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GEORGE H. W. HAYES, II

S.J.C. No. 89-1 BD

Order (voluntary withdrawal) entered January 20, 1989; Judgment (nine-month suspension retroactive to January 20, 1989) entered January 25, 1990.

Summary*

This matter came before the Court on an Information filed by the Board of Bar Overseers, which voted on December 11, 1989 to adopt the hearing committee's recommendation that the respondent be suspended for nine months, retroactive to the date of his voluntary withdrawal from practice.

On May 17, 1988, the respondent was convicted in Suffolk County Superior Court of failing to file state income tax returns for the years 1982 through 1986. He received a suspended sentence of six months, with a two-year probationary term and \$20,000 in fines.

The hearing committee found that the respondent's conduct violated DR 1-102(A)(6). In mitigation, the respondent explained that he suffered from severe depression and alcohol and drug abuse during the years in question. The respondent stated that he was a member of Alcoholics Anonymous and that his substance abuse has abated in recent years. While declining to conclude that the respondent was fully rehabilitated, the committee did find that the respondent's failure to file his tax returns was due to severe depression and substance abuse.

On January 25, 1990, the Court ordered that the respondent be suspended from the practice of law for nine

*Compiled by the Board of Bar Overseers based on the record submitted to the Supreme Judicial Court.

months, retroactive to January 20, 1989, the date of his voluntary withdrawal from the practice of law.

Order

This matter came before the court on an assented to Motion to Waive Hearing and Refer Matter to the Board of Bar Overseers without temporary suspension.

Whereupon it is ORDERED that this matter is referred to the Board of Bar Overseers for further proceedings. The respondent having voluntarily removed himself from the practice of law, a temporary suspension is not needed at this time. This order is issued with the understanding that Mr. Hayes shall not re-enter the practice of law without first motioning this court for permission.

By the Court (Liacos, J.)

Joseph A. Ligotti

January 20, 1989

Assistant Clerk of Court

Judgment

This matter came before the Court, Greaney, J. presiding, on an Information and Record of Proceedings filed January 22, 1990. Hearing was waived and counsel agreed upon the Board's recommendation. Thereupon consideration thereof,

It is ORDERED and ADJUDGED,

that, George H. W. Hayes, II, shall be suspended for a period of nine months, and that said suspension shall be retroactive to January 20, 1989, the date of his voluntary removal from the practice of law.

It is further ORDERED that George H. W. Hayes, II, is to comply with S. J. C. Rule 4:01, § 17, within 28 days from the date of this judgment and shall file with the Board of Bar Overseers and the Court his affidavit of compliance within 30 days from the date of this judgment.

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George H. W. Hayes, II

Mr. Hayes may file a petition for reinstatement in accordance with S. J. C. Rule 4:01, § 18 as of the date of this judgment.

January 25, 1990

Richard J. Rouse
Clerk of Court