New Hampshire Supreme Court

Attorney Discipline System

2025 Annual Report

I. OVERVIEW

In 2025, Attorney Discipline Office (ADO) staff consisted of five attorneys, one paralegal, three legal assistants, and one part-time office administrator. Additionally, 34 attorney volunteers and 16 lay-member volunteers participated in the three committees that process attorney discipline complaints: Complaint Screening Committee (CSC), Hearings Committee (HC) and Professional Conduct Committee (PCC).

Brian R. Moushegian (BRM) continued to serve as General Counsel, Mark P. Cornell (MPC) continued to serve as the Deputy General Counsel and Andrea Q. Labonte (AQL) continued to serve as the Assistant General Counsel. They are referred to collectively as General Counsel or GC in this report. Sara S. Greene (SSG) and Elizabeth M. Murphy (EMM) continued to serve as Disciplinary Counsel and Assistant Disciplinary Counsel, respectively. They are referred to collectively in this report as Disciplinary Counsel or DC.

II. ATTORNEY DISCIPLINE OFFICE OPERATIONS

A. Informal Proceedings

The rules and procedures that govern the attorney discipline system are set forth in Supreme Court Rules 37 and 37A. Pursuant to the Rules, grievances must be filed under oath and must certify that a copy has been sent to the attorney against whom the grievance was filed. Upon request, the ADO sends potential grievants the forms that fulfill those requirements. There is no required form for the grievance itself. Some grievants obtain the forms from the ADO website, www.nhattyreg.org. Referrals are received from attorneys who are complying with their obligation under Rule of Professional Conduct (Rule) 8.3, and from judges, marital masters and court clerks who bring attorney behavior to the ADO's attention. In addition, the ADO receives a copy of each Overdraft Notice (ODN) for Client Trust Accounts that banking institutions send to attorneys or firms, and a copy of malpractice lawsuits that are filed against attorneys. Grievances may also be filed online through the ADO website. In total, the ADO received 293 grievances, ODNs and referrals in 2025, a significant increase from prior years.

In every case, General Counsel conduct an initial review of the grievances to determine if they should be docketed. After reviewing the 293 matters received in 2025, and the grievances remaining from 2024, 24 grievances were docketed as complaints requiring further investigation. One of the matters was later non-docketed after General Counsel reviewed the response submitted by the attorney. General Counsel non-docketed 267 of the remaining grievances received and pending. One matter was later docketed after a request for reconsideration was filed. In addition, 12 matters were closed because the ADO lacked jurisdiction, six grievances were withdrawn by the grievants, and two matters were closed without prejudice. Non-docketed grievances do not appear on attorneys' discipline records and are not indexed. After two years, the files in non-docketed matters are destroyed.

After a case is docketed, grievances are called complaints. All docketed cases are indexed

and, once they reach certain procedural milestones, the files in such cases are available for public review at the ADO. The respondent (attorney) is required to answer the complaint after docketing. General Counsel gathers sufficient information pertinent to the conduct in question to dismiss the matter, close the matter without prejudice, forward the matter to DC for further action by agreement with the respondent, or report to the Complaint Screening Committee. By rule, the ADO's work product and reports, as well as the deliberations of the CSC, are not public. In 2025, in regard to docketed matters, GC submitted 20 reports to the CSC for a decision, referred 19 matters to DC (one referral was subsequently withdrawn), and dismissed two matters, one of those on completion of a proposed diversion.

The CSC is comprised of five attorneys and four lay members appointed by the Supreme Court. The CSC met 10 times in 2025. Attorney Julian B. Jefferson continued to serve as CSC Chair in 2025 and Kelly G. Lewis continued to serve as Vice Chair.

The CSC is tasked with considering and acting on requests for reconsideration of General Counsel's decisions not to docket grievances. Out of the 267 grievances non-docketed in 2025, and 12 grievances non-docketed in late 2024, the CSC reviewed 60 requests for reconsideration. All but one of the requests for reconsideration on non-docketed matters were denied, with one matter docketed and sent to DC. When the CSC denies a request for reconsideration of GC's non-docket decision, the matter is closed. *See Petition of Sanjeev Lath, et. al.*, 169 NH 616 (2017) (Grievants do not have standing to appeal the CSC's decision to uphold a non-docket decision.)

The CSC also considers the reports of General Counsel's investigation of docketed complaints. In 2025, the CSC referred 20 docketed cases (including one referred after a request for reconsideration was filed) to Disciplinary Counsel for further action, finding that there was a reasonable likelihood that a hearing panel could find clear and convincing evidence of a violation of the Rules of Professional Conduct. One docketed matter was dismissed by the CSC, another matter was dismissed by the CSC at the completion of a diversion agreement, and one referral was subsequently withdrawn by the CSC.

