and met with the prosecutor assigned to Mr. Badeau's case, Attorney Lonnie McCaffrey.
19. During this meeting, Ms. Roulston did not disclose to Attorney McCaffrey that she was suspended from the practice of law. Rather, Ms. Roulston held herself out as Mr. Badeau's attorney.
20. Ms. Roulston gave Attorney McCaffrey her "Law Offices of Anna Roulston, Esq." business card, as well as a letter dated December 18, 2012.
21. Ms. Roulston's December 18, 2012 letter states, *inter alia*: "Dear Litchfield Police Department, My office will be representing Mr. Jamie M. Badeau. Please accept this as my formal request for any and all discovery" Ms. Roulston signed the letter "Anna M. Roulston, Esq."
22. Between December 18, 2012 and January 10, 2013, Ms. Roulston communicated with Attorney McCaffrey acting as an attorney on Mr. Badeau's behalf. She received a plea offer from Attorney McCaffrey, and later requested an extension of that plea offer.
23. On January 1, 2012, Ms. Roulston sent Mr. Badeau a "Non Engagement Letter" wherein she states "Unfortunately, I am unable to take your case. *I cannot represent you...*" Ms. Roulston did not disclose her administrative suspension to her client in that letter; and there is no evidence in the Record indicating that Ms. Roulston returned any portion of the \$500 fee previously paid by Mr. Badeau.
24. On January 28, 2013, Mr. Badeau wrote to Attorney McCaffrey, informing him that Ms. Roulston no longer represented him because she was actually suspended

from practicing law.

**Allegations Regarding Respondent's Failure to Respond to Lawful
Requests for Information from, or Otherwise Cooperate with,
the Attorney Discipline Office**

25. On February 19, 2013, Mr. Qureshi filed a grievance concerning Ms. Roulston.
26. Mr. Qureshi's grievance alleges, *inter alia*, that he had referred business associates to Ms. Roulston, who paid Ms. Roulston retainers. He further alleged that Ms. Roulston went on to represent these clients despite knowing she was suspended from the practice of law.
27. Ms. Roulston did not submit a voluntary response to the letter from Attorney Discipline Office ("ADO") General Counsel Thomas Trevethick.
28. Thereafter, Mr. Qureshi's grievance was docketed, and on June 20, 2013, Janet F. DeVito, who had replaced Mr. Trevethick as General Counsel, sent Ms. Roulston a letter providing 30 days for Ms. Roulston to provide a mandatory response. Ms. DeVito further advised Ms. Roulston that failure to promptly respond and otherwise cooperate with the Attorney Discipline Office could result in a finding that she had violated Professional Conduct Rule 8.1(b).
29. Ms. Roulston did not respond.
30. On July 26, 2013, Ms. DeVito sent Ms. Roulston another letter, asking that Ms. Roulston "give this matter **immediate** attention" or face possible charges of a Rule 8.1(b) violation.
31. Ms. Roulston did not respond.
32. On August 20, 2013, the Complaint Screening Committee forwarded the docketed complaint against Ms. Roulston to Disciplinary Counsel.
33. On August 23, 2013, Assistant Disciplinary Counsel wrote to Ms. Roulston advising her that the case was under review within that office; and encouraging her to call with any questions or concerns. On April 4, 2014, Assistant Disciplinary Counsel wrote to Ms. Roulston at an updated address, and asked her to contact the office at her earliest convenience.
34. Ms. Roulston never responded.

35. On May 27, 2014, Assistant Disciplinary Counsel called Ms. Roulston and left a voicemail requesting that she contact the office.
36. Ms. Roulston did not return that call.
37. On December 30, 2014, Disciplinary Counsel wrote a further letter to Ms. Roulston advising her to respond no later than January 16, 2014 or risk further charges for failure to cooperate with disciplinary authorities. She followed up with an email to Ms. Roulston on December 31, 2014 stressing the urgent need for the Respondent to contact Disciplinary Counsel.
38. To date, Ms. Roulston has not contacted the ADO.
39. On January 21, 2015, the Notice of Charges was issued.
40. Ms. Roulston accepted service by certified mail on January 22, 2015 but did not file an Answer or Objection.

