

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2016-0016, In the Matter of John A. James, Jr., Esquire

On September 8, 2016, the Attorney Discipline Office (ADO) filed a certified copy of the August 22, 2016 order of the Supreme Judicial Court for Suffolk County (Massachusetts), disbaring Attorney John A. James, Jr. After receiving the Supreme Judicial Court order, this court issued an order, in accordance with Rule 37(12)(b), giving Attorney James and the Professional Conduct Committee (PCC) an opportunity to advise the court if they believed that the imposition of identical or substantially similar discipline would be unwarranted. The PCC advised the court that it believed that disbarment was warranted. Attorney James filed no response.

After reviewing the PCC's response and the Supreme Judicial Court's order, the court concludes that disbarment of Attorney James is warranted. The summary of the Supreme Judicial Court proceedings states that Attorney James was found to have repeatedly and knowingly violated orders of the Massachusetts probate court issued in connection with his personal post-divorce matters, with the result that he was adjudged in contempt twenty-two times. The probate court found that Attorney James misrepresented his income and assets, made knowingly false statements, and sought to conceal information. The United States Bankruptcy Court for the District of New Hampshire found that Attorney James filed a personal bankruptcy action in bad faith. In addition to his conduct in these matters, the Supreme Judicial Court found that Attorney James knowingly failed, without good cause, to respond to bar counsel's requests for information in connection with an investigation and knowingly failed to comply with an administrative suspension order by failing to notify all clients and opposing counsel. The Supreme Judicial Court found that Attorney James violated Massachusetts Rules of Professional Conduct 3.1, 3.3(a)(1), 3.4(a), 3.4(c), 8.1(b), 8.4(c), 8.4(d), 8.4(g), S.J.C. Rule 4:01, §3(1)(b), and S.J.C. Rule 4:01, §17(1)(c) and (d).

Accordingly, the court orders as follows:

- (1) Attorney John A. James, Jr., is disbarred from the practice of law in New Hampshire.
- (2) Attorney James shall reimburse the Attorney Discipline Office for all costs and expenses incurred in the investigation and prosecution of this matter.

(3) If Attorney James seeks readmission to the New Hampshire bar in the future, he shall be required to take the New Hampshire Bar Examination and the Multistate Professional Responsibility Examination and meet the other requirements of Rule 37(14).

Dalianis, C.J., and Hicks, Conboy, Lynn, and Bassett, JJ., concurred.

DATE: November 18, 2016

ATTEST:


Eileen Fox, Clerk

Distribution:

John A. James, Jr., Esquire
David M. Rothstein, Esquire
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File