

Professional Responsibility Program

FY 2012 Annual Report



The Professional Responsibility Board is required by Administrative Order 9, Rule 1.E.(2) to provide to the Supreme Court “an annual report, including statistics and recommendations for any rule changes, which report shall be public.” The following is the thirteenth annual report submitted in accordance with this mandate.

www.vermontjudiciary.org/LC/attydiscipline.aspx



Professional Responsibility Program

FY 2012 Annual Report

I. Report of Activities of the Board

Pursuant to A.O. 9, Rule 1.A., the Board is appointed by the Supreme Court and consists of seven members; three members of the bar of this state, three public members and one judge or retired judge.

The Board is responsible for overseeing the program and implementing, coordinating and periodically reviewing its policies and goals.

A. Policies

No new policies were adopted during FY 2012. The list of [Policies](#) can be found on the Judiciary website.

B. Appointment of Hearing Panels

The following individuals served as members of standing Hearing Panels during FY12:

Hearing Panel No. 1

R. Joseph O'Rourke, Esq., Chair
John J. Kennelly, Esq.
Ms. Diane Drake

Hearing Panel No. 2

Theodore C. Kramer, Esq., Chair
Jean Brewster Giddings, Esq.
Mr. Christopher G. Chapman

Hearing Panel No. 3

Leo Bisson, Esq., Chair
Oreste Valsangiacomo, Jr., Esq.
Mr. Mitchell Jay

Hearing Panel No. 4

Bruce C. Palmer, Esq., Chair
William Piper, Esq.
Ms. Florence Chamberlin

Professional Responsibility Board

Jan Eastman, Esq., Chair
Donald Keelan, Vice-Chair
Hon. Alan Cheever (Retired Judge)
Michael Hanley, Esq.
Larry Novins, Esq.
Linda O'Brien
Randolph Rowland

Office of Bar Counsel

Michael Kennedy,
Bar Counsel

Mailing Address:

32 Cherry Street, Suite 213
Burlington, VT 05401
Telephone: 802-859-3000

Office of Disciplinary Counsel

Beth DeBernardi,
Disciplinary Counsel

Brandy Sickles

Administrative Assistant

Mailing Address:

32 Cherry Street, Suite 213
Burlington, VT 05401
Telephone: 802-859-3000

Program Administrator

Deb Laferriere,
Program Administrator

Mailing Address:

Vermont Supreme Court
109 State Street
Montpelier, VT 05609-0703
Telephone: 802-828-3204



Hearing Panel No. 5

Robert P. Keiner, Esq., Chair
Elizabeth Miller, Esq.
Dr. Kim Montgomery

Hearing Panel No. 7

Harland L. Miller III, Esq., Chair
Mark Hall, Esq.
Mr. Stephen V. Carbone

Hearing Panel No. 9

Shannon Bertrand, Esq., Chair
Alan Biederman, Esq.
Mr. William Scranton

Hearing Panel No. 6

Alison J. Bell, Esq., Chair
Eric A. Johnson, Esq.
Ms. Lisa Ventriss

Hearing Panel No. 8

John T. Leddy, Esq., Chair
Joseph Obuchowski, Esq.
Ms. Jeanne Collins

Hearing Panel No. 10

Danielle Fogarty, Esq., Chair
Joseph O’Dea, Esq.
Dr. Bob Bergman

In addition, the following individuals were named to replace those Hearing Panel members whose terms either expired during FY12 or shortly after the fiscal year ended:

Hearing Panel No. 1

Joanne Cillo

Hearing Panel No. 2

Joseph F. Cook, Esq.
Greg Worden

Hearing Panel No. 3

Lawrence Myer, Esq.

Hearing Panel No. 4

Jill Lanman Broderick, Esq.
David Tucker

Hearing Panel No. 5

Erin Gilmore, Esq., Chair
Cara Cookson, Esq.
Chris Bray

Hearing Panel No. 6

Caryn E. Waxman, Esq., Chair
John P. Cain, Esq.
Bill Schubart

Hearing Panel No. 10

Roger Preuss

Leslie Black, Hearing Panel Counsel, provides assistance to Hearing Panels. In general, she attends hearings and phone conferences and writes a first draft of any opinion or order for the panel. She is also available to provide research, pre-hearing memos or other legal assistance to Hearing Panels.

In September of 2008, the Board, with the assistance of Leslie Black, Esq., adopted a comprehensive [Hearing Panel Manual](#) for the use of both attorney and lay member Hearing Panel members.

