STATE OF MAINE

Board of Overseers of the Bar

File No. 07-319

BOARD OF OVERSEERS OF THE BAR

Petitioner

v.

JEFFREY PICKERING, Esq.
of Houlton, Maine
Me. Bar No. 1644

Respondent

Panel B of Grievance Commission conducted a disciplinary hearing on the Petition of the Board of Overseers of the Bar (the "Board") against Jeffrey Pickering, Esquire ("Attorney Pickering") pursuant to Maine Bar Rule 7.1 (e) on March 19, 2009. The Board was represented by Jacqueline L.L. Gomes, Esquire, Assistant Bar Counsel, and Jeffrey Pickering, Esquire was present with his counsel, Brian E. Swales, Esquire.

Prior to opening arguments of counsel, the parties confirmed that they had no objection to the composition of the Panel and advised the Panel regarding the pleadings and exhibits. Materials considered by the Panel were the Board's disciplinary petition dated December 2, 2008, the Answer of Attorney Pickering dated December 5, 2008, the Board Exhibits 1 through 15 as supplemented by the Board under cover letter of March 10, 2009 and Board
Exhibit 16, Stipulations, signed by counsel for Attorney Pickering and by Assistant Bar Counsel. Neither party offered live testimony.

After presentation by both parties with respect to the several violations of the Bar Rules as alleged by the Board and conference of counsel, the parties presented an agreed disposition for consideration by the Panel. Panel B accepted the agreed disposition and issues the following determinations and action.

**FINDINGS AND DETERMINATIONS**

1. The Panel accepts and adopts as its findings the Stipulations entered into by the parties as set forth on Board Exhibit 16 attached hereto as an exhibit and incorporated herein.

2. Paragraph 20 of Board Exhibit 16 states as follows:

   Attorney Pickering admits that he violated Bar Rule 3.6 (a)(3) in three separate instances by (1) failing to search the Registry of Deeds indices for Ronald Lycette prior to closing the transactions from Kripps to Lycette to Realty Trust; (2) neglecting to record the deed from Realty Trust to Ruoss in a timely manner; and (3) neglecting to record the mortgage from Ruoss to Realty Trust in a timely manner.

3. Panel B further finds that Attorney Pickering violated Maine Bar Rule 3.6 (a)(2) by his failure to devote adequate preparation for the closings required under the contemplated transaction.

4. The Panel therefore finds that as a result of the violations of Rule 3.6 (a)(2) and (3), Attorney Pickering has committed conduct deemed unworthy of an attorney within the meaning of M. Bar R. 3.1(a).
M. Bar. R. 2(a) provides that the purpose of bar disciplinary proceedings is not punishment, but rather the protection of the public from attorneys who, by their conduct, have demonstrated that they are unable, or likely to be unable, to discharge properly their professional duties. Pursuant to M. Bar R. 7.1(e)(3)(C), the Panel concludes that Attorney Pickering did not act in knowing violation of his duties under the Bar Rules and that he has taken responsibility for his actions and the delays occasioned to Mr. Connolly, Trustee and the buyer, Mr. Ruoss. Attorney Pickering has addressed the various lien claims against the real estate arising out of debts of Mr. Lycette, leaving only the allocation between the IRS and the Maine Revenue Services unresolved at this point.

Panel B hereby finds on the Stipulations that Attorney Pickering has violated the Maine Bar Rules and hereby issues a Public Reprimand to Jeffery Pickering, Esquire as provide by Maine Bar Rule 7.1 (e)(3)(c). The Panel further adopts the additional condition required by the Board and accepted by Attorney Pickering that Attorney Pickering complete an evaluation under the Maine Assistance Program for Lawyers guidelines and provide the results to Bar Counsel. Assistant Bar Counsel shall make a referral to the Maine Assistance Program for Lawyers within ten days of the date of this Order. Attorney Pickering shall complete the evaluation within ninety days of the date of this Order.
By signature of his counsel, Attorney Pickering hereby waives the right to a further hearing under Maine Bar Rule 7.1(e) and further waives the right to file a petition for review under Maine Bar Rule 7.2(a).

Dated: March 25, 2009

**For the Parties**
Bar Counsel

/s/ Jacqueline L.L. Gomes, Esq. Assistant Bar Counsel

/s/ Brian E. Swales, Esq.

**Respondent Jeffrey Pickering, Esq.**

**Grievance Commission Panel**

/s/ John R. Bass II, Esq. Chair

/s/ Susannah White

/s/ Maurice A. Libner, Esq.