



County of Suffolk, State of Massachusetts, 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. Attorney Raymond was admitted to the Maine Bar in 1997. She is registered as inactive status in Maine and although still registered as active status in Massachusetts, she is not practicing law. She reports that she will likely go inactive in Massachusetts at her next registration period in the Spring of 2006. Attorney Raymond now works as an administrative assistant and she does not intend to practice law anywhere in the foreseeable future.

2. On December 1, 2003 a Panel of the Grievance Commission issued a public reprimand to Attorney Raymond for her failure to represent her clients in accordance with the standards established by Maine's Code of Professional Responsibility. See GCF 03-191, Report of Findings of Panel E of the Grievance Commission. Since then Attorney Raymond has had one pending complaint against her in Massachusetts, which that jurisdiction is currently investigating.

3. In the 2003 case which resulted in a reprimand, Attorney Raymond's failure towards her clients concerned real estate law, an area in which she had no real experience. Attorney Raymond performed minimal work on the case and misrepresented to her clients the status and outcome of their legal affairs.

4. The current grievance complaint from Ms. Rancourt involved

the same time period in Attorney Raymond's practice and similar issues of neglect, inexperience and misrepresentation. The specifics of Attorney Raymond's misconduct are outlined below.

5. In August 2000, Jean Rancourt purchased a house in Rome, Maine and quickly discovered that her water well did not work. She made the mortgage payments for a few months, stopped those payments and then contacted the Volunteer Lawyer's Project for legal assistance.

6. In approximately November 2000, Attorney Raymond (who was then an associate in a small law firm) agreed to represent Jean Rancourt *pro bono*. Attorney Raymond's primary legal experience was in family law and she had minimal experience in real estate transactions. During the next two years, Attorney Raymond performed little work on the Rancourt case and misrepresented the status of the case to her client.

7. Since Ms. Rancourt had stopped making the payments, the mortgage company (Cendant) foreclosed on the property. Ms. Rancourt's damages totaled at least \$7091.56. Although there is a factual dispute as to whether or not Attorney Raymond told Ms. Rancourt that she could stop making the mortgage payments, the parties do agree that the result is the same. Ms. Rancourt's case received no attention, Attorney Raymond misrepresented the progress of the case and the property was foreclosed.

8. When leaving Maine to pursue other employment, Ms. Raymond

did not take the Rancourt case with her. She filed no pleadings and began no legal action for Ms. Rancourt.

9. On September 1, 2004 Ms. Rancourt filed a grievance with the Board of Overseers of the Bar. Attorney Raymond filed her response to that complaint on September 27, 2004.

10. On November 19, 2004 the complaint was reviewed by a Panel of the Grievance Commission which found that probable cause existed that Attorney Raymond had engaged in misconduct subject to sanction under the Bar Rules. The Panel directed Bar Counsel to prepare and file a formal Disciplinary Petition before the Grievance Commission.

11. Attorney Raymond's Answer to the Disciplinary Petition largely admitted the allegations.

Attorney Raymond violated the following provisions of the Code of Professional Responsibility:

**A. Violation of M. Bar R. 3.1(a)**

Like the previous grievance against Attorney Raymond, the current violations concern standards of care and judgment. By reviewing her actions in total, it is clear that Attorney Raymond committed "conduct unworthy of an attorney". After meeting with Ms. Rancourt at the commencement of her representation, Attorney Raymond performed virtually no work on the case.

**B. Violation of M. Bar R. 3.6(a):**

Attorney Raymond also failed to meet the standard requiring a Maine attorney to “take reasonable measures to keep the client informed on the status of the client’s affairs.” Attorney Raymond failed to articulate to Ms. Rancourt the correct status of her legal matter. In fact, Ms. Rancourt only learned of the actual status because she went to the courthouse and inquired about it. Once there, she learned that there was no case. Attorney Raymond was responsible for the fact that there was no case. Additionally, Attorney Raymond should have communicated that fact to her client, so there was a clear record for her and the client to rely on. See M. Bar R. 3.6(a).

