

New Hampshire Supreme Court
Professional Conduct Committee

a committee of the attorney discipline system

4 Chenell Drive, Suite 102
Concord, New Hampshire 03301
603-224-5828 ♦ Fax 228-9511

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*non-lawyer member

Johnson, Robert F., III advs. Attorney Discipline Office - #23-024

ORDER

On January 20, 2026, the Professional Conduct Committee (PCC) deliberated the hearing panel report issuing a sanction of a one-year suspension. The Committee decided that the appropriate sanction is a two-year suspension, one year of which may be suspended upon a showing that Attorney Johnson has sought treatment and/or proof of an agreement with the Lawyers Assistance Program.

Mr. Johnson violated Rule of Professional Conduct 8.1(b) for failing to respond to lawful demands for information from the disciplinary authority. He failed to answer the Notice of Charges, resulting in a deemed admission of the alleged rule violation. He failed to attend the hearing on sanction.

We look to the *American Bar Association's Standards for Imposing Lawyer Sanctions* (2005) ("*Standards*") to determine an appropriate sanction. While the *Standards* do not control our decision, they are a helpful framework. Under the *Standards*, we consider the duty violated, the lawyer's mental state, and the potential or actual injury caused by the lawyer's misconduct to determine the baseline sanction. We then consider aggravating and mitigating factors.

By failing to respond to the disciplinary authority, Attorney Johnson violated his duty to maintain the integrity of the legal profession. Because Attorney Johnson clearly chose when and whether to respond, his failures to respond were at least done knowingly. The legal profession was injured by Attorney Johnson's misconduct. When an attorney fails to respond to the disciplinary authority, the ability of the profession to govern itself and assure the public of the profession's integrity is harmed. The efforts of the Attorney Discipline Office (ADO) staff to engage Attorney Johnson and the investigation of this matter has involved hours of time of the ADO and of the volunteers of the hearing panel and PCC.

Attorney Johnson's Rule 8.1(b) violation implicates Section 7.0 of the *Standards*. Under 7.2, suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty as a professional and causes injury or potential injury to the legal system.

Aggravating factors include a pattern of misconduct (multiple failures to cooperate), failure to cooperate with the disciplinary process, and substantial experience in the practice of law. In mitigation, Attorney Johnson does not have a prior disciplinary record. The scant record reflects that there may be other mitigating factors as well.

This is a unique case in which the only rule violation is failure to cooperate with the disciplinary authority, which is more commonly seen in addition to other, underlying rule violations. But it is also unusual in that Attorney Johnson has had almost no contact with the disciplinary process, so his fitness to continue to practice as a lawyer is currently unknown.

The case law cited by the ADO all involve respondents whose failure to cooperate was paired with underlying rule violations. *Coddington's Case*, 155 N.H. 66 (2007); *In the Matter of Anna Roulston, Esq.*, LD-15-0011 (October 2, 2015); *In the Matter of James Michalik, Esq.*, LD-2017-0017 (May 6, 2019). In each of those cases, the respondents received a two-year suspension.

In this case, it is unclear whether Attorney Johnson's failure to respond to the disciplinary authority hampered its ability to bring other, underlying rule violations. It is also unclear to what extent Attorney Johnson will engage in rehabilitation that would assure the public that he will be accountable to the disciplinary authority and make him fit for the future practice of law. For these reasons, the Committee concluded that a two-year suspension was appropriate, but that one year of the suspension may be suspended upon reassurance that Attorney Johnson is working on the issues or issues that brought him into non-compliance with the Rules of Professional Conduct.

DATED: January 27, 2026

/s/ Stephanie C. Hausman
Stephanie C. Hausman, Chair

cc: Elizabeth Murphy, Assistant Discipline Office
Robert F. Johnson, III (via email robert_johnson783@yahoo.com)

New Hampshire Supreme Court
Hearings Committee

Johnson, Robert F., III

advs.