B. Formal Proceedings

When a matter is referred to Disciplinary Counsel (DC), it is carefully reviewed to determine what best serves the goals of the discipline process, namely protecting the public and preserving the integrity of the legal profession. As part of the assessment, DC generally meets with respondents, their counsel, witnesses (including the complainants), and New Hampshire Lawyers Assistance Program (NH LAP) representatives if issues of mental health or substance abuse are present. DC also gathers documentation from courts, banks, and third parties, as well as from the respondent.

If DC determines that immediate action must be taken to protect the public, she may file a petition for interim suspension or a petition for medical incapacity with the Supreme Court. In 2025, DC filed two petitions for medical incapacity. In both matters, the respondents were

suspended by the court.

If, after her investigation, DC determines that there is not a likelihood of clear and convincing evidence of a Rule violation, she files a Motion to Dismiss with the PCC. DC filed two motions to dismiss in cases that had been referred by the CSC, after DC determined there would not be clear and convincing evidence of a Rule violation. One motion was remanded for more information and the second remained pending at the end of the year.

When DC concludes there is sufficient evidence to prosecute a matter, she prepares a Notice of Charges (NOC) and requests the appointment of a Hearing Panel by the Hearings Committee Chair. When an NOC is issued, the file becomes public. In 2025, DC issued two Notices of Charges involving six matters.

In lieu of a contested hearing, Respondents and Disciplinary Counsel may stipulate to all or part of the facts, Rule violations, and sanction. Disciplinary Counsel negotiated five signed stipulations as to facts, Rule violations, and sanction *prior to* the issuance of an NOC in six matters. The matters were considered directly by the PCC instead of proceeding to a hearing. (One was accepted, one was accepted following oral argument, one was conditionally approved, one was partially accepted, and one was rejected.) There were no requests to resign while under investigation filed during 2025. Disciplinary Counsel filed one motion to close without prejudice. This case involved a respondent who was suspended for medical incapacity.

At the hearings level, DC participated in six pre-hearing conferences and three hearings on sanction. One of the respondents participated in the sanction hearing. One hearing on the merits was scheduled, but the respondent signed a stipulation shortly before the hearing, so the hearing did not go forward. However, the hearing panel heard from the parties on stipulation. At their request a revised stipulation was submitted.

The Hearings Committee Chair, Attorney Brooksley C. Belanger, appoints Hearing Panels from members of the Committee. Although a Hearing Panel quorum consists of two attorneys and one non-attorney, the Chair generally appoints three attorneys and two non-attorneys to each panel. After hearing evidence in a contested hearing or reviewing stipulations that are filed after an NOC is issued, the Hearing Panel submits a written report to the PCC, making findings of fact by clear and convincing evidence; issuing rulings of law, *i.e.*, which Rules were violated; and making recommendations as to sanction. The Hearing Panel submitted four reports to the PCC in 2025. These reports are public.

The outcome of a case is generally the responsibility of the PCC, subject to approval by the Supreme Court (Court) as described below. The PCC, which is comprised of eight attorney members and four lay members, met 11 times in 2025. The PCC Chair was Attorney Stephanie C. Hausman; the Vice Chairs were Attorney Caroline K. Leonard and lay member Kathleen M. Ames. By Court Rule, the New Hampshire Bar Association Vice President serves on the PCC during his or her term as Vice President. Attorney Robert R. Lucic completed his term on the PCC on July 31, 2025. Bar Vice President Attorney Sarah Mattson Dustin was unable to accept

the appointment due to a standing scheduling conflict and the New Hampshire Supreme Court appointed Oliver Bloom in her place pursuant to New Hampshire Supreme Court Rule 37(3)(d). His term began on August 1, 2025.

The PCC has the power and authority to accept diversion agreements, approve stipulations, issue protective orders, dismiss matters, and issue reprimands, public censures or suspensions not exceeding six months. In 2025, the PCC considered six requests for protective orders. Five of those requests were granted and one was denied. The PCC sua sponte issued another protective order based on its review of the matter. The PCC considers Hearing Panel Reports, as well as the entire record, in disciplinary matters. In some cases, it hears oral arguments as to whether the Hearing Panel's recommendations should be affirmed and determines whether there is clear and convincing evidence of violations of the Rules of Professional Conduct. In 2025, the PCC heard oral argument in two cases.

