

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2018-0011, In the Matter of Anna Shapiro, Esquire

On November 28, 2018, the Attorney Discipline Office (ADO) filed a certified copy of an order of the Massachusetts Supreme Judicial Court, which suspended Attorney Anna Shapiro from the practice of law for a period of three months but stayed the suspension for one year upon compliance with certain conditions. The discipline was based upon a stipulation and recommendation for sanction entered into by Attorney Shapiro and the Massachusetts Office of Bar Counsel and accepted by the Massachusetts Board of Bar Overseers.

The Massachusetts disciplinary matter arose out of three separate client relationships. Attorney Shapiro stipulated that, in matters involving these clients, she violated Rule 1.5(a) of the Massachusetts Rule of Professional Conduct, which prohibits a lawyer from entering into an agreement for, charging or collecting a clearly excessive fee. Based on the parties' stipulation, the Board of Bar Overseers found that Attorney Shapiro, either as the senior attorney assigned to a case or as the person responsible for establishing the firm's billing policies and for reviewing and approving firm invoices, charged and collected clearly excessive fees. Specifically, it found that the firm charged two clients \$225 per hour for performing routine administrative tasks. In a case involving a third client, the firm charged \$160 per hour for administrative tasks. The Board of Bar Overseers determined that these rates were clearly excessive for the tasks performed. In addition, the board found that the total amount of legal fees that the firm charged each client was clearly excessive.

The Board of Bar Overseers found, in mitigation, that Attorney Shapiro had refunded a portion of the fees charged to two clients. It approved the parties' stipulation and recommendation for sanction for a three-month suspension stayed for one year. In its order accepting the recommended sanction, the Supreme Judicial Court imposed three conditions: (a) that Attorney Shapiro present proof to the Office of Bar Counsel that the civil claim of the third client had been resolved, with a resulting refund of no less than \$40,000; (b) that Attorney Shapiro obtain an audit from the Law Office Management Assistance Program and follow its recommendations; and (c) that Attorney Shapiro attend a specific CLE program.

In accordance with Supreme Court Rule 37(12)(b), the court ordered that a copy of the order of the Supreme Judicial Court be served on Attorney

Shapiro. It ordered Attorney Shapiro and the ADO to inform the court if either contended that the imposition of identical or substantially similar discipline was unwarranted. Attorney Shapiro notified the court, through counsel, that she agreed that a three-month suspension, stayed for one year on the same conditions imposed by the Supreme Judicial Court, was acceptable. The ADO notified the court that, in its view, the sanction of a three-month suspension, stayed for a period of one year and subject to the same conditions imposed by the Supreme Judicial Court was warranted.

Rule 37(12)(d) provides for the imposition of reciprocal discipline by the court unless the respondent attorney or the ADO demonstrates, or the court finds, based upon the face of the record from which the discipline is predicated, that: (1) the procedure followed by the jurisdiction imposing discipline was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; (2) the imposition of the same or substantially similar discipline by the court would result in grave injustice; or (3) the misconduct established warrants substantially different discipline in New Hampshire.

Having reviewed the order of the Supreme Judicial Court, the court concludes that none of these factors are present. It appears from the order that Attorney Shapiro participated fully in the Supreme Judicial Court proceeding. Considering the nature and consequences of Attorney Shapiro's misconduct, the court does not find that the imposition of the same discipline would result in grave injustice or that her misconduct would warrant substantially different discipline in New Hampshire. Accordingly, the court concludes that a reciprocal suspension of three months, stayed for one year on compliance with the conditions imposed by the Supreme Judicial Court should be imposed.

Therefore, the court suspends Attorney Anna Shapiro for a period of three months, but stays the suspension for one year on the condition that she provide evidence to the ADO that she has complied with the conditions imposed by the Supreme Judicial Court.

Attorney Shapiro is hereby assessed all expenses incurred by the Attorney Discipline Office and Professional Conduct Committee in the investigation and prosecution of this matter. See Rule 37(19).

Lynn, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: February 4, 2019

ATTEST:


Eileen Fox, Clerk

Distribution:

Mark P. Cornell, Esquire

Anna Shapiro, Esquire

Frank C. Corso, Esquire

File

NEW HAMPSHIRE SUPREME COURT
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October 20, 2020

Timothy Gudas, Clerk
New Hampshire Supreme Court
One Charles Doe Drive
Concord, New Hampshire 03301

Re: In the matter of Anna Shapiro, Esquire
LD-2018-0011

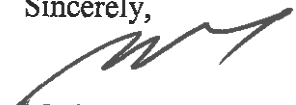
Dear Mr. Gudas:

On February 4, 2019, the Court entered an Order imposing a reciprocal suspension of three months, stayed for one year on compliance with the conditions imposed by the Supreme Judicial Court for the Commonwealth of Massachusetts. A copy of the Supreme Judicial Court for the Commonwealth of Massachusetts is enclosed.

This letter is to confirm that Ms. Shapiro has complied with the conditions set forth in the enclosed Order by the Supreme Judicial Court for the Commonwealth of Massachusetts. Please see enclosed copies of a release for Mr. David Rowe, Affidavit of Anna Shapiro and Certificate of CLE attendance which were provided by Ms. Shapiro.

According, this office will be closing our file for this matter.

Sincerely,



Mark P. Cornell
Deputy General Counsel

MPC/ehb
Enclosures

cc: Barbara J. Guay, Legal Assistant to the New Hampshire Supreme Court Professional Conduct Committee without enclosures via hand delivery