C. Trust Accounts

The Vermont Professional Responsibility Board has published a guide entitled “[Managing Client Trust Accounts, Rules, Regulations and Tips](#)” to assist both new and experienced lawyers in dealing with trust accounting questions. The purpose of the booklet is to provide attorneys with the basic rules, highlight the areas that will always require an attorney’s best judgment because there are no absolute rules, and dispense some practical experience provided by years of answering lawyers’ questions.

The Professional Responsibility Board also publishes an [Audit Questionnaire](#). The questionnaire is intended to serve as a tool to which Vermont attorneys can turn for self-



assessment of the procedures by which their trust accounting systems are managed. The questionnaire is the result of several years of input from the Professional Responsibility Board, Bar Counsel, Disciplinary Counsel, and Certified Public Accountants. Completion of the questionnaire is not a substitute for complying with the Vermont Rules of Professional Conduct. However, the questionnaire provides a starting point for self-education on trust account management.

The questionnaire and handbook were approved by the Board in the fall of 2008. All members of the Bar were notified of their availability and both documents are available on the Judiciary website. Since publication of the Guide and Audit Questionnaire, the number of IOLTA related overdrafts complaints has substantially decreased.

D. Annual Training Meeting

The Professional Responsibility Program held its annual meeting on June 6, 2012, at the Capitol Plaza in Montpelier, Vermont. Board Chair Jan Eastman welcomed the approximately 50 Professional Responsibility Program members and guests who attended the full day program. Hearing Panel Counsel Leslie Black provided a summary of the decisions that issued during the past year. Chief Justice Reiber, the Board's liaison, addressed the group and thanked the attendees for their contribution to the success of the Program. Attorney Susan Palmer, a volunteer Assistance Panel member, presented an informative workshop for Hearing Panel and Assistance Panel members entitled "*Leveraging Professional Responsibility Proceedings as Learning Opportunities.*" Guest Speaker Chittenden County State's Attorney T. J. Donovan spoke on "*Ethical Issues of Alternate Justice Programs.*" Attorney Joseph F. Cahill, Jr. and Neal Rodar, both volunteer Assistance Panel members, presented a workshop for assistance panel members entitled "*Assistance Panels –What Do They Do and What Should They be Doing.*" Disciplinary Counsel Michael Kennedy and Beth DeBernardi, Deputy Disciplinary Counsel, hosted the first annual "*Ethics Bowl,*" an interactive seminar in which Hearing Panel members engaged in a pub quiz style discussion of legal ethics. A program evaluation form was distributed at the end of the training session, and feedback will be considered in developing and improving future trainings. Attorneys who attended the entire Program earned 4 CLE ethics credits.

The Chair also took the opportunity to thank all of the volunteers who contributed so much to the success of our program; in particular, she acknowledged the long-standing service of many of our Hearing Panel members who were concluding their final term this year. In addition, she welcomed the recently appointed Hearing Panel members who were in attendance.

Finally, the Chair announced that after reviewing the staffing needs of the Professional Responsibility Program, and the current use of resources, a reorganization of the Professional Responsibility Program staff and duties had occurred. As a result of this reorganization, Michael Kennedy was promoted to the position of full-time Bar Counsel, and Beth DeBernardi was promoted to the position of Disciplinary Counsel. The appointments were made pursuant to Administrative Order No. 9, Rule 3.A. She also announced that the Program would begin recruiting for a part-time Deputy Disciplinary Counsel.



E. Supervision of the Program’s Case Docket and Review of Case Management Procedures

Each month the Program Administrator provided the Board with a case flow statistical report. In addition, Disciplinary Counsel provided the Board, on a quarterly basis, with a detailed summary and status of each case pending. The Board reviewed the reports at their Board meetings.

F. Assistance Panels

In addition to Board members, all of whom may serve on Assistance Panels, the following volunteers were appointed to the roster of Assistance Panels during FY 2012:

Attorneys

Steven Adler, Esq.
Joseph F. Cahill, Jr., Esq.
Jesse M. Corum, IV, Esq.
Leslie Hanafin, Esq.
Emily Gould, Esq.
Robert Fairbanks, Esq.
Larry Mandell, Esq.
Katherine Mosenthal, Esq.
Robert O’Neill, Esq.
John Pacht, Esq.
Susan Palmer, Esq.
Alan Rome, Esq.
Thomas Rounds, Esq.
Janet Shaw, Esq.
Peter Van Oot, Esq.
John Webber, Esq.