Attorney Discipline Office

#23-024

Hearing Panel Report

A complaint was referred to this Panel pursuant to New Hampshire Supreme Court Rule 37A(III)(b)(4) on April 21, 2024. The following Panel was appointed:

Stephanie Annunziata, Hearing Panel Chair
Mona Movafaghi, Esquire
Susan Chollet
Elaine Holden

Background

A. Findings of Fact and Rulings of Law

The Hearing Panel finds by clear and convincing evidence the following:

Background Facts

1. Robert F. Johnson, III (“Mr. Johnson”) is an attorney licensed to practice law in New Hampshire. Mr. Johnson was admitted to practice on November 17, 2014.
2. Mr. Johnson was also admitted to practice law in Massachusetts on June 16, 2014. He is currently on active status for the Massachusetts Bar.

3. At all times material to the underlying matter, Mr. Johnson practiced law at Goulden Law Offices, 253 Main Street, Nashua, NH 03060.
4. Mr. Johnson left that firm on or about July 12, 2024.
5. On or about July 12, 2024, Mr. Johnson provided a home address to the New Hampshire Bar Association but did not provide this information to the ADO.
6. Mr. Johnson does not have a prior discipline history.
7. This matter arises from a referral from Hillsborough County Assistant County Attorney Ryan Dill dated August 28, 2023 (the "Referral").
8. The Referral alleged that on July 19, 2023, Mr. Johnson made false statements to the Court during a hearing that took place in Mr. Johnson's divorce proceeding entitled In the Matter of Gina Johnson and Robert Johnson, III, 9th Circuit Court-Family Division-Merrimack (the "Circuit Court"), Case No.: 657-2022-DM-00103 (the "Divorce Action"). Gina Johnson is Mr. Johnson's estranged spouse.
9. The alleged false statements made by Mr. Johnson in a hearing in his Divorce Action concerned the disposition of a criminal case against Gina Johnson entitled State v. Gina Johnson, Hillsborough County Superior Court-South (the "Superior Court"), Case No.: 226-2023-CR-00277 (the "Criminal Action"), and, more specifically, how that disposition came to be.
10. The Referral implicated Rule 3.3: Candor Toward the Tribunal, which provides in relevant part: "(a) A lawyer shall not knowingly: (1) make a

false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer[.]

11. Although initially cooperative with the ADO investigation, Mr. Johnson failed to respond to the ADO's requests for information and a meeting for several months.
12. This failure is an independent violation of the Rules of Professional Conduct.

Failure to Cooperate with the ADO

13. Mr. Johnson initially cooperated with Assistant General Counsel Andrea Q. Labonte's investigation of this matter.
14. Mr. Johnson has not cooperated or responded since the matter was referred for formal proceedings on January 19, 2024.
15. On May 6, 2024, a letter was sent via U.S. Mail to Mr. Johnson's law firm address at Goulden Law Offices, 253 Main Street, Nashua, NH 03060, requesting that Mr. Johnson contact the ADO by May 16, 2024 to schedule a meeting.
16. Mr. Johnson did not respond to the May 6, 2024 letter.
17. On June 11, 2024, the ADO emailed Mr. Johnson (email address: rjohnsoniilaw@gmail.com) forwarding the May 6, 2024 letter and requested that Mr. Johnson call the ADO to schedule a meeting. The ADO also requested that Mr. Johnson provide new contact information if that was applicable.

18. ADO counsel also called Mr. Johnson at two separate phone numbers but was unable to leave a message.
19. Mr. Johnson did not respond and did not return the ADO telephone calls.
20. On July 1, 2024, the ADO sent a second letter via U.S. Mail to Mr. Johnson's office address at Goulden Law Offices and via email. The letter requested that Mr. Johnson contact the ADO to schedule a meeting by July 9, 2024.
21. In relevant part, the letter stated:

