

STATE OF CONNECTICUT



Michael P. Bowler
Statewide Bar Counsel

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STATEWIDE GRIEVANCE COMMITTEE

www.jud.ct.gov/sgc/
Second Floor - Suite Two
287 Main Street, East Hartford, Connecticut 06118-1885

11/13/2009

OFFICE OF CHIEF DISCIPLINARY C
100 WASHINGTON STREET
HARTFORD CT 06106

JOHN A BARBIERI
JOHN A. BARBIERI
18 CEDAR STREET
P. O. BOX 1445
NEW BRITAIN CT 06050

RE: GRIEVANCE COMPLAINT #09-0340
NB/HTFD JD GA12 ETC vs. BARBIERI

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,

A handwritten signature in cursive script that reads "M.P. Bowler".

Michael P. Bowler

Encl.

cc: Attorney John J. Quinn
NB/HTFD JD GA12 ETC

NOTICE REGARDING DECISION
SANCTIONS OR CONDITIONS

GRIEVANCE COMPLAINT # 09.0340