In 2025, the PCC denied one motion to dismiss and closed one case without prejudice. The PCC also issued one reprimand. When the PCC determines that a sanction greater than a six-month suspension is warranted, it submits its recommendation to the Supreme Court. During 2025, the Committee submitted one recommendation for a one-year stayed suspension, one recommendation for a 2-year suspension and two recommendations for disbarment.

The PCC dismissed one case following the respondents' compliance with diversion, ordered that a sanction be imposed following noncompliance with an order, and granted four annulments. Other decisions included appointing independent counsel for grievances in which all of the attorneys at the ADO had a conflict of interest.

Some outcomes determined by the PCC or the Court involve monitoring the respondent attorney following the resolution of a case. Among their other responsibilities, Disciplinary Counsel and staff track compliance with CLE requirements, office management improvement parameters, mental health therapy, and substance abuse treatment, and alert the PCC to any non-compliance with the terms of the conditions. There were four docketed matters in which DC was required to monitor three respondents.

III. THE STATISTICS

As of January 1, 2025, there were 39 grievances and 36 docketed complaints pending at the ADO. Of the docketed matters, 9 were in the investigation stage with General Counsel and 4 were pending with the CSC. Nine requests for reconsideration of matters not docketed by GC were pending with the CSC at the end of the year.

There were 17 docketed matters involving 11 lawyers pending with Disciplinary Counsel, 1 docketed matter was pending with the Hearings Committee, 1 docketed matter was pending with the PCC, 1 docketed matter was pending with the Supreme Court and 3 docketed matters were being monitored by the ADO for compliance with conditions in previous orders issued or as part of a diversion.

Figure A illustrates the types of underlying legal matters giving rise to docketed complaints in the past three years.

FIGURE A

Underlying Legal Matters	2025	Percentage in 2025	Percentage in 2024	Percentage in 2023
Family Law	4	16.7%	30.0%	25.0%
Criminal – Prosecutor	0	0%	3.3%	N/A
Criminal – All Other	3	12.5%	10.0%	14.3%
Civil Suit/Litigation	1	4.2%	10.0%	7.1%
Real Estate/Loan Modification	3	12.5%	10.0%	0%
Probate/Estate Planning	7	29%	6.7%	21.4%
Personal Injury	1	4.2%	6.7%	0%
Collection/Consumer Protection	0	0%	6.7%	0%
Small Claims	0	0%	6.7%	0%
Employment/Workers Compensation	3	12.5%	3.3%	7.1%
Municipal Zoning/Land use	0	0%	3.3%	3.6%
Landlord/Tenant	0	0%	3.3%	0%
Business Law/Contracts	1	4.2%	0%	10.7%
Bankruptcy	0	0%	0%	3.6%
Trust Account Issues	0	0%	0%	3.6%
Criminal Charge against Attorney	1	4.2%	0%	3.6%
Overdraft Notification/Financial	0	0%	0%	0%
Other	0	0%	0%	0%
Total	**24**	**100%**	**100%**	**100%**

Note: N/A indicates that entry was not separately tracked in 2023.

Figure B shows the distribution of the sources of the matters docketed in 2025.

FIGURE B

Docketed Complaint Filed By	2025	Percentage in 2025	Percentage in 2024	Percentage in 2023
Client	7	29.15%	45.2%	42.8%
Employee	0	0%	0%	3.6%
Opposing Party	6	25%	16.1%	14.3%
Court Referral	7	29.15%	19.4%	14.3%
Attorney Referral	1	4.2%	9.7%	14.3%
Self-report	0	0%	3.2%	3.6%
ADO-Generated	1	4.2%	3.2%	7.14%
Bank Referral/ODN	0	0%	0%	0%
Other	2	8.3%	3.2%	0%
Total	**24**	**100%**	**100%**	**100%**

Figure C shows the number of years the respondent was admitted to practice in New Hampshire at the time the complaint was docketed.

FIGURE C

	2025	Percentage in 2025	Percentage in 2024	Percentage in 2023
1 – 5 years in practice	1	4.2%	0%	4.2%
6 – 10 years in practice	3	12.5%	31.8%	12.5%
11 – 15 years in practice	2	8.3%	13.6%	12.5%
16 – 20 years in practice	3*	12.5%	9.1%	8.3%
21 – 25 years in practice	0	0%	18.2%	16.7%
26 – 30 years in practice	4*	16.7%	9.1%	8.3%
31 – 35 years in practice	2	8.3%	0%	12.5%
36+ years in practice	9*	37.5%	18.2%	25%
Total Attorneys	**24***	**100%**	**100%**	**100%**

*Three attorneys each had two cases docketed against them.

The CSC considered 81 matters in 2025 with the outcomes shown in **Figure D**.

