

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

O R D E R

LD-2022-0007, In the Matter of Steven A. Clark, Esquire

On October 7, 2022, the Professional Conduct Committee (PCC) filed a petition recommending the disbarment of Attorney Steven A. Clark. The PCC also filed a record of its proceedings with this court. In accordance with Rule 37(16), the court provided notice to Attorney Clark of the PCC's disbarment recommendation and ordered him to file a response on or before November 28, 2022, identifying any legal or factual issues relating to the PCC's recommendation that he wished the court to review. Attorney Clark 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 concerned Attorney Clark's representation of clients in a quiet title action and which found, among other misconduct, that Attorney Clark failed to appear for several hearings in the action, including a show-cause hearing that was ordered to address his failure to appear at a trial management conference, failed to keep the clients informed of ongoing developments in the action, failed to communicate with the clients, abandoned his clients and thereby caused the need for them to hire new counsel at additional cost, failed to cooperate with the Attorney Discipline Office (ADO) during its investigation, and affirmatively obstructed the ADO's efforts to obtain and inventory client files pursuant to an order from this court. Those facts were undisputed because Attorney Clark did not respond to the ADO's notices of charges, see Rule 37A(III)(b)(3)(A), and did not participate in the hearing before the panel.

The PCC determined that Attorney Clark violated the following Rules of Professional Conduct: Rule 1.1 (requiring competence); Rule 1.3 (requiring diligence); Rule 1.4 (requiring adequate communications with clients); Rule 1.16 (requiring a lawyer to protect the client's interests when withdrawing or terminating representation); Rule 3.4(c) (prohibiting knowing disobedience of an obligation under the rules of a tribunal); and Rule 8.1(b) (prohibiting non-compliance with ADO demands for information). The PCC further adopted the hearing panel's conclusion that a sanction of disbarment was warranted, given the seriousness of Attorney Clark's misconduct, the injury that it caused to his clients, and the harm that it caused to the legal system and to the reputation and standing of the legal profession.

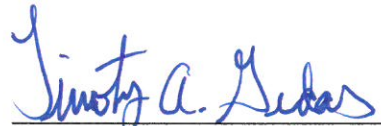
In light of the seriousness of Attorney Clark's misconduct, which includes violations of Rules of Professional Conduct 1.1, 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), the court concludes that disbarment is the appropriate sanction.

THEREFORE, the court orders that Steven A. Clark 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.

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

DATE: January 5, 2023

ATTEST:


Timothy A. Gudas, Clerk

Distribution:
Professional Conduct Committee, 21-018
Sara S. Greene, Esquire
Steven A. Clark, Esquire
File