

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2020-0010, In the Matter of John L. Allen, Esquire

On October 9, 2019, in case no. LD-2019-0012, the court suspended the respondent, Attorney John L. Allen, on an interim basis in response to a petition filed by the Attorney Discipline Office (ADO). Attorney Allen has taken no actions to lift the interim suspension.

On November 18, 2020, the Professional Conduct Committee (PCC) filed this case as a petition recommending Attorney Allen's disbarment. In accordance with Rule 37(16), the court provided notice to Attorney Allen of that recommendation at the latest address provided by him to the New Hampshire Bar Association, see Supreme Court Rule 42E(c), and at the home address listed in the PCC record. The court ordered him to file a response on or before December 31, 2020, identifying any legal or factual issues relating to the PCC's recommendation that he wished the court to review. Attorney Allen did not file a response.

The court has reviewed the PCC's recommendation for disbarment and the PCC record. The PCC adopted a hearing panel report, which found, among other misconduct, that Attorney Allen failed to communicate with clients for an extended period, misappropriated at least \$690,444.95 in client funds, transferred \$943,496.09 from an IOLTA account to his operating account without client designation, commingled more than \$350,000 of operating-account funds with IOLTA accounts, and otherwise caused client matters to be out of trust. Those facts were undisputed because Attorney Allen failed to participate in the disciplinary proceedings. The PCC determined that Attorney Allen violated the following Rules of Professional Conduct: Rule 1.1 (requiring competent representation); Rule 1.3 (requiring diligence in representing clients); Rule 1.4 (requiring adequate communications with clients); Rule 1.15 (requiring safekeeping of client property); Rule 1.16(d) (requiring protection of client's interests upon termination of representation); Rule 8.1(b) (prohibiting failure to respond to lawful demands for information in the disciplinary proceedings); and Rule 8.4(b) and (c) (prohibiting criminal conduct or other conduct involving dishonesty, fraud, deceit or misrepresentation).

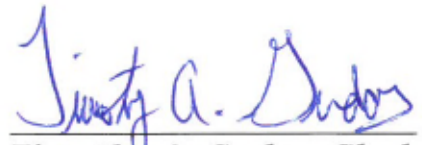
In light of the seriousness of Attorney Allen's misconduct, which includes violations of Rules of Professional Conduct 1.1, 1.3, 1.4, 1.15, 1.16(d), 8.1(b), and 8.4(b) and (c), the court concludes that disbarment is the appropriate sanction.

THEREFORE, the court orders that John L. Allen be disbarred from the practice of law in New Hampshire. He is hereby assessed all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of the matter.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: February 2, 2021

ATTEST:



Timothy A. Gudas, Clerk

Distribution:
Professional Conduct Committee, 19-025
John L. Allen, Esq.
Elizabeth M. Murphy, Esq.
File