BOARD OF OVERSEERS OF THE BAR
JUL - 9 1993

STATE OF MAINE

SUPREME JUDICIAL COURT

Docket Nos. BAR-92-13
and BAR-93-3

BOARD OF OVERSEERS OF THE BAR	)	
	)	
v.	)	ORDER
	)	
RICHARD B. SLOSBERG	)	

The above matters were heard by the undersigned on July 7, 1993, pursuant to an information filed in August 1992 (BAR-92-13) and an information filed in February 1993 (BAR-93-3), in addition to a separate hearing on November 6, 1992, and an interim order of November 5, 1992. The Board of Overseers of the Bar was represented by Assistant Bar Counsel Geoffrey S. Welsh, and Richard B. Slosberg was represented by Robert M. Napolitano.

The factual allegations contained in the nine counts of the two informations are admitted by the defendant. They can be summarized in three categories: (1) neglect of client matters; (2) failure to cooperate with the Board's investigation and disciplinary process; and (3) verbal abuse of public officials and court personnel. Not all of the incidents would warrant the imposition of discipline, but collectively they warrant serious concern and consideration by the Court.

A substantial amount of uncontroverted evidence was presented to aid the Court in disposing of these matters. Again, the Court can summarize the

source of the defendant's difficulties as (1) a substantial change in the nature of the defendant's practice of law since his return to Maine in 1986; (2) stress generated by domestic problems and the pressure of practice focused primarily on litigation; (3) a worsening asthmatic condition with steroid dependency that requires occasional hospitalization; and (4) psychological problems resulting from the stress and the side effects of medication, causing explosive changes of mood and angry outbursts that are inconsistent with the defendant's professional obligation.

The purpose of bar discipline is not punishment but "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." M. Bar R. 2(a). If the Court considered the defendant incapable of reform, his conduct would warrant disbarment. The combination of medical and circumstantial explanation for his behavior, while not completely exculpatory, does suggest that the defendant is capable of reform. Indeed, the recommendations of both defendant's counsel and Bar Counsel recognize as much.

Accordingly, it is ORDERED that Richard B. Slosberg be suspended for a period of one year, but that all but three months of the period of suspension shall itself be suspended for a two-year period commencing after the three-month suspension, on the following conditions:

1. During the three-month period of suspension, the defendant, in cooperation with Bar Counsel, shall submit for the Court's approval a plan for professional supervision of his law practice in order to avoid neglect of any client's affairs.

2. The defendant shall seek and obtain psychological counseling and medical treatment so as to improve his self-control and reduce his dependency on Prednisone.

3. The defendant shall file a confidential report with the Court every six months from:

   (a) the professional monitor approved pursuant to paragraph 1 of this order, and

   (b) the psychological counselor obtained pursuant to paragraph 2 of this order.

4. Bar Counsel may file an information concerning any complaint against the defendant for misconduct occurring subsequent to the date of this order without the necessity of Grievance Commission review.

It is FURTHER ORDERED that Richard B. Slosberg shall file a timely affidavit attesting his compliance with the requirements of Maine Bar Rule 7.3(i)(l).

Dated: July 8, 1993

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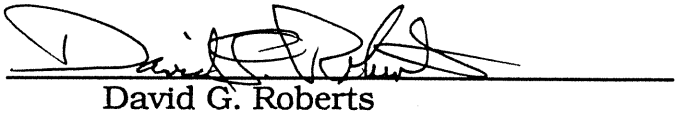

David G. Roberts
Associate Justice