Please know that pursuant to Rule 8.1(b), you have a duty to respond to requests for information from the disciplinary authority. **Failure to do so can result in additional charges for failure to cooperate (Rule 8.1(b)), and could be grounds for summary suspension under Rule 37(9-B).** (Emphasis in original.) **Exhibit 39**
22. Mr. Johnson did not respond.
23. On July 2, 2024, the ADO called Mr. Johnson at his office and cell phone numbers. Mr. Johnson's office number just rang but a voicemail was left at the cell phone number.
24. Mr. Johnson did not respond to the letter or the telephone calls.
25. On or about July 12, 2024, Mr. Johnson changed his address with the New Hampshire Bar Association to a home address.
26. On August 21, 2024, the ADO sent Mr. Johnson an email titled: "ADO Follow-up (3rd Request)" and attached the July 1, 2024 letter.
27. The August 21 email, in relevant part, stated:

Please see the attached letter dated July 1, 2024 which I previously sent to you. I would respectfully request that you call my office no later than **Monday, August 26, 2024** to schedule a mutually convenient time for a meeting. **Exhibit 39, 40**

28. On August 21, 2024, the ADO again called Mr. Johnson. A voice message was left at one of the telephone numbers, believed to be Mr. Johnson's cell phone number.
29. Mr. Johnson did not respond.
30. On October 21, 2024, the ADO sent another letter to Mr. Johnson at his office address, at his home address, and via email.
31. Mr. Johnson was advised that a Notice of Charges would issue if he did not contact the ADO by October 28, 2024.
32. On January 6, 2025, the ADO sent a letter including a copy of the Notice of Charges to Mr. Johnson by certified mail return receipt requested, as well as by email containing the same information.
33. On January 25, 2025, Mr. Johnson responded by email and stated in part:

[REDACTED]

34. On February 1, 2025, Mr. Johnson sent another email that states in part:

[REDACTED]

35. On April 11, the ADO requested a Hearing Panel be appointed to deliberate the sole issue of sanction because Mr. Johnson failed to Answer the Notice of Charges (NOC).
36. There has been no response from Mr. Johnson since that time.
37. On October 9, 2025, by letter, the ADO notified Mr. Johnson of a hearing in this matter scheduled for October 23, 2025.
38. Mr. Johnson did not attend the hearing.

Rulings of Law

39. Mr. Johnson's conduct in this case violates the following New Hampshire Rules of Professional Conduct.

Rule 8.1: Bar Admission and Disciplinary Matters

40. Rule 8.1 states as follows:

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact; or
- (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or
- (c) fail to attend a hearing when ordered to do so by a disciplinary authority.

41. Mr. Johnson had a duty to respond to requests for information from the ADO, including a request for a meeting to discuss the matter.

42. Mr. Johnson breached that duty when he failed to respond to letters, emails, and telephone calls requesting his cooperation.
43. As such, there is clear and convincing evidence that Mr. Johnson breached his duty to cooperate with the ADO's investigation in violation of Rule 8.1(b).

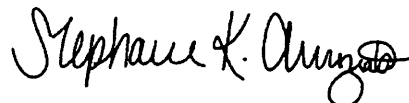
Rule 8.4(a): General Rule

44. The Hearing Panel found by clear and convincing evidence that Mr. Johnson violated Rule 8.1(a). This violation constitutes a violation of N.H. Rule of Professional Conduct 8.4(a).

Recommended Sanction

45. In accordance with New Hampshire Supreme Court Rule 37(A) (III)(d)(1), the Hearing Panel recommends that the Professional Conduct Committee request the New Hampshire Supreme Court impose a one-year suspension upon Mr. Johnson for violation of the New Hampshire Rules of Professional Conduct. This one-year suspension is recommended, as Mr. Johnson has no disciplinary history and is currently experiencing [REDACTED]. In addition, Mr. Johnson will have to undergo the re-instatement process should he seek to practice law in New Hampshire.
46. The panel also recommends that Mr. Johnson be ordered to reimburse the Professional Conduct Committee for all costs associated with the investigation and prosecution of this matter.

Respectfully submitted,



Stephanie Annunziata
Hearing Panel Chair

November 3, 2025

Distribution:

**Elizabeth M. Murphy,
Assistant Disciplinary Counsel
Robert F. Johnson**