Public Members

Ms. Irene Carbine
Ms. Susan Fay
Ms. Judith Lidie
Mr. Peter Keelan
Mr. Kevin O’Donnell
Mr. Neal Rodar
Ms. Rachel Siegel
Mr. R. Brownson Spencer II

In 2008, the Board adopted a comprehensive [Assistance Panel Handbook](#) for the use of both attorney and lay member Assistance Panel members.

G. Joint Meeting of Boards

On September 14, 2011, members and staff of the Professional Responsibility Board, Mandatory Continuing Legal Education Board, Board of Bar Examiners and Character and Fitness Committee met for their third annual joint meeting. Each of the Board Chairs presented an overview of issues facing their respective boards. Other issues discussed included the proposal to remove the three month clerkship requirement for admission to the Vermont Bar.



H. Rules

At the request and recommendation of Bar Counsel, the Board transmitted to the Court a recommendation for proposed amendments to Rules 12, 13 and 18 of Administrative Order No. 9.

On June 8, 2011, the proposed amendments were sent out for comment to members of the Bar. The amendments were promulgated on August 31, 2011, and effective October 31, 2011.

Prior to the amendment, the rules were silent as to whether interim suspension proceedings and orders were public. The amended rules provide a clear and concise method regarding access to disciplinary information in proceedings for interim suspension. The overriding goal of the amendment was to enable the Court and Bar Counsel to protect the public by putting it on notice that a lawyer's license has been suspended on an interim basis.

The promulgated amendments can be found by clicking on the following link on the Judiciary website:

http://www.vermontjudiciary.org/LC/Statutes%20and%20Rules/PROMULGATEDAmendmentsAO9Rules12_13_18.pdf

In addition, the Vermont Supreme Court promulgated an amendment to Rule 1.10(a) of the Vermont Rules of Professional Conduct to incorporate in slightly revised form an amendment of the ABA Model Rule 1.10(a) adopted in February 2009. The amended rule permits screening of lawyers whose former representation, or whose former firm's previous representation, of a client would bar the lawyer's present firm from representation. Simultaneous ABA amendments to the Comments to Model Rules 1.10 and 1.0 were also adapted for Vermont. The amendment reflected growing awareness that large law firms face difficult or intractable conflict issues when an attorney proposes to move from one such firm to another under the present strict rule that all such prior conflicts are imputed to all lawyers in the new firm.

The Vermont amendment was promulgated on November 22, 2011, and became effective on January 23, 2012. The promulgated amendment can be found by clicking on the following link on the Judiciary website:

[http://www.vermontjudiciary.org/LC/Statutes%20and%20Rules/PROMULGATEDVRCP8_16.3\(g\)_26_56_69andVRPrC1.10\(a\)andCommentandComment8ofRule1.pdf](http://www.vermontjudiciary.org/LC/Statutes%20and%20Rules/PROMULGATEDVRCP8_16.3(g)_26_56_69andVRPrC1.10(a)andCommentandComment8ofRule1.pdf)

II. Report of Activities of Disciplinary Counsel

A. Introduction

Disciplinary Counsel administers the disciplinary side of the Professional Responsibility Program. In FY 2012, the administration of the disciplinary program included the screening of new complaints, the formal investigation of complaints that were not resolved at the screening phase, and the prosecution of disciplinary cases. In addition, Disciplinary Counsel continued to spend a significant amount of time working with both the Professional Responsibility Board and the Bar on issues related to attorney ethics.



Throughout most of FY 2012, Disciplinary Counsel’s office consisted of two full-time attorneys, Disciplinary Counsel and Deputy Disciplinary Counsel, and a part-time administrative assistant. The office worked closely with the Board, Bar Counsel, and the Board’s Program Administrator.

B. The Investigation and Prosecution of Ethics Complaints

Disciplinary Counsel’s core function is to investigate and prosecute disciplinary complaints. In FY 2012, the Professional Responsibility Program received or otherwise opened 264 complaints, compared to exactly the same number of complaints the previous year.

