

STATE OF MAINE

GCF# 12-128

BOARD OF OVERSEERS OF THE BAR)
Petitioner)
v.)
Jay H. Otis, Esq.)
of Brewer, ME)
Me. Bar #002941)
Respondent)

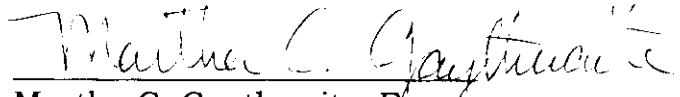
- REPORT -
FINDING OF PROBABLE
CAUSE FOR FILING OF
INFORMATION WITH COURT
M. Bar R. 7.1(e)(3)(C), 4

This matter was heard by GCF Panel C on January 2, 2013 at the Cumberland County Superior Court in Portland, Maine. Pursuant to a Disciplinary Petition dated October 10, 2012, and proper notice being provided, a disciplinary hearing open to the public was conducted pursuant to M. Bar R. 7.1(e)(1), (2) to determine whether grounds exist for the issuance of a reprimand or whether probable cause exists for the filing of an information with the Court. The Board of Overseers of the Bar was represented by Assistant Bar Counsel Aria Eee.

The hearing was scheduled to start at 9:00 am. On the morning of the hearing, Assistant Bar Counsel received word that Attorney Otis was having car trouble and would be late for the hearing. At Attorney Otis' request, the hearing was continued until 9:45. At 9:45, Assistant Bar Counsel contacted Attorney Otis and was advised that he was still over an hour away from the courthouse. The Panel went forward with the hearing and heard the testimony of the complainant, Jill Kraemer. Ms. Kraemer lives in Rhode Island and had driven to Portland on January 1, 2013 to make sure she was present for the hearing. After completion of the testimony of Ms. Kraemer and the presentation of Assistant Bar Counsel, Attorney Otis had still not arrived at the hearing. He advised that he was in the Waterville area. The Panel decided to suspend the hearing and asked Assistant Bar Counsel to wait for Attorney Otis and advise him that the Panel had given him until close of business on Wednesday, January 9, 2013, to make any written submission he thought appropriate. Attorney Otis was advised that he could request that the Panel conduct a follow-up hearing and that he could also obtain a copy of the transcript of the January 2, 2013 hearing from the court reporter. The Panel has not received any written submission from Attorney Otis or any request for a continued hearing.

Based upon the Petition, exhibits admitted, and the testimony presented at the hearing, the Panel finds there is probable cause for the Respondent's suspension or disbarment and hereby directs Bar Counsel to commence an attorney disciplinary action by filing an information with the Court pursuant to M. Bar R. 7.2(b).

DATED: 01/15/2013


Martha C. Gaythwaite, Esq.
For GCF Panel C