On June 2, 2015, with due notice and pursuant to Maine Bar Rule 7.1(e)(2)(E), Panel D of the Grievance Commission conducted a public disciplinary hearing concerning misconduct by Respondent Alice A. Neal, Esq. This disciplinary proceeding was commenced on February 27, 2015 by the Board's filing of a Stipulated Disciplinary Petition.

At the June 2, 2015 hearing, Attorney Neal was pro se and the Board was represented by Aria Eee, Deputy Bar Counsel. Lauren K. Wayne, who is the Complainant in this proceeding, did not attend the stipulated hearing, although Bar Counsel did provide her with an advanced copy of this proposed order. Ms. Wayne has had the opportunity to remark on the proposal and her comments have been considered by the Grievance Commission Panel.

Having reviewed the stipulated, proposed findings as presented by counsel, the Panel makes the following disposition:
FINDINGS

Respondent Alice A. Neal, Esq., of Portland, Maine was at all times relevant hereto an attorney duly admitted to the practice of law in Maine. As such she is subject to the Maine Bar Rules and the Maine Rules of Professional Conduct (M.R. Prof. Conduct). Attorney Neal was admitted to the Maine Bar in 2007 and at the time of the relevant events, Neal was a solo practitioner with a varied civil law practice; she is now employed in a different capacity and has virtually no pending cases.

In May 2012, Ms. Wayne and her spouse retained Attorney Neal for a second parent adoption matter. Following such retention, Wayne paid $1000.00 for the case to be filed and completed. Although Neal intended to perform the necessary legal services by October 2013, she had accomplished minimal work on the adoption matter. During that time period, the clients were led to believe that Neal had filed the adoption petition and were simply awaiting a final hearing. Starting in early 2014, however, the clients became concerned and began requesting updates regarding the status of their adoption matter. Despite their multiple attempts to reach Attorney Neal, they were unsuccessful and she proved essentially unresponsive to their contacts. As such Neal’s conduct was violative of M. R. Prof. Conduct 1.3

In July 2014, Wayne filed a complaint with the Board detailing her concerns about Neal’s apparent neglect of the adoption and lack of client communication.

Attorney Neal agrees that she did not provide adequate representation to Ms. Wayne and her spouse. By way of explanation, Neal has recounted to Bar Counsel the various personal challenges she faced during that time period and while in the process of winding down her solo practice. She agrees that her actions were in
violation of multiple professional conduct rules, primarily including 1.3[diligence]; 1.4 [communication] 1.5(a) [fees] and 1.15(f) [return of client property]. Attorney Neal has since refunded the advanced fee and returned the original documents so that her former clients can proceed with their adoption matter.

CONCLUSION AND SANCTION

The Maine Rules of Professional Conduct specifically require attorneys to uphold their responsibilities to their clients and as officers of the court. Due to Attorney Neal's actions, Ms. Wayne and her spouse experienced unfair delays in their important legal matter. They were distressed by Attorney Neal's lack of communication and failure to return their documents and legal fees. Attorney Neal has accepted responsibility for her poor treatment of these clients and acknowledged the upset and distress it has caused them.

The Panel notes that the purpose of bar disciplinary proceedings is not punishment, but rather the protection of the public from attorneys who have demonstrated that they are unable to properly discharge their professional duties. See M. Bar. R. 2(a). Since the evidence supports a finding and Attorney Neal agrees that she did in fact violate the Maine Rules of Professional Conduct, the Panel finds that a public reprimand serves those purposes.

Therefore, the Panel accepts the agreement of the parties, including Attorney Neal's separately executed waiver of the right to file a Petition for Review, and concludes that the appropriate disposition of this case is a Public Reprimand. Pursuant to M. Bar R. 7.1(e) (3) (C), (4), the Panel hereby issues that Reprimand to Alice A. Neal, Esq.
Date: June 2, 2015

James A. McKenna
James A. McKenna III, Esq., Chair

Mary A. Denison, Esq.

Emilie van Eeghen
Public Member