C. Screening

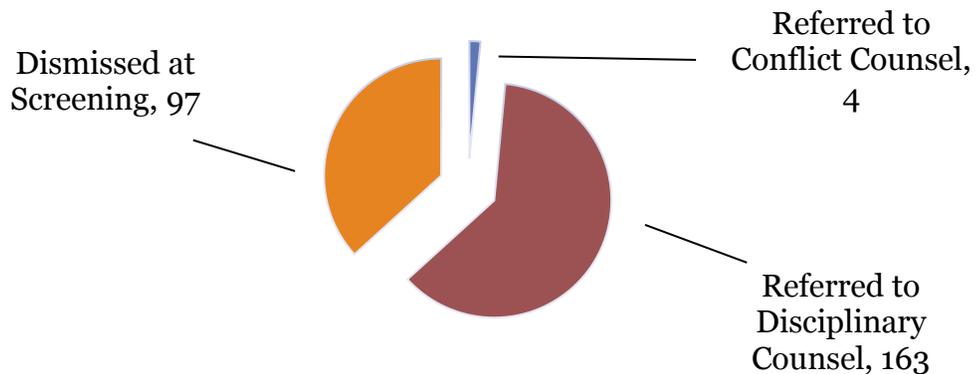
Upon receipt, an ethics complaint is “screened” by Counsel. **See A.O. 9, Rule 10.** The screening process is rather informal and is intended to determine the nature of the complaint and whether it can be resolved through non-disciplinary methods. Indeed, the screening attorney may attempt to resolve any complaint that does not require formal action by an Assistance Panel or the disciplinary program.

In general, if a complaint alleges misconduct that might require a disciplinary sanction, the complaint is referred for a formal investigation by Disciplinary Counsel. Otherwise, the screening attorney either dismisses the complaint or refers it to an Assistance Panel for non-disciplinary resolution.

In FY 2012, 264 files were assigned docket numbers for screening by Counsel for the Professional Responsibility Program. Counsel screened 260; 4¹ cases were assigned to Conflict Counsel for screening, and no cases were at screening stage at the end of the fiscal year. Of the 260 complaints screened by Counsel, 97 were dismissed at screening and the other 163 cases were referred for formal disciplinary investigations.

Table 1

Distribution of 264 Complaints Received



¹ If Counsel for the Program has a conflict that prohibits the office from screening a particular complaint, the Board’s Program Administrator refers the complaint to private counsel for screening.

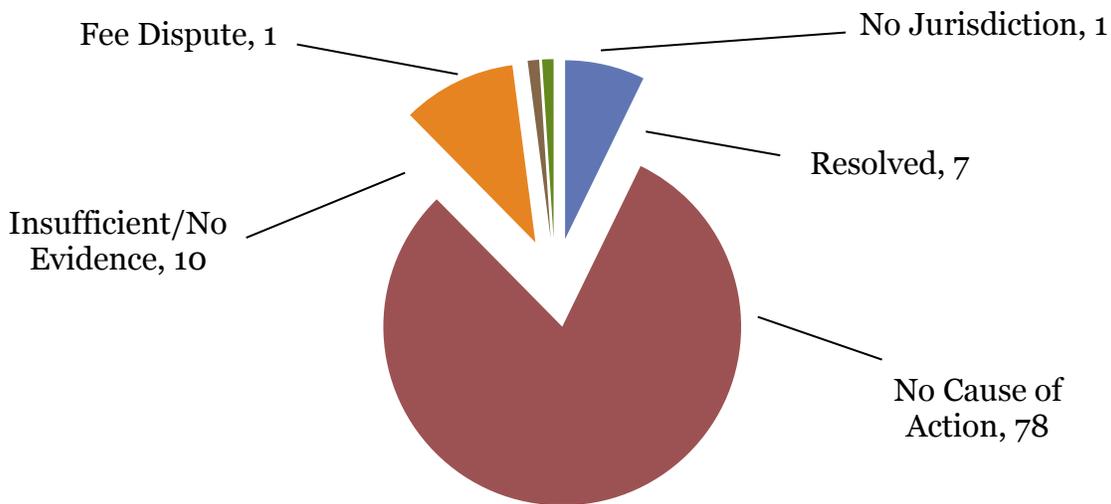


1. Complaints Dismissed at Screening

If a complaint does not allege conduct that appears to require a disciplinary sanction, it is dismissed at screening. Upon dismissal, each complaint is assigned a “dismissal code.” Each dismissal code represents a different reason for the decision to dismiss a particular complaint. The 97 complaints that were dismissed at screening in FY 2012 were dismissed for the following reasons:

Table 2

Disposition of 97 Cases Dismissed at Screening Stage



If a complaint is dismissed at screening, the complainant is advised, in writing, of the reason for the decision to dismiss and of his or her right to appeal the decision to dismiss to the Chair of the Professional Responsibility Board within sixty days. **See A.O. 9, Rule 10(D)**. By contrast, if Counsel dismisses a complaint after the conclusion of a formal investigation, the complainant has no right to appellate review.

In FY 2012, 28 complainants appealed Counsel’s decision to dismiss a complaint at screening; each of the appeals was upheld by the chair.

