

ENTRY ORDER

VERMONT SUPREME COURT
FILED IN CLERK'S OFFICE

SUPREME COURT DOCKET NO. 2013-284

JUL 31 2013

JULY TERM, 2013

In re Rosemary A. Macero

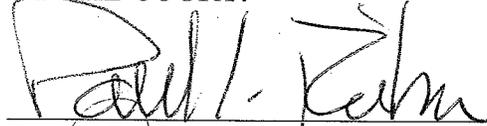
}	Original Jurisdiction
}	
}	
}	Professional Responsibility Board
}	
}	PRB NO. 2013-022

In the above-entitled cause, the Clerk will enter:

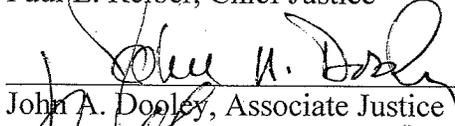
A hearing panel of the Professional Responsibility Board has filed a report with the Court recommending that petitioner Rosemary A. Macero be reinstated to the practice of law in Vermont. The report notes that petitioner was originally suspended for one year from the practice of law in the State of Massachusetts in May 2011 and that this Court, in June 2011, imposed the reciprocal discipline of a one-year suspension from the practice of law in the State of Vermont. On May 4, 2012, the Massachusetts Supreme Judicial Court issued a judgment of reinstatement in favor of petitioner, noting that it was without objection by the bar counsel, and she was also subsequently reinstated to the practice of law in the State of New Hampshire, the New York Supreme Court Appellate Division, the United States District Courts of Massachusetts, New Hampshire, and the Northern District of New York, and the First Circuit of the United States Court of Appeals.

Based on the hearing panel's findings and conclusion that petitioner has met the requirements for reinstatement, the Court hereby reinstates petitioner Rosemary A. Macero as a member of the bar of the State of Vermont. Petitioner shall comply with the requirements M.C.L.E. § 8.

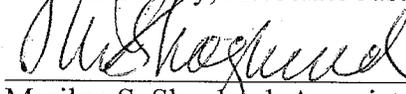
BY THE COURT:



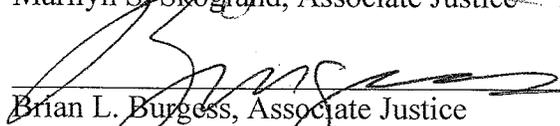
Paul L. Reiber, Chief Justice



John A. Dooley, Associate Justice



Marilyn S. Skoglund, Associate Justice



Brian L. Burgess, Associate Justice



Beth Robinson, Associate Justice

**STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM**

)	
)	Original Jurisdiction
In Re Rosemary A. Macero,)	Professional Responsibility Board
Petitioner)	PRB Docket No. 2013-022
)	

DECISION NO. 161

Petitioner filed a Motion for Reinstatement on July 30, 2012. The matter was referred to this hearing panel by the Professional Responsibility Board and a hearing was held on June 28, 2013. The Hearing Panel consisted of Oreste V. Valsangiacomo, Jr., Esq., Chair, Lawrence E. Myer, Esq. and Mitchell Jay.

The Petitioner was present with her counsel, Judy G. Barone. Esq., Deputy Disciplinary Counsel, Kimberly Rubin, Esq., was also present. Disciplinary Counsel took no position with respect to Petitioner's Motion for Reinstatement.

The Hearing Panel finds that Petitioner has proved by clear and convincing evidence that she has met the requirements of A. O. 9, Rule 22(d) and recommends to the Supreme Court that she be reinstated to the practice of law in Vermont.

Background

Petitioner was suspended from the practice of law for the period of one year commencing on May 8, 2011 by the Supreme Judicial Court for the Commonwealth of Massachusetts.

Petitioner was suspended for submitting a false statement to a tribunal involving a misrepresentation concerning an appellate filing fee.

The Vermont Supreme Court issued a reciprocal suspension on June 20, 2011.

Petitioner was first admitted to practice as an attorney in the Commonwealth of Massachusetts on January 17, 1985.

On May 4, 2012, the Commonwealth of Massachusetts Supreme Judicial Court for Suffolk County issued a Judgment of Reinstatement.