Allegations Regarding Respondent's "Admission to Sufficient Facts" to Support Massachusetts Criminal Charges

41. On March 15, 2011, Ms. Roulston was charged in Haverhill, Massachusetts district court with larceny over \$250 and receiving stolen property valued at more than \$250.
42. The receipt of stolen property charge was ultimately dismissed.
43. On July 24, 2011, Ms. Roulston entered a plea of "admission to sufficient facts" to an amended charge of larceny under \$250, M.G.L. ch. 226 § 30, and completed three months of administrative probation. On October 24, 2012, her criminal matter was dismissed without a finding.
44. The Massachusetts statute defining larceny provides: "Whoever steals, or with intent to defraud obtains by a false pretense, or whoever unlawfully, and with intent to steal or embezzle, converts, or secretes with intent to convert, the property of another . . . shall be guilty of larceny . . ." M.G.L. ch. 226 § 30.
45. Larceny of under \$250 is a misdemeanor. It constitutes a "serious crime" pursuant to Supreme Court Rule 37(9)(b) because it is a "lesser crime a necessary element of which, as determined by the statutory . . . definition of such crime, involves . . . misappropriation [and] theft . . ."

II. RULINGS OF LAW

The Committee concludes that there is clear and convincing evidence that Anna M. Roulston has violated the following Rules of Professional Conduct:

Rule 5.5: Unauthorized Practice of Law

- 46 Findings of Fact set forth in paragraphs 1-45 above are incorporated by reference.
47. Rule 5.5 states, in pertinent part, as follows:
 - (a) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.
48. Since April of 2012, Ms. Roulston has been suspended from the practice of law in New Hampshire.
49. Ms. Roulston nevertheless met with Mr. Badeau in December of 2012, gave him legal advice, entered into an attorney-client fee agreement with him, and accepted \$500 for the representation. Ms. Roulston further held herself out to prosecutor McCaffrey as a New Hampshire-licensed lawyer authorized to represent Mr. Badeau in Mr. Badeau's case.
50. Ms. Roulston's conduct in this regard constitutes a violation of Rule 5.5(a).
51. The Committee has found that Ms. Roulston's mental state with respect to the Rule 5.5 violation was knowing and that her misconduct caused injury to the client and the legal profession.

Rule 8.1(b): Failure to Respond to Lawful Requests from, and to Cooperate with, Disciplinary Authority

52. Paragraphs 1-51 set forth above are incorporated by reference.
53. Rule 8.1 states as follows:

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact; or
 - (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or
 - (c) fail to attend a hearing when ordered to do so by a disciplinary authority.
54. Ms. Roulston's repeated failures to respond to lawful demands for information from the ADO, as set forth above, violated Rule 8.1(b).
55. The Committee has found that Ms. Roulston's mental state with regard to the Rule 8.1(b) violation was, at a minimum, knowing and that her misconduct caused injury to the legal profession.

**Rule 8.4(c): Conduct Involving Dishonesty,
Fraud, Deceit or Misrepresentation**

56. Paragraphs 1-55 set forth above are incorporated by reference.
57. Rule 8.4(c) states as follows:
- It is professional misconduct for a lawyer to:
- ***
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
58. Ms. Roulston misrepresented her status to Mr. Badeau by failing to inform him, at the outset of the representation, that she was actually suspended from the practice of law in New Hampshire.
59. Ms. Roulston engaged in conduct involving dishonesty and misrepresentation by accepting \$500 from Mr. Badeau to represent him knowing that she was suspended from the practice of law.
60. Ms. Roulston misrepresented her status to prosecutor McCaffrey by holding herself out as an attorney in good standing able to represent Mr. Badeau.

