

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**O R D E R**

**LD-2023-0007, In the Matter of Carol L. Kunz, Esquire**

On April 27, 2023, the Professional Conduct Committee (PCC) filed a recommendation that Attorney Carol L. Kunz be suspended from the practice of law for a period of one year, with the suspension stayed for one year on the condition that Attorney Kunz comply with certain requirements. The PCC also recommended that Attorney Kunz be ordered to pay the costs associated with the investigation and enforcement of the disciplinary matter. The PCC's recommendation approved a stipulation signed by Attorney Kunz, her counsel, and the Attorney Discipline Office's assistant disciplinary counsel, in which Attorney Kunz agreed that she had violated several Rules of Professional Conduct and further agreed that the appropriate sanction for these violations was a one-year suspension, with the suspension conditionally stayed for one year. Attorney Kunz expressly waived her right to a hearing before the court. In accordance with Rule 37(16), because this matter was resolved by a dispositive stipulation, the court may consider this matter without further notice and hearing.

Based on the parties' stipulation, the PCC found that Attorney Kunz violated the following Rules of Professional Conduct as a result of her failure to file a required answer in a superior court case and her failure to keep her client reasonably informed as to the status of the case, including the status of the required answer:

1. Rule 1.1, which requires a lawyer to provide competent representation to a client;
2. Rule 1.3, which requires a lawyer to act with reasonable diligence and promptness in representing a client;
3. Rule 1.4, which requires a lawyer to keep a client reasonably informed about the status of the client's matter; and
4. Rule 8.4(a), which states that it is professional misconduct for a lawyer to violate the Rules of Professional Conduct.

The court has reviewed the PCC's findings and rulings and concludes that they are supported by the record. The court accepts the PCC's recommendation for the appropriate sanction for this misconduct, and

concludes that a one-year suspension from the practice of law, with the suspension conditionally stayed for one year, is warranted. The court approves the conditions of the stay, which are set forth in the stipulation and in a separate agreement to mandatory conditions and procedure for alleged violation of conditions (agreement to mandatory conditions). The stipulation and the agreement to mandatory conditions also set forth a procedure to be followed if it is alleged that Attorney Kunz has not complied with a condition or conditions.

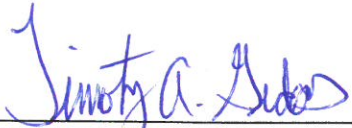
Accordingly, having approved the PCC's findings, rulings and recommended sanction, the court orders as follows:

- (1) Attorney Carol L. Kunz is suspended from the practice of law in New Hampshire for a period of one year, with the suspension stayed for one year on the condition that Attorney Kunz comply with the requirements set forth in the stipulation and the agreement to mandatory conditions; and
- (2) Attorney Kunz is ordered to reimburse the Attorney Discipline Office for all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of this matter.

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

DATE: June 21, 2023

ATTEST:

  
**Timothy A. Gudas, Clerk**

Distribution:  
Professional Conduct Committee, 22-003  
Carol L. Kunz, Esq.  
Russell F. Hilliard, Esq.  
Elizabeth M. Murphy, Esq.  
File

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. LD-2023-0007, In the Matter of Carol L. Kunz, Esquire, the court on September 17, 2024, issued the following order:**

On June 21, 2023, the court suspended the respondent, Attorney Carol L. Kunz, from the practice of law for one year, with the suspension stayed for one year on the condition that Attorney Kunz comply with certain requirements. The Attorney Discipline Office has filed an assented-to motion to permanently stay the one-year suspension. The assented-to motion represents that Attorney Kunz has complied with all of the conditions and requirements of the one-year stay.

The assented-to motion is granted. Accordingly, the one-year suspension is permanently stayed.

MacDonald, C.J., and Bassett, Donovan, and Countway, JJ., concurred.

**Timothy A. Gudas,  
Clerk**

Distribution:

New Hampshire Professional Conduct Committee, 22-003

Russell F. Hilliard, Esq.

Elizabeth M. Murphy, Esq.

File