**C. Violation of M. Bar R. 3.6(a)(1) (2) and (3):**

Attorney Raymond was not experienced in the area of law that this case required. She did not prepare to take this legal matter on and she neglected what was entrusted to her by Ms. Rancourt. As a result, Ms. Rancourt suffered damages in excess of \$7000.00 and her property was foreclosed.

**CONCLUSION AND SANCTION**

As noted in the previous public reprimand the Panel issued to Attorney Raymond, it is evident that Attorney Raymond had no significant experience in real estate. In both cases, she neglected a legal matter of a client and misrepresented to each client the final outcome. While the two cases occurred during the same time period in 2000-2002,

Ms. Rancourt's complaint was filed in 2004. Attorney Raymond has taken full responsibility for her actions and the subsequent distress it caused Ms. Rancourt. At the hearing, Attorney Raymond was remorseful and apologized to Ms. Rancourt.

As Maine Bar Rule 2 outlines, the purpose of disciplinary proceedings is not punishment but rather, protection of the public and the courts from attorneys who by their conduct have demonstrated that they are unable to discharge properly their professional duties. It appears that a reprimand serves those purposes. Attorney Raymond's status in Maine is an inactive attorney. She received reciprocal discipline in Massachusetts due to the 2003 Public Reprimand in Maine. The panel finds that a reprimand is a sufficient sanction because Ms. Raymond is genuinely remorseful and she is voluntarily no longer practicing law.

Therefore the Panel concludes that the following violations occurred:

- a. Attorney Raymond violated M. Bar R. 3.6(a) by failing to take reasonable measures to keep her client informed on the status of her legal affairs;**
- b. Attorney Raymond violated M. Bar R. 3.6(a)(3) by neglecting Ms. Rancourt's legal matter and thus failing to ensure that her client's interests were protected;**
- c. Attorney Raymond's foregoing violations also constitute**

**conduct unworthy of an attorney in violation of M. Bar R. 3.1(a); 3.2 (f)(3); and 3.6(e)(2)(iv).**

Having made findings of misconduct subject to sanction under the Bar Rules, M. Bar Rule 7.1 (e)(3)(c) directs this Grievance Commission Panel to consider certain factors in determining the appropriate sanction.

These factors are:

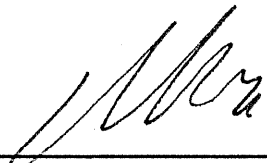
- (i) whether the attorney has violated a duty owed to a client, to the public, to the legal system, or to the profession;
- (ii) whether the attorney acted intentionally, knowingly, or negligently;
- (iii) the amount of actual or potential injury caused by the attorney's misconduct; and
- (iv) the existence of any aggravating or mitigating factors.


The Panel has accordingly considered the foregoing factors and finds that Attorney Raymond has violated duties owed to the client and the legal system. She acted knowingly and negligently and there was actual injury to her client. Ms. Raymond's decision to go inactive in Maine as well as totally cease the practice of law serve as mitigating factors to the current disposition. By her decision not to practice, the public is protected from further misconduct; and since she is an inactive attorney, it is unlikely that such conduct will be repeated. Furthermore, if and when Attorney Raymond decides to request reinstatement in Maine, she must comply with the obligations under M. Bar R. 6(c)(3) and

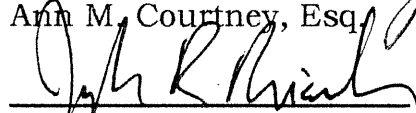
therefore 7.3(j)(5).

**The Panel concludes that the appropriate disposition of this case is a public reprimand to Attorney Jennifer Raymond.**

Dated: June 28, 2005

  
\_\_\_\_\_  
Charles W. Smith, Esq., Chair

  
\_\_\_\_\_  
Ann M. Courtney, Esq.

  
\_\_\_\_\_  
Joseph R. Reisert, Ph.D.