61. Ms. Roulston's failure to disclose her actual status as a suspended attorney to her client and to opposing counsel constituted violations of Rule 8.4(c).
62. The Committee has found that Ms. Roulston's mental state with regard to the Rule 8.4(c) violations was knowing and that her misconduct caused injury to the client and the legal profession.

Rule 8.4(b): Criminal Act Reflecting Adversely on Lawyer's Honesty

63. Paragraphs 1-62 set forth above are incorporated by reference.
64. Rule 8.4(b) states as follows:

It is professional misconduct for a lawyer to:

(b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;

65. Ms. Roulston's "admission of sufficient facts" constitutes an admission that she committed the crime of larceny. The Massachusetts court's subsequent "dismissal without a finding" of the charge of larceny does not affect the continuing evidentiary force of Ms. Roulston's earlier "admission of sufficient facts" to the same crime.
66. Ms. Roulston's commission of the crime of larceny constituted a violation of Rule 8.4(b).
67. The Committee has found that Ms. Roulston's mental state with regard to the Rule 8.4(b) violation was intentional and that her misconduct caused injury to the legal profession.

Rule 8.4(a): General Rule

68. The Committee has found that each of the rule violations set forth above have been proved by clear and convincing evidence. The violation of these rules also constitutes a violation of Rule 8.4(a).

Supreme Court Rule 37(9): Attorneys Convicted of Crime:

69. The Notice of Charges filed by Disciplinary Counsel to initiate this formal proceedings contains a separate count for violation of Supreme Court Rule 37(9), which sets forth procedures for the Court and the ADO to follow when informed

that an attorney has been convicted of a crime.

70. The Hearing Panel did not find by clear and convincing evidence that Ms. Roulston's conduct violated Rule 37(9), primarily because the Massachusetts court ultimately dismissed the larceny charge without a finding. There was also no other evidence that Ms. Roulston had been "convicted" of the crime -- a condition to the application of Rule 37(9).
71. The Committee agrees that there is no evidence of a "conviction" on the facts of this matter; and that Rule 37(9) does not apply for this reason.
72. The Committee would also note that Supreme Court Rule 37(9) is a procedural rule, rather than a substantive professional conduct rule, and that the criminal conduct at issue in this case (even if it had resulted in a formal conviction) should be charged as a violation of Rules 8.4(b) -- as set forth in paragraphs 63-67 above -- rather than a violation of Supreme Court Rule 37(9).

III. SANCTION ANALYSIS

Based on violations of Rule 5.5(a), 8.1(b), 8.4(b), 8.4(c) and 8.4(a), the Hearing Panel recommended that this Committee impose a sanction of a two-year suspension on the Respondent; and order that Ms. Roulston reimburse the Attorney Discipline Office for all costs associated with the investigation and prosecution of this matter. Report at p. 11. For the reasons set forth below, this Committee agrees with and accepts the recommendation of the Hearing Panel. In addition, the Committee recommends that Ms. Roulston be ordered to satisfy the conditions for reinstatement set forth in earlier orders of the Court (Cook attorney fees and submission of IOLTA trust account certifications for 2011 and 2012).

In determining the appropriate sanction, the Court has instructed that the purpose of attorney discipline is "not to inflict punishment, but rather to 'protect the public, maintain public confidence in the bar, preserve the integrity of the legal profession and prevent similar conduct in the future.'" *Grew's Case*, 156 N.H. 361, 365 (2007); *Richmond's Case*, 152 N.H. 155, 159-60 (2005).

Although not formally adopted in New Hampshire, the Court looks to the American Bar Association's *Standards for Imposing Lawyer Sanctions* ("*Standards*") in determining appropriate sanctions. *Conner's Case*, 158 N.H. 299, 303 (2009). The Standards set forth a four-part analysis as a framework for determining the proper sanction: "(a) the duty violated; (b) the lawyer's mental state; (c) the potential or actual injury caused by the lawyer's misconduct; and (d) the existence of aggravating or mitigating factors." *Id.* (quoting *Douglas' Case*, 156 N.H. 613, 621 (2007)). The analysis of the first three factors results in the establishment of a "baseline" sanction. Aggravating and mitigating factors then determine whether an upward or downward departure from the baseline sanction is warranted in a given case.