D. Formal Investigations by Disciplinary Counsel

When a complaint is referred for an investigation, the first step in the investigation is to require the attorney who is the subject of the complaint to file a written response to the allegations. Disciplinary Counsel reviews the response and then conducts whatever additional investigation is appropriate.

Upon concluding an investigation, Disciplinary Counsel has three options: (1) dismiss the complaint; (2) refer the complaint to an Assistance Panel for non-disciplinary resolution;



or (3) ask a Hearing Panel to review for probable cause Disciplinary Counsel's decision to file formal disciplinary charges against the attorney.

FY 2012 opened with 52 formal investigations pending. During the fiscal year, another 168 complaints were referred for formal investigations.

1. Disciplinary Cases before the Supreme Court

When a Hearing Panel issues a decision, either party may appeal to the Supreme Court. Even if neither party appeals, the Court may, on its own motion, order review of the hearing panel's decision. In either situation, the Rules of Appellate Procedure apply. **A.O. 9, Rule 11(E)**.

As FY 2012 began, two disciplinary cases were pending in the Supreme Court. In July 2011, the Supreme Court issued a public reprimand in a case upon which the Supreme Court had ordered review on their own motion, and that same month, the Supreme Court transferred another attorney's license to disability/inactive status based upon a stipulation that had been filed in June 2011.

As the FY 2012 ended, a Hearing Panel decision recommending a public reprimand in three cases, involving the same attorney, was pending the 30 day appeal period before the Supreme Court. Another case, in which parties had appealed the Hearing Panel's recommendation for a six month suspension was also pending before the Supreme.

a. Petitions for Interim Suspension

Rule 18 of Administrative Order No. 9 requires Disciplinary Counsel, upon the "receipt of sufficient evidence" showing that an attorney has violated the ethics rules and presently poses a substantial threat of harm to the public, to transmit the evidence to the Supreme Court along with a proposed order for the interim suspension of the attorney's license to practice law. In FY 2012, Disciplinary Counsel filed one petition for an interim suspension. It was granted.

b. Reciprocal Discipline

Upon learning that a lawyer subject to the PRB's jurisdiction has been disciplined in another jurisdiction, Disciplinary Counsel is required to notify the Supreme Court. **A.O. 9, Rule 20(A)**. The Court then issues an order giving the parties 30 days to indicate whether the imposition of identical discipline in Vermont is warranted. **A.O. 9, Rule 20(C)**. In FY 2012, Disciplinary Counsel filed one petition for a reciprocal disbarment. It was granted.

2. Petitions of Misconduct

Disciplinary Counsel's charging document is known as a "Petition of Misconduct." The petition must be sufficiently clear so as to notify the attorney of the alleged misconduct and the rules allegedly violated. An attorney has twenty days to answer a petition. Once an Answer is filed, each party has the right to conduct discovery in advance of a disciplinary hearing.

In FY 2012, no formal disciplinary proceedings were commenced by the filing of a Petition of Misconduct.



3. Stipulations

As an alternative to a Petition of Misconduct, Disciplinary Counsel and a respondent may commence formal disciplinary proceedings by filing a Stipulation of Facts. From there, the parties may either join to recommend a particular sanction or present argument as to the appropriate sanction.

In FY 2012, 11 complaints involving nine lawyers resulted in Disciplinary Counsel and a respondent stipulating to discipline. Six of those complaints involved five lawyers who agreed to admonitions by Disciplinary Counsel. **See PRB Decision Nos. 150, 149, 147 and 144.** Two complaints resulted stipulations to a public reprimand. **See PRB Decision Nos. 148 and 145.** Two other stipulations were pending before the Hearing Panels as the fiscal year ended. In one, a single attorney who was the subject of three complaints had joined with Disciplinary Counsel to stipulation to the imposition of a public reprimand. In the other, another lawyer had agreed to resolve a single complaint via the imposition of an admonition by Disciplinary Counsel.

4. Disability Proceedings

Disciplinary Counsel also prosecutes disability cases. One lawyer's license was transferred to disability inactive status in FY 2012 as a result of a proceeding that was initiated in FY 2011. In addition, Disciplinary Counsel commenced one formal disability proceeding and that file was pending as the fiscal year ended. **A.O. 9, Rule 21.**

5. Reinstatement Petitions

A lawyer who is transferred to disability inactive status, disbarred, or suspended for more than six months must petition for reinstatement to active status. **A.O. 9, Rule 22.** The lawyer bears the burden of proving that he or she should be reinstated. Disciplinary Counsel conducts discovery, cross-examines witnesses, and presents evidence, if any, in response to the reinstatement petition. In FY2012, no reinstatement petitions were filed.

