

State of Maine

Board of Overseers of the Bar

GCF No. 07-056

BOARD OF OVERSEERS OF THE BAR)
)
 Petitioner)
)
 v.)
)
 BRONSON PLATNER, ESQ.)
)
 of Ellsworth, Maine)
)
 Me. Bar No. 885)
)
 Respondent)

**STIPULATED REPORT
 OF FINDINGS and
 SANCTION ORDER**
M. Bar R. 7.1(e)(3)(C)
M. Bar R. 7.1(e)(4)

On March 28, 2008, after due notice, Panel B of the Grievance Commission, pursuant to Maine Bar Rule 7.1(e)(2)(E), reviewed and approved this agreed sanction order concerning misconduct by the Respondent, Bronson Platner, Esq. This disciplinary proceeding had been commenced by the filing of a Disciplinary Petition by the Board of Overseers of the Bar (the Board) on January 9, 2008.

The Board was represented by Bar Counsel J. Scott Davis, and Attorney Platner was represented by Attorney James M. Bowie. The complainant, Shane K. Campbell, had been provided with a copy of this Report (in its proposal form), and stated to Bar Counsel Davis that he agreed with it.

Having reviewed the agreed proposed findings as presented by counsel, the Panel hereby finds the facts and imposes the disposition as follows:

FINDINGS

1. Petitioner is the Board of Overseers of the Bar (the Board).
2. Respondent Bronson Platner (Attorney Platner) of Ellsworth, County of Hancock, State of Maine is and was at all times relevant hereto an attorney duly admitted to and engaging in the practice of law in the State of Maine and subject to the Maine Bar Rules.
3. In the summer of 2005 Attorney Platner represented Shane Campbell in his bankruptcy matter. During the course of that representation, Attorney Platner had advised Campbell concerning how to handle a \$4,000.00 debt he had been ordered by the Farmington District Court to pay to his former wife, Janis Walker Campbell, regarding her attorney fees from their January 2005 divorce.
4. In Campbell's bankruptcy filing with the U.S. Bankruptcy Court at Bangor, Maine, Attorney Platner omitted a correct listing of the amount the Farmington District Court had ordered Campbell to pay, i.e. he was "...responsible for contributing \$4,000.00 towards (Janis Walker Campbell's) legal fees and guardian ad litem costs...until paid in full..." (Section 25 of the Campbells' divorce judgment of January 25, 2005.)
5. Attorney Platner agrees that he had advised Campbell that if he listed that \$4,000.00 debt in his bankruptcy filing as a debt owed to his former wife and she then objected to discharge of that debt, then it would be a non-dischargeable debt. Attorney Platner then (incorrectly) believed that discharge of that court-ordered \$4,000 debt would likely occur if it

was instead described and stated in that bankruptcy filing as being owed by Campbell to his former wife's attorney. Attorney Platner now agrees that such legal advice was an incorrect interpretation of bankruptcy law.

6. As a result of Attorney Platner's incorrect advice and filing action in the U.S. Bankruptcy Court, Campbell's \$4,000.00 court-ordered obligation and debt to Janis Walker Campbell was not discharged.

7. However, Campbell thought that debt had been discharged and he therefore did not make any payments to his former spouse after filing bankruptcy.

8. For a number of reasons which included Campbell's non-payment of that \$4,000.00 debt, by order dated March 13, 2006 he was found in contempt by the Farmington District Court (McElwee, J.), with that court specifically finding that "...since there is no evidence that plaintiff (Shane Campbell) listed defendant (Janis Walker Campbell) as a creditor, nor has he been discharged of the obligation to defendant, section 25 of the divorce judgment remains in full force and effect" (page 2, footnote 1 of that order).

9. Campbell then incurred additional interest and attorney fee amounts totaling approximately \$1,850.00.

10. Attorney Platner agrees and admits that the spousal debt in question as owed by Campbell was not dischargeable under the Bankruptcy Code, and also admits that his failure to list the debt on

Campbell's Schedule F meant that a debt owed to a person not listed on the schedule was not discharged even if it were otherwise dischargeable.

11. Attorney Platner concedes that due to the phrasing of the divorce judgment the debt, although ultimately inuring to the benefit of Attorney Laskoff, was in fact a debt owed by Campbell to his former spouse.

12. As a result, Attorney Platner agrees he engaged in professional misconduct involving his failure to use reasonable care and skill and his best judgment by giving improper legal advice to Campbell, in violation of Maine Bar Rule 3.6(a)(1).

CONCLUSION AND SANCTION

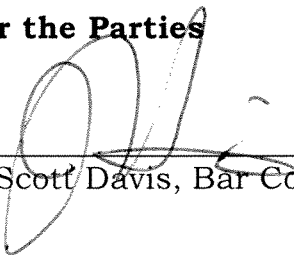
M. Bar. R. 2(a) provides that the purpose of bar disciplinary proceedings is not punishment, but rather the protection of the public from attorneys who, by their conduct, have demonstrated that they are unable, or likely to be unable, to discharge properly their professional duties. Since the evidence supports a finding and Attorney Platner agrees that he did in fact violate the Code of Professional Responsibility, it appears that a public reprimand serves those purposes. Attorney Platner has no history of discipline and the Panel finds that it is unlikely he will repeat the same behavior in the future.

By signature of his counsel, Attorney Platner hereby waives the right to a hearing under Maine Bar Rule 7.1(e) and also waives the right to file a petition for review under Maine Bar Rule 7.2(a).

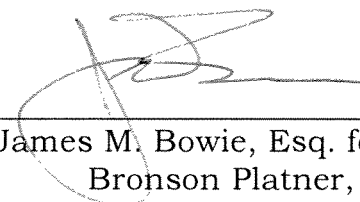
Therefore, the Panel accepts the agreement of the parties, and concludes that the appropriate disposition of this case is to now hereby impose a reprimand upon Attorney Bronson Platner as provided by M. Bar R. 7.1(e)(3)(C).

Dated: March 28, 2008

For the Parties

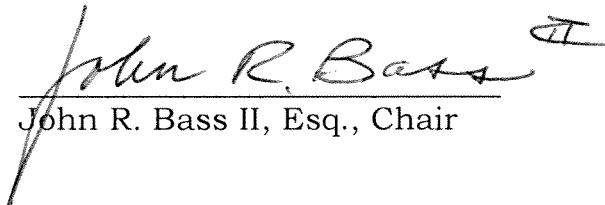


J. Scott Davis, Bar Counsel



James M. Bowie, Esq. for
Bronson Platner, Esq.

For Panel B



John R. Bass II, Esq., Chair