Factor I: Duties Violated

In violating the various rules set forth above, Ms. Roulston violated (1) her duty to her client by charging fees to represent him while suspended from the practice of law, and by failing to disclose her suspended status; (2) her duties to the legal system and the legal profession by engaging in the unauthorized practice of law, failing to disclose her status to prosecutor McCaffrey, and by failing to respond to lawful requests for information from disciplinary authorities; and (3) her duties to the general public and the legal profession by committing the misdemeanor crime of larceny.

Factor II: Mental State

Sanctions will vary under the *Standards* depending on whether the Record establishes “negligent,” “knowing,” or “intentional” conduct in connection with proven violations. “Knowing” conduct is defined under the Standards as “conscious awareness of the nature or attendant circumstances of the conduct but without the conscious objective or purpose to accomplish a particular result.” “Intentional” conduct, a more culpable mental state, is conduct taken “with the conscious objective or purpose to accomplish a particular result.”

In the present case, Disciplinary Counsel argued, and the Hearing Panel appears to have accepted, that Ms. Roulston’s “failure to disclose her true status (as a suspended lawyer) to her client and opposing counsel, her failure to cooperate with the ADO, and her commission of the crime of larceny were all ‘knowing’ failures at a minimum.” *Memorandum on Sanctions* at pp. 10-11. (“Sanctions Memorandum”.) Ms. Roulston’s violation of Rule 8.4(b) through the commission of the crime of larceny is, in the opinion of the Committee, more appropriately classified as an intentional violation, *see* Massachusetts Criminal Code, Chapter 266, Section 30(1) (defining larceny as crime requiring an intent to steal or convert). *See also* Transcript of Hearing Panel proceedings at p. 26; Sanctions Memorandum at p. 11. Accordingly, the Record establishes by clear and convincing evidence that Ms. Roulston’s conduct in the present case was knowing and -- as to Rule 8.4(b) -- intentional.

Factor III: Injury or Potential Injury

“Injury” is the harm to a client, the public, the legal system, or the profession that results from a lawyer’s misconduct. The level of injury can range from “serious” injury to “little or no” injury.

In the present case, Ms. Roulston caused injury to her client by charging \$500 in fees for representation she was not authorized to undertake; and by concealing her suspended status from her client, resulting in her abrupt withdrawal in January of 2013 and Mr. Badeau’s need to continue *pro se* until he was able to secure replacement counsel.

Ms. Roulston's commission of the crime of larceny caused harm to the victim of that larceny and the general public; and has undermined the reputation of attorneys and the integrity of the profession. Her failure to cooperate with, and provide information in response to, lawful requests of disciplinary authorities; and her decisions not to acknowledge or participate in the formal proceedings below and before this Committee; demonstrate a disregard for the disciplinary process that injures the profession and has wasted to resources of the ADO.

Factor IV: Aggravating and Mitigating Factors

The *Standards* set forth a range of aggravating and mitigating factors that this Committee and the Court consider in determining sanctions in disciplinary cases.

Mitigating Factors: The Hearing Panel found evidence of mitigating factors in Ms. Roulston's lengthy career (since 2000) without any prior disciplinary record; and in the evidence that "Ms. Roulston was struggling with personal and financial problems at least in the spring of 2012 -- including eviction by her landlord, a flood that displaced Ms. Roulston and her three children from their residence; and a period during which Ms. Roulston was forced to use emergency housing and assistance from DHHS. Report at p.11. Because Ms. Roulston failed to cooperate with authorities, and ignored the formal proceedings below, the Panel found it impossible to determine how long these difficult circumstances continued.