As of June 28, 2013, Petitioner has also been reinstated to the following jurisdictions:

A. Bar of the United States District Court for the District of Massachusetts, May 30, 2012 Judgment for Reinstatement;

B. New Hampshire Supreme Court by Reinstatement Order dated October 1, 2012;

C. City of Rhode Island Supreme Court Order dated February 14, 2013;

D. New York Supreme Court Appellate Division 3rd Department Order Reinstatement dated March 14, 2013; and,

E. The United States District Court for the Northern District of New York Reinstatement Order dated June 7, 2013.

At the time of her suspension from the Massachusetts Bar, the Petitioner had been a member of the Vermont Bar for a period of approximately six years.

By all accounts, Petitioner took her suspension seriously and to heart. She closed down her practice and did nothing that could jeopardize her chances of being reinstated. She was meticulous in upholding the terms of her suspension.

Since her suspension in May of 2011, Petitioner has participated in the following continuing legal education in Massachusetts:

- A. Mediation training in July, 2012 for 40 hours;
- B. MCLE mandatory training for category E and F fee generating appointment in June, 2012 for 14 hours;
- C. NHVA-CLE How to understand and analyze financial statements in September 2011 for 6 hours;
- D. MCLE Drafting Estate Plans under new MUPC July 2011 for 2 hours.

Although not required in Vermont for a suspended lawyer, Petitioner is required to be up-to-date on CLE's in order for her license to be reinstated.

Petitioner also passed the National Conference of Bar Examiners Multi-Stat Professional Responsibility Exam in order to qualify for reinstatement to the Massachusetts Bar.

During her suspension, Petitioner also earned her preliminary license to teach from the Massachusetts Department of Elementary Secondary Education and completed Mediation Works, Inc. 40 hour basic mediation program providing her with the skills necessary to facilitate the mediation process.

She taught at Emmanuel College and worked as an adjunct profession at Cambridge College and as an employee of Bay Path College.

The Petitioner's suspension from the practice of law had a profound impact on her.

Petitioner had developed a much healthier and more balanced approach to her professional and personal life and she appears to be a better person for having survived a very difficult time in her life.

Petitioner was considered a competent and active litigator willing to help those in need and take on difficult cases prior to her suspension.

Petitioner has strong family ties with her parents and siblings. Petitioner never married, had no children and the law was her life.

No evidence was presented that Petitioner's resumption of the practice of law will be detrimental to the integrity of the Bar nor to the administration of justice nor subversive of the public interest.

Conclusion

Therefore the Panel finds by clear and convincing evidence that Petitioner has met the requirements for readmission as set forth in Rule 22D of A.O.9.

Petitioner has the moral qualifications and the competency and learning to ensure that her return to the practice of law will not be detrimental to either the integrity nor the standing of the Bar or the administration of justice nor subversive of the public interest.

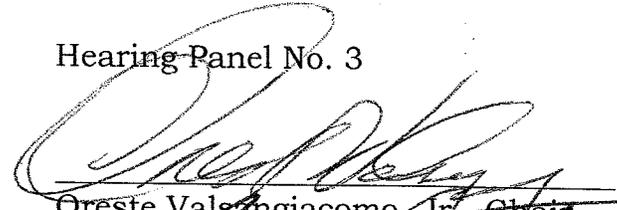
Petitioner has recognized her responsibility and accountability to all details of her filings before the Court.

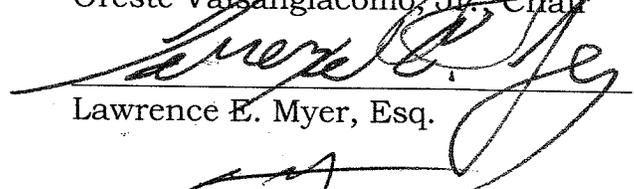
Recommendation

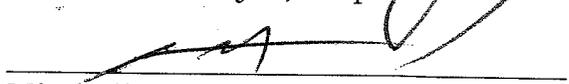
Based upon the foregoing, the Panel recommends to the Supreme Court that the Petitioner, Rosemary A. Macero, be reinstated to the practice of law in the State of Vermont. Petitioner must comply with MCLE Rule 8.

Dated: July 24, 2013

Hearing Panel No. 3


Oreste Valsangiacomo, Jr., Chair


Lawrence E. Myer, Esq.


Mitchell Jay