FIGURE D

	2025	2024	2023
Requests to Reconsider Matters Not Docketed (denied)	47	38	52
Matters Docketed upon Reconsideration of Non-Docket	1	1	0
Diversion Proposed following Request to Reconsider	0	0	1
Request for change to terms of Diversion denied	0	1	0
Forwarded to DC following Request to Reconsider Diversion	0	0	1
Requests to Reconsider CSC Dismissals (denied)	1	0	1
Deny Request for Extension of Time	1	1	3
Grant Request for Extension of Time; denied Request for Reconsideration	10	1	0
Deny Request for Recusal	0	0	1
Matters Referred to Disciplinary Counsel	19	15	20
Dismissals with no Professional Misconduct	1	4	2
Diversion Proposed	0	1	6
Diversion Completed, Case Closed	1	1	5
Total	**81**	**63**	**92**

Figure E is a listing of the Rules of Professional Conduct violations found in 2025. All matters necessarily also include a violation of Rule 8.4(a).

FIGURE E

	2025	2024	2023
Rule 1: Client-Lawyer Relationship			
1.1 Competence	4	2	2
1.2 Scope of Representation	1	0	2
1.3 Diligence	4	3	4
1.4 Communication	3	2	5
1.5 Fees	0	1	0
1.7 Conflict	1	2	0
1.8 Other Conflict	0	1	1
1.15 Safekeeping Property	2	3	2
1.16 Terminate Relationship with Client	0	0	1
Rule 3: Advocate			
3.1 Meritorious Claims and Contentions	0	0	1
3.3 Candor to Court	1	2	1
3.4 Fairness to Opposing Party	0	5	1
3.8 Special Responsibilities of a Prosecutor	1	0	0
Rule 4: Transactions with Persons other than Clients			
4.1 Truthfulness in Statements to Others	0	0	1
4.2 Communication with Person Represented by Counsel	0	0	0
4.4 Respect for Rights of Third Person	1	1 (appealed)	0
Rule 5: Law Firms and Associations			
5.3 Responsibilities Regarding Nonlawyer Assistants	1	0	0
Rule 8: Integrity of the Profession			
8.1(a) False Statement of Material Fact	0	0	0
8.1(b) Failure to Correct a Misapprehension or Respond to a Lawful Demand of Information	1	3	4
8.4(b) Criminal Act	1	2	0
8.4(c) Dishonesty, Fraud, Deceit, or Misrepresentation	2	2	1
Supreme Court Rule 50	1	2	1
Total Violations	**24**	**31**	**27**

Note: These figures do not include reciprocal discipline findings.

The PCC made the determinations and findings shown in **Figure F**. The PCC considers the Rule(s) violated, and balances mitigating and aggravating factors, when deciding the outcome of a case. If an attorney had findings in multiple docketed matters, he/she is only counted once unless otherwise noted.

FIGURE F

	2025	2024	2023
Closed Without Prejudice	1	4	1
Dismissal	0	4	3
Denied Motion to Dismiss w/o Prejudice	1	0	0
Denied Motion to Reconsider	1	0	3
Approved Request for Lump Sum Payment	0	0	1
Recommended Appointment of Independent Counsel for Grievance	3	3	2
Approved Request for Alternative Service	1	0	1
Remand Case to Hearing Panel for Hearing	1	0	0
Remand Matter to General Counsel	0	0	1
Determined Matter Was Not Considered a Grievance	0	1	0
Approved Diversion by Agreement	0	0	1
Rejected Diversion by Agreement	0	1	0
Approved Stipulation to Facts, Rules and Reprimand	1	0	1
Conditionally-Approved Stipulation to Facts, Rules and Reprimand	1	0	0
Approved Stipulation to Facts, Rules and 6 Mo. Suspension Stayed	0	1	0
Approved Stipulation to Facts, Rules and 1 Yr. Suspension	0	0	1
Approved Stipulation to Facts, Rules and 1 Yr. Suspension Stayed	1	1	1
Approved Stipulation to Facts, Rules and 1 Yr. Suspension, Partially Stayed	0	0	1
Approved Stipulation to Facts, Rules and 2 Yr. Suspension	1	1	0
Approved Stipulation to Facts, Rules and Disbarment	0	1	1
Denied Stipulation to Reprimand	1	0	0
Sanction issued after a Hearing:			
6 Mo. Suspension, partially stayed	0	1	0
Recommend 2 Yr. Suspension	0	0	1
Recommend Disbarment	2	1	0
Reciprocal Discipline Issued	0	1	5
Recommend Disbarment for Reciprocal Discipline	0	1	0
Recommend Suspension for Reciprocal Discipline	1	0	0
Recommendation to Approve Request to Resign Under Discipline	0	2	3
Grant Motion for Protective Order	5	4	7
Deny Motion for Protective Order	1	0	2
Order that Redactions be Made to file	0	1	0
Deny Request to Destroy File	1	0	0
Deny Request for Reconsideration	0	0	3
Grant Motion to Impose Sanction	0	1	0
Dismissal\Closed Following Diversion or Monitoring	1	1	3
Permanently Stay Matter Following Compliance	1	0	0
Annulment Granted	4	1	0
Request for Clarification Denied	1	0	0
Request for Reinstatement Forwarded to Hearings Committee	2	0	1
Requested More Information re: Reinstatement Request	0	0	1
Recommendation to Approve Reinstatement	0	0	1
Total	**32**	**31**	**45**

