Pursuant to a Disciplinary Petition dated November 30, 2012, a stipulated disciplinary hearing open to the public was scheduled for December 18, 2012 at 9:30 a.m., with proper notice provided to all parties. The members of Grievance Panel D were present at the Board of Overseers of the Bar in Augusta, Maine. The Board of Overseers of the Bar was represented by Assistant Bar Counsel Aria Ece. The Respondent, Carol Webb, did not appear. Despite multiple attempts subsequent to the scheduled hearing to contact the Respondent, the Respondent was unreachable. Because no contact could be made with the respondent, the panel decided to postpone a decision on whether to accept the stipulated agreement of the parties. The panel chair instructed the Board Clerk to send a certified letter to the respondent requesting that she explain her absence from the hearing, giving her until December 26, 2012 to respond.

On December 28, 2012, the Board of Overseers of the Bar received correspondence from the Respondent indicating that she did not appear at the December 18th hearing due to a motor vehicle accident. On the afternoon of December 28, 2012, the members of Grievance Panel D held a telephonic conference to decide how to proceed with the case.

Prior to the disciplinary proceeding, the parties had submitted a stipulated, proposed sanction Report for the Grievance Commission Panel’s review and consideration, stipulating the issuance of two Public Reprimands.

Taking all of the proffered evidence in the light most favorable to the stipulated proposed disposition, the Panel is unable to conclude that a public reprimand is the appropriate disposition of this matter. This is particularly the case given that the respondent failed to appear for her hearing and failed to explain to the Board or the Panel the reason for her absence until after a demand for an explanation was sent by certified mail. Accordingly, pursuant to Maine Bar Rule 7.1(d)(5), the office of Bar Counsel will prepare and present a formal petition for disciplinary proceedings before a different panel of the Grievance Commission. Those proceedings shall take place pursuant to Bar Rule 7.1(e). The Board
Clerk will reset this case for hearing, and at a later date, the parties will receive advance notice of the time and place of the hearing.

Date: 1/9/13

Date: 1/14/13

Date: 1/9/13

William E. Baghdoyan, Esq.
Chair

James A. McKenna III, Esq.

Kathleen A. Schulz