The Committee agrees with the Panel's findings on mitigating factors. In addition, the criminal violation that underlies the 8.4(b) violation has been sanctioned previously through Massachusetts court proceedings. A three month period of administrative probation was imposed that was successfully completed -- resulting in the Commonwealth's recommendation that the charge be dismissed without a finding. The imposition of other penalties or sanctions -- while in this case not severe -- is a mitigating factor.

Aggravating factors: The Panel found the following aggravating factors: violations involving dishonesty; the occurrence of multiple offenses and a pattern of misconduct -- particularly in connection with her lengthy period of disregard for the disciplinary process; and one violation that involved illegal conduct. Report at p. 11. The Committee agrees that the Record supports each of these findings. Ms. Roulston's apparent "substantial experience in the practice of law" prior to her suspension also qualifies as an aggravating factor.

IV. SANCTION

Baseline Sanction: The Panel determined, based on submissions from Disciplinary Counsel and its own review of the evidence, that the baseline sanction for three of the violations is suspension and one of the violations (presumably the Rule 8.4(b) violation based on the commission of larceny) is disbarment. Report at p. 1.

The Committee agrees that *Grew's Case*, 156 N.H. at 365 (misdemeanor insurance fraud results in a baseline sanction of disbarment) supports the Panel's application of a baseline sanction of disbarment for Ms. Roulston's commission of misdemeanor larceny.

The Committee differs with the Hearing Panel in one regard, however. Our Court has held -- in a case that also involved the practice of law after administrative suspension -- that "the presumptive sanction for practicing law while suspended is disbarment." *Tocci's Case*, 140 N.H. 68, 71 (1995). Under this precedent, the sanction analysis for Ms. Roulston's Rule 5.5 violation should also precede from a baseline sanction of disbarment.

Having noted this difference, however, the Committee nevertheless accepts the Panel's recommended sanction: a two (2) year suspension and an order to reimburse the Committee for the costs of the investigation and prosecution of this matter. The Committee notes that Ms. Roulston had petitioned for reinstatement, filed no pleadings on behalf of a client, and withdrew when she realized that reinstatement was impracticable. In addition to the period of suspension, the Committee recommends that those court-ordered requirements still pending in connection with Ms. Roulston's administrative suspension -- including reimbursement of Attorney Cook's fees for his inventory and report on Ms. Roulston's files and the filing of IOLTA trust account certifications for 2011 and 2012 -- be made a further precondition to reinstatement after the two year period is complete.

The sanction of a two-year suspension, as opposed to disbarment, is consistent with the purposes of attorney discipline. *Conner's Case* 158 N.H. at 303; *Richmond's Case*, 152 N.H. at 159-60. This sanction is also in accord with the *Standards*. The purpose of the Court's disciplinary power "is not to inflict punishment but rather to protect the public, maintain public confidence in the bar, preserve the integrity of the legal profession, and prevent similar conduct in the future." *Grew's Case*, 156 N.H. at 365 (quotation and citation omitted). Ms. Roulston's misconduct is aggravated; however, this is the first discipline in a fifteen year career, and the Committee believes a lengthy period of suspension, rather than disbarment, is warranted. In addition, a lengthy period of suspension will provide substantial public protection and will ensure that Ms. Roulston will not return to the practice of law until she has gone through the extensive reinstatement screening set forth in Supreme Court Rule 37(14); and has satisfied all remaining requirements of her administrative suspension.

V. COSTS

Anna M. Roulston is responsible for all costs associated with the investigation and prosecution of this matter.

VI CONCLUSION

For all of the above reasons, the Committee recommends to the Court that Anna M. Roulston be suspended from the practice of law for a period of two years for violating N.H. Rules of Professional Conduct 5.5; 8.1(b); 8.4(a); 8.4(b) and 8.4(c); that she be ordered to reimburse Attorney Cook for his fees and to file 2011 and 2012 IOLTA trust account certifications as required under earlier orders of the Court; and that she be required to pay all costs of investigation and prosecution of this matter.

August 7, 2015



David M. Rothstein
Chair

cc: Sara S. Greene, Disciplinary Counsel
Anna M. Roulston
File