IV. OTHER

When a solo practitioner is disbarred, suspended, incapacitated or dies, the ADO will recommend to the Supreme Court the appointment of an attorney to inventory the solo practitioner's files and IOLTA accounts. The ADO generally conducts inventories in-house. In 2025, the ADO was appointed to conduct inventories in three matters. In addition, the ADO continued to inventory the client files in matters in which it was appointed in 2022 and 2024. In appropriate cases, the ADO may seek to have an outside attorney appointed by the Supreme Court to conduct the inventory. In 2025, outside counsel was appointed in two cases. If the Supreme Court appoints an outside attorney, the ADO provides guidance to the appointed attorney on how to conduct the inventory. General Counsel completed inventories in four matters and those cases were closed by the Supreme Court in 2025.

Staff attorneys served as faculty in a variety of educational programs in 2025. These included continuing legal education programs on DUI Practice in New Hampshire, Annual Ethics CLE, Trust Accounting, Retirement Matters, and the Practical Skills Program in June and December. In addition, ADO staff attorneys served as guest lecturers at UNH Law School Professional Responsibility classes.

ADO attorneys are also active on New Hampshire Bar Association and Court committees. General Counsel Brian Moushegian serves on the Committee on Cooperation with the Courts. Disciplinary Counsel Sara Greene sits on the Rules Advisory Committee as the ADO designee. Deputy General Counsel Mark Cornell is on the Committee on Lawyer Referral Services.

ADO attorneys and staff also assisted the New Hampshire Attorney General in the prosecution of a disbarred attorney who was indicted for conduct directly related to his discipline case.

V. ATTORNEY DISCIPLINE MATTERS AT THE SUPREME COURT

Pursuant to Supreme Court Rule 37(9), General Counsel must notify the Court when lawyers have been indicted or convicted of serious crimes and may file petitions for interim suspension or disbarment as appropriate in those cases. In 2025, General Counsel filed one Rule 37(9) petition with the Supreme Court and referred one matter to the Supreme Court for non-compliance with a court order.

General Counsel also filed three requests for reciprocal discipline stemming from discipline in other jurisdictions. Two of those cases were filed in December 2025. The additional case, filed in April 2025, included a remand to the PCC for its recommendation as to discipline. All three cases remained pending at the end of the year. One other reciprocal matter filed in 2024 resulted in a disbarment.

Disciplinary counsel requested that the Supreme Court suspend two respondents based on medical incapacity. Both requests were granted.

After reviewing matters filed by the PCC, the Supreme Court disbarred one lawyer, suspended one attorney for one year with the suspension stayed as along as the attorney complied with mandatory conditions, and suspended one attorney for two years. In addition, the Supreme Court imposed a stayed suspension when the Respondent did not comply with the terms of the stay and permanently stayed the suspension in two matters in which the respondents complied with their mandatory conditions. In one matter, the Supreme Court issued an opinion in an appeal of the decision of the PCC filed in 2024. The Supreme Court affirmed the PCC's decision.

One request for reinstatement was filed in 2025, but the respondent later withdrew his request for reinstatement. Another request for reinstatement filed in 2022 was also withdrawn at the request of the respondent.

VI. CONCLUSION

As of January 1, 2026, there were 55 grievances and 46 docketed complaints pending at the ADO. Of the docketed matters, 8 were in the investigation stage with General Counsel and 2 were pending with the CSC. Nineteen requests for reconsideration of matters not docketed by GC were pending with the CSC at the end of the year.

There were 19 docketed matters involving 14 lawyers pending with Disciplinary Counsel, 2 docketed matters were pending with the Hearings Committee, 8 docketed matters were pending with the PCC, 2 docketed matters were pending with the Supreme Court and 4 docketed matters were being monitored by the ADO for compliance with conditions in previous orders issued.