6. Referrals to Non Disciplinary Resolution

Upon concluding an investigation, and as an alternative to commencing formal disciplinary proceedings, Counsel may refer cases for non-disciplinary resolution. In FY 2012 9 cases were referred (7 by Disciplinary Counsel; 2 by Conflict Counsel) to an Assistance Panel and 5 cases were referred for dispute resolution.

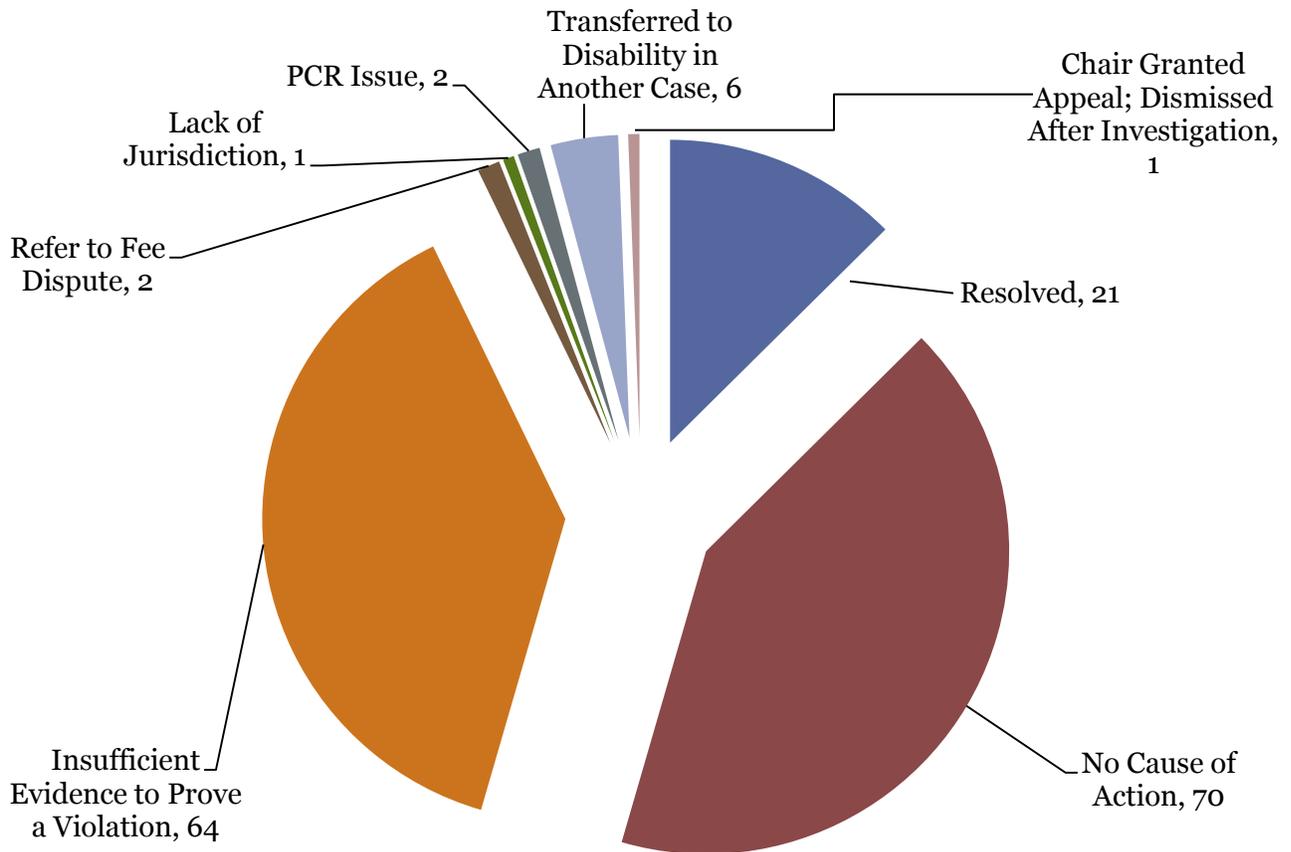
7. Dismissals

If Disciplinary Counsel's investigation indicates that neither formal charges nor a referral to an Assistance Panel is appropriate, a case is dismissed. In FY 2012, Disciplinary Counsel investigated and dismissed 167 complaints. The reasons for the dismissals are set out in the following table:



Table 3

167 Investigations Resulting in Dismissals



8. Docket at End of FY 2012

As the fiscal year closed, 26 complaints were under investigation by Disciplinary Counsel. Four other cases were pending action by a Hearing Panel.

