

New Hampshire Supreme Court

Professional Conduct Committee

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Blackadar, Christine Marie-Victoria advs. Valeta A. Bridges # 03-071

Recommendation for Disbarment

I. Background

This matter arose from a complaint filed by Valeta A. Bridges against Attorney Christine Marie-Victoria Blackadar.

At its meeting on May 16, 2006, the Professional Conduct Committee (“Committee”) considered the complete record, including the Notice of Charges, the Amendment to Notice of Charges, Proposed Findings of Fact and Rulings of Law and Request for Costs, Disciplinary Counsel’s Memorandum on Sanction, Christine Marie-Victoria Blackadar’s Memorandum on Sanctions, the Hearing Panel Report and Recommendation, and related procedural filings. Oral argument was not requested at that time. Having reviewed the Record, the Committee found, by clear and convincing evidence, the facts as found by the Hearing Panel as reflected in its Report and as restated in the Committee’s Remand to Hearing Panel dated June 14, 2006 (“Committee’s Remand”). The Committee also found, by clear and convincing evidence, that the facts constituted violations of Rules 1.15(b) and 1.16(d) relative to failure to return client funds, Rule 1.15(a)(1) relative to failure to safeguard client property, and Rule 8.4(a) relative to violations of other rules, as found by the Hearing Panel as reflected in its Report and as restated in the Committee’s Remand. Due to the lack of evidence of Ms. Blackadar’s alleged medical incapacity and treatment, the Committee voted to remand the matter to the Hearing Panel for the specific purpose of receiving evidence on the medical incapacity/treatment and making findings and a recommendation based on such evidence.

In response to the remand, the Hearing Panel convened a hearing on August 31, 2006, for the specific purpose of receiving evidence of Ms. Blackadar’s incapacity. At its meeting on October 17, 2006, the Committee considered the supplemented record, including the transcript of the August 31 hearing and the Hearing Panel’s Report, and heard oral argument from Disciplinary Counsel and Counsel for Ms. Blackadar on the issue of sanctions. Committee members present were Margaret H. Nelson, Committee Chair, Ellen L. Arnold, David N. Cole, Thomas P. Connair, Alan J. Cronheim, Gerald A. Daley, Gretchen Rule Hamel, Reporter, and James R. Martin. Members Benette Pizzimenti and Richard H. Darling were recused from the matter. Toni M. Gray and David N. Page were absent.

II. Discussion

As stated in the Hearing Panel’s Report dated September 12, 2006, “[n]o evidence of mental

incapacity and/or treatment was presented at the [August 31] hearing.” The transcript of the August 31 hearing shows that Ms. Blackadar neither attended the hearing nor assisted her counsel to prepare for the hearing. Ms. Blackadar also did not attend the oral argument before the Committee. Counsel for Ms. Blackadar confirmed at oral argument that his client had not provided confirmable information regarding a treating physician or mental health professional and had not provided any releases so that records regarding her incapacity or treatment could be obtained.

Disciplinary Counsel again argued for disbarment based on Ms. Blackadar’s misuse of client funds and failure to cooperate with the attorney disciplinary process, for which a Reprimand was issued earlier in this same proceeding. Counsel for Ms. Blackadar argued for a one-year suspension with an opportunity to request reinstatement thereafter conditioned on, *inter alia*, proof of rehabilitation of the underlying incapacity.

III. Sanction

Because no evidence was presented of Ms. Blackadar’s alleged incapacity or treatment by a medical professional even after remand, the Committee was unwilling to consider the alleged incapacity as a mitigating factor. The Committee thus voted to recommend that Ms. Blackadar be disbarred based on her violations of Rule 1.15(a)(1), Rule 1.15(b), Rule 1.16(d), and Rule 8.4(a). The Committee also voted to request Ms. Blackadar’s immediate suspension pending the disbarment proceeding and to assess all costs associated with the investigation and prosecution of this matter against Ms. Blackadar.

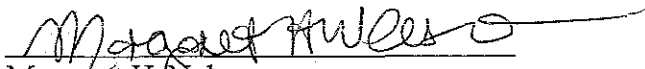
IV. Conclusion

For the reasons stated above, the Committee recommends that Christine Marie-Victoria Blackadar be disbarred from the practice of law for violating N.H. R. Professional Conduct Rule 1.15(a)(1), Rule 1.15(b), Rule 1.16(d), and Rule 8.4(a). The Committee also recommends that Ms. Blackadar be suspended immediately pending the disbarment proceeding and that she be assessed all costs associated with the investigation and prosecution of this matter.

V. Petition for Disbarment

The Committee hereby directs Disciplinary Counsel to file a Petition with the New Hampshire Supreme Court seeking the immediate suspension and ultimate disbarment of Attorney Christine Marie-Victoria Blackadar.

October 25, 2006


Margaret H. Nelson
Chair

Distribution:

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