

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2023-0018, In the Matter of Robert M. Waters Jr., Esquire

On November 29, 2023, the Attorney Discipline Office (ADO) notified the court that Attorney Robert M. Waters Jr. has been indicted by a grand jury in the United States District Court for the District of New Hampshire on four felony counts, including wire fraud, theft of government funds, and unlawful monetary transactions. Pursuant to Supreme Court Rule 37(9)(i), “[w]henver an attorney is indicted or bound over for any felony, the court shall take such actions as it deems necessary, including but not limited to the suspension of the attorney.” This court has ruled that it may impose an interim suspension pending the resolution of a criminal charge in accordance with this provision when it is deemed necessary for: (1) for the protection of the public; and (2) the preservation of the integrity of the legal profession. See Gallant’s Case, 170 N.H. 528, 534-35 (2017); see also Rule 37(16)(f). The court finds that, considering the nature of the alleged felony offenses, Attorney Waters’s immediate suspension from the practice of law is necessary for the protection of the public and the preservation of the integrity of the legal profession. See Rule 37(9)(i) and (16)(d), (f). Accordingly, it is hereby ordered:


- (1) In accordance with Rule 37(9)(i) and (16)(f), Attorney Robert M. Waters Jr. is immediately suspended from the practice of law in New Hampshire on a temporary basis pending further order of this court.
- (2) A copy of this order and of the ADO’s filing shall be served on Attorney Waters by first-class mail and certified mail, return receipt requested. A copy of this order shall also be sent to the ADO electronically.
- (3) On or before December 22, 2023, Attorney Waters may request a hearing on the issue of whether the interim suspension should be lifted; and if he does so, the hearing will be promptly scheduled. See Gallant’s Case, 170 N.H. at 535.
- (4) Attorney Waters is enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed.

On or before December 22, 2023, the ADO shall advise the court if it recommends the appointment of counsel to inventory Attorney Waters's files and to protect the interests of his clients.

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

DATE: December 7, 2023

ATTEST:


Timothy A. Gudas, Clerk

Distribution:
Sara S. Greene, Esquire
Robert M. Waters Jr., Esquire
Joseph G. Mattson, Esquire
File