9. Continuing Legal Education Seminars

In FY 2012, Disciplinary Counsel regularly appeared and presented at several Continuing Legal Education seminars throughout the State. Topics of interest in FY 2012 included Succession Planning, Ethics and Social Media, Ethics of IRS Circular 230, and Deceptive Lawyering: Is it Ever Ethical?



10. Compliance with the Trust Accounting Rules

In December of 2011, Disciplinary Counsel randomly selected 75 attorneys to respond to a survey on trust accounting practices. The survey was a streamlined version of the questionnaire that appears on the Board's website and was intended primarily as an educational tool for the participants. Each attorney responded, with 6 of the responses requiring a follow-up telephone call by Disciplinary Counsel. With the exception of the six phone calls to follow-up on relatively minor issues, Disciplinary Counsel did not take any action in response to the answers to the surveys.

In June of 2012, Disciplinary Counsel randomly selected 10 attorneys/firms for compliance reviews. After consulting with a Certified Public Accountant, the list was culled to 7 names. As of the end of the fiscal year, each of the seven attorneys had been notified that his or her trust accounting system would be reviewed by a CPA for compliance with Rules 1.15, 1.15A, and 1.15B of the Vermont Rules of Professional Conduct.

11. Approved Financial Institutions

Rule 1.15B.(a)(1) of the Vermont Rules of Professional Conduct requires lawyers to maintain their trust accounts only in financial institutions approved by the Professional Responsibility Board. Financial institutions which have not been so approved may obtain information as to how to become certified by contacting the Office of Disciplinary Counsel (802) 859-3000. In FY 2012, Disciplinary Counsel negotiated new contracts with several financial institutions, and in January 2012, the complete list of approved financial institutions was sent to members of the Bar. For a complete list of Approved Financial Institutions, please click on the following link:

<http://www.vermontjudiciary.org/LC/MasterPages/PRB-Attytrusts.aspx>

III. Report of Activities of Bar Counsel

Bar Counsel is responsible for several aspects of the Professional Responsibility Program. Bar Counsel responds to inquiries from both lawyers and members of the public regarding professional conduct. Additional responsibilities include administering the Assistance Panel program, publishing decisions, consulting with outside agencies concerned with the professionalism of lawyers, presenting continuing legal education programs for lawyers, and attending to miscellaneous administrative duties.

Below is a summary of what was accomplished as to each of these responsibilities.

A. Lawyer Education A.O. 9, Rules 9, 3B. (1)

1. Specific Questions: Inquiries from individual lawyers.

Bar Counsel provides informal, confidential information and assistance to lawyers who have questions regarding their own professional conduct or that of another attorney. This service, provided on a one-to-one basis and usually by telephone, is Bar Counsel's top priority.



This fiscal year, the position of Bar Counsel was vacant for a significant portion of the year, and therefore, no specific statistics are available.

B. Alternative Dispute Resolution A.O. 9, Rules 3.B.1., 4, 10

2. Informal Program: Inquiries from Members of the Public

The Vermont Professional Responsibility Program receives calls daily at its offices in Montpelier and Burlington from members of the public who have complaints or questions about the conduct of particular Vermont lawyers. Where appropriate, these telephone inquiries are referred to Bar Counsel who endeavors to resolve the matter with the lawyer in issue, assist the caller in structuring a formal complaint where warranted, or provide the caller with information as to where help might be obtained if the matter is not properly within the lawyer disciplinary system. The goal is to solve minor problems between lawyers and their clients as simply as possible while guiding those matters which raise serious ethical concerns to the Office of Disciplinary Counsel.

As the Office of Bar Counsel was vacant for a significant portion of FY 2012, no specific statistics were available on the number of inquiries from the public.

3. Formal Program: Assistance Panels

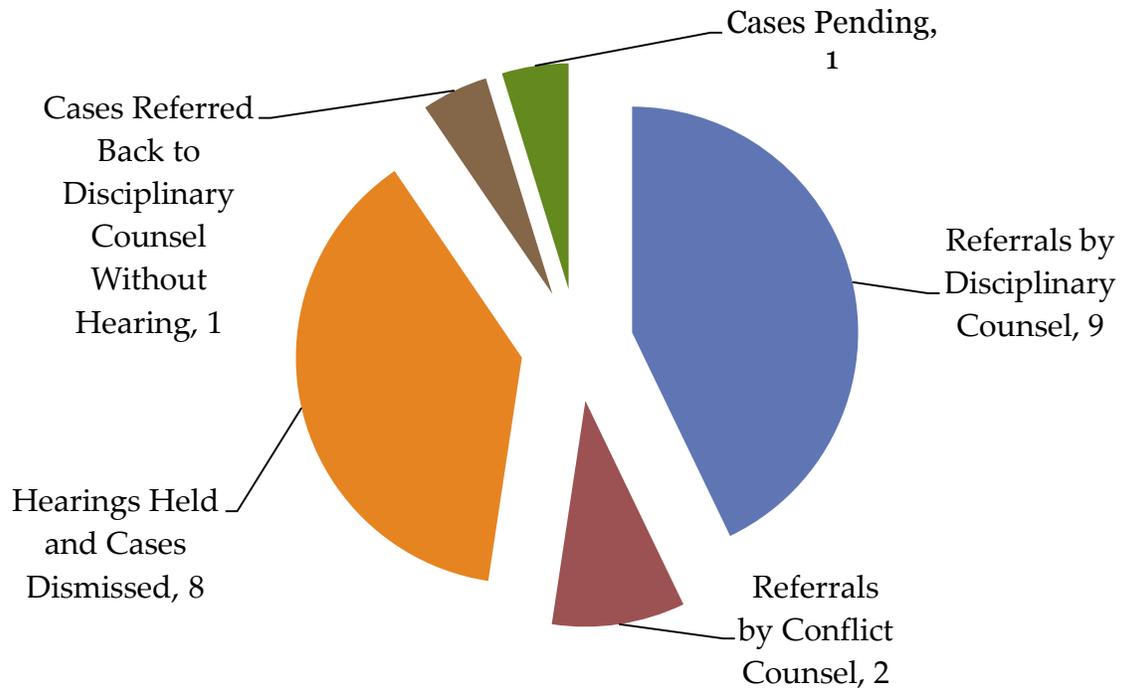
Bar Counsel is responsible for the administration of the formal program for alternative dispute resolution. This work is carried out by the Assistance Panels which are comprised of volunteer lawyers and members of the public. In situations where neither informal resolution by Bar Counsel nor formal processing by Disciplinary Counsel is appropriate, Assistance Panels resolve disputes in confidential meetings with Respondents and Complainants. Bar Counsel provides support for this program in such areas as communicating with the parties, monitoring probationary terms, and providing information to panel members. Program Administrator Deb Laferriere assists in arranging the logistics for hearings for participants.

In FY 2012, 11 referrals were made to Assistance Panels; nine referrals were from the Office of Disciplinary Counsel and two referrals from Conflict Counsel. Eight cases were set for a hearing before a three-member panel. All responding attorneys participated and all complainants were given an opportunity to be heard. As a result of these hearings, eight cases were resolved. One case was referred back to Disciplinary Counsel without a hearing and two cases remained pending as the fiscal year ended.



Table 4

Assistance Panel Referrals and Disposition



4. Informal Referrals

Five cases were referred by counsel for informal dispute resolution. All of those cases remain pending as the fiscal year closed.

D. Dissemination of Disciplinary Information A.O. 9, Rule 13

Bar Counsel is responsible for publishing the final decisions of the Professional Responsibility Program and ensuring that they are properly distributed to other courts and agencies both within and without Vermont. Ten decisions were published in FY 2012. Bar Counsel receives every decision, writes to all appropriate parties of the decisions, and writes a digest of each decision so that readers can locate relevant law by reviewing these synopses. All of the technical work required in disseminating disciplinary information is performed by the Program Administrator, Deb Laferriere.

IV. CONCLUSION

The Professional Responsibility Program continued to administer the lawyer discipline program and to assist attorneys and the public to maintain and enhance the highest standards of professional responsibility.

Professional Responsibility Program



This past year the Board was pleased to add Brandy Sickles to that staff as an Administrative Assistant to Disciplinary Counsel. In addition, we were able to reorganize our staffing structure to include a full time Bar Counsel. We look forward to the possibilities inherent in this change. We were also fortunate that Michael Kennedy agreed to assume the position of Bar Counsel and that Beth DeBernardi now serves as Disciplinary Counsel. We expect to add a part-time Deputy Disciplinary Counsel in the near future.

The Board continues to support an annual joint meeting with members of the Mandatory Continuing Legal Education Board, the Board of Bar Examiners, and the Character and Fitness Committee to coordinate our respective programs.

All participants in the Professional Responsibility Program are pleased to be of service to the Supreme Court, to the legal profession and to the public. The Board acknowledges with gratitude the work of the staff and the many volunteers serving on Hearing and Assistance Panels and as Conflict Counsel, who have contributed significantly to the overall success of the Program.