

New Hampshire Supreme Court
Professional Conduct Committee

a committee of the attorney discipline system

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In the Matter of Carl G. Buzawa - LD-2016-0020

PUBLIC CENSURE AND ORDER ON COSTS

In accordance with Supreme Court Rule 37(12), on January 3, 2017, the New Hampshire Supreme Court ruled that the above captioned reciprocal discipline matter from the Grievance Commission of the Maine Board of Overseers of the Bar ("the Board") warrants the issuance of a public censure. The Court remanded the matter to the Professional Conduct Committee ("the Committee") for the issuance of a public censure.

Carl G. Buzawa was admitted to the Maine Bar in 1996 and is subject to an administrative non-disciplinary suspension. Effective October 15, 2015, Mr. Buzawa was administratively suspended due to his failure to comply with the annual registration requirement of Maine Bar Rule 4(a), and the continuing legal education requirement of Maine Bar Rule 5(a). The Board filed a grievance complaint against Mr. Buzawa on November 24, 2015, as a result of Mr. Miller's subsequent failure to file the required affidavit of compliance required by Maine Bar Rule 4(k)(8) following his summary administrative suspension. Mr. Buzawa failed to file a response in defense of his actions. His failure to respond violated Maine Rule of Professional Conduct 8.1(b).

On May 17, 2016, a panel of the Board found probable cause to believe that Mr. Buzawa had engaged in misconduct subject to sanction under the Maine Bar Rules. Thus, the Board authorized Bar Counsel to prepare and present a formal disciplinary petition.

A separate Board panel found that Mr. Buzawa violated Maine Bar Rule 7:3(i)(2)(B) and Maine Rules of Professional Conduct 8.1(b) and 8.4(a)(d). It ruled that Mr. Buzawa violated his professional duties by failing to complete

the annual registration requirements in 2015 and by failing to file the required notification affidavit once he was administratively suspended. It further found that Mr. Buzawa's neglect caused minor injury to the legal system.

Because the evidence supports a finding that Mr. Buzawa violated the Maine Rules of Professional Conduct, the Board found that a public reprimand was appropriate. The Committee deliberated the matter on November 15, 2016, and recommended to the Court the imposition of public censure, which is the equivalent to a public reprimand imposed by the Board. The Court concluded that a public censure is warranted, and the Committee issues a public censure.

Mr. Buzawa shall be responsible for the expenses incurred by the Committee in the investigation and enforcement of this disciplinary matter. *See* Sup. Ct. R. 37(19)(b). Costs can include, but are not limited to, copying and costs associated with the publication of the censure. The assessment of costs shall become final unless Mr. Buzawa responds in writing, within thirty (30) days of receipt of the Committee's statement of expenses, listing each disputed expense and explaining the reasons for disagreement. Sup. Ct. R. 37(19)(b). The Committee may resolve the disagreement, or enforce the assessment of costs by petition to the superior court in any county in the state. Sup. Ct. R. 37(19)(b).

The Committee may file a copy of the final assessment of costs with the superior court in any county in the state, where it shall be docketed as a final judgment and shall be subject to all legally-available post-judgment enforcement remedies and procedures. *See* Sup. Ct. R. 37(19)(c). Mr. Buzawa shall be responsible for any costs incurred as a result of the Attorney Discipline Office's collection efforts.

January 6, 2017



David M. Rothstein, Chair

Distribution:

Janet F. DeVito, General Counsel
Carl G. Buzawa
File