STATE OF CONNECTICUT

STATEWIDE GRIEVANCE COMMITTEE

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09/09/2011

OFFICE OF CHIEF DISCIPLINARY C
100 WASHINGTON STREET
HARTFORD CT 06106

PAUL ARTHUR GARLINGHOUSE
129 CHURCH ST, SUITE 804
NEW HAVEN CT 06510

RE: GRIEVANCE COMPLAINT #10-1019
GULASH vs. GARLINGHOUSE

Dear Respondent and Disciplinary Counsel:

Enclosed herewith is the decision of the reviewing committee of the Statewide Grievance Committee concerning the above referenced matter. In accordance with the Practice Book Sections 2-35, 2-36 and 2-38(a), the Respondent may, within thirty (30) days of the date of this notice, submit to the Statewide Grievance Committee a request for review of the decision.

A request for review must be sent to the Statewide Grievance Committee at the address listed above.

Sincerely,

Michael P. Bowler

Encl.
cc: Attorney Michael A. Georgetti
Sharon E. Gulash

STATEWIDE GRIEVANCE COMMITTEE

Sharon E. Gulash Complainant	:	
vs.	:	Grievance Complaint #10-1019
Paul A. Garlinghouse Respondent	:	

DECISION

Pursuant to Practice Book §2-35, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, conducted a hearing at the Superior Court, 1061 Main Street, Bridgeport, Connecticut on July 13, 2011. The hearing addressed the record of the complaint filed on December 20, 2010, and the probable cause determination filed by the New Haven Judicial District Grievance Panel for the towns of Bethany, New Haven and Woodbridge on March 2, 2011, finding that there existed probable cause that the Respondent violated Rules 1,1, 1.3, 1.4, 1.5(b),1.15(b),(d) and (e), 8.1(2) and 8.4(4) of the Rules of Professional Conduct and Practice Book §§2-27(d) and 2-32(a)(1).

Notice of the hearing was mailed to the Complainant, to the Respondent and to the Office of the Chief Disciplinary Counsel on June 1, 2011. Pursuant to Practice Book §2-35(d), Assistant Disciplinary Counsel Beth Baldwin, assisted by Law School Student Intern Kevin Smith, pursued the matter before this reviewing committee. The Complainant and the Respondent appeared at the hearing and testified. Five exhibits were admitted into evidence.

This reviewing committee finds the following facts by clear and convincing evidence:

In January of 2010, the Complainant retained the Respondent to represent her in a pending divorce proceeding. The Respondent was paid a $5,000 retainer. The Respondent provided the Complainant with a written retainer agreement reflecting a billing rate of $250 per hour for legal services. The Respondent reviewed documents, drafted motions, and attended court proceedings in connection with the representation. The Respondent communicated with the Complainant relative to the representation. The Complainant's divorce was finalized by agreement in June of 2010.

The Respondent did not file an answer to the grievance complaint. At the time of the filing of the subject grievance complaint, the Respondent was not in compliance with the attorney registration requirement.

This reviewing committee also considered the following:

The Complainant testified that the Respondent did not provide her with an accounting, despite several requests. The Complainant explained that the first time she saw an accounting of the Respondent's legal services was after the grievance complaint was filed. The Respondent testified that he sent in excess of 60 e-mails to the Complainant. The Respondent maintained that the Complainant did not request an accounting. The Respondent testified that he was upset by the subject grievance complaint and that he "really didn't know where to begin" with his response.

This reviewing committee finds the following violations of the Rules of Professional Conduct and the Practice Book by clear and convincing evidence:

The Respondent failed to file a timely response to the grievance complaint without demonstrating good cause in violation of Rule 8.1(2) of the Rules of Professional Conduct and Practice Book §2-32(a)(1). The Respondent failed to comply with the attorney registration requirement in violation of Rule 8.4(4) of the Rules of Professional Conduct and Practice Book §2-27(d).

This reviewing committee concludes that the record lacks clear and convincing evidence to substantiate a finding that the Respondent violated Rules 1.1, 1.3, 1.4, 1.5(b) or 1.15(b),(d)and(e) of the Rules of Professional Conduct.

Since this reviewing committee concludes that the Respondent engaged in unethical conduct, we order the Respondent to take, at his own expense a Continuing Legal Education ("CLE") course in legal ethics. The CLE course is to be attended in person unless the Respondent obtains pre-approval from the Statewide Grievance Committee to take the CLE course electronically or through some other means. The CLE course is to consist of a minimum of three (3) credit hours and is to be taken within six (6) months of the issuance of this decision. The Respondent is further ordered to provide the Statewide Grievance Committee with written confirmation of his compliance with this condition within thirty (30) days of completion of the CLE course. The written confirmation should be in the form of a certificate of attendance or similar documentation from the course provider.

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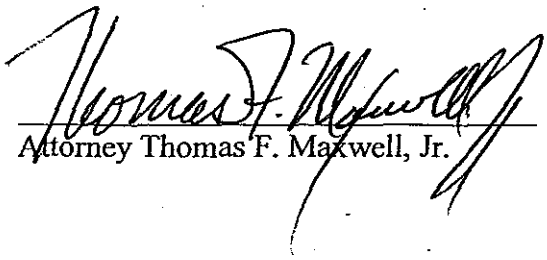
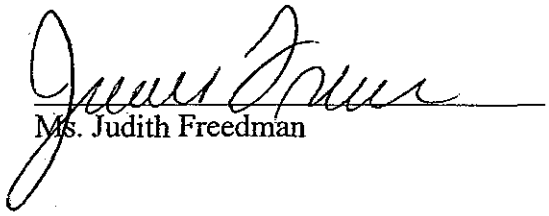
DECISION DATE: 9/9/11

Attorney Salvatore C. DePiano



Attorney Thomas F. Maxwell, Jr.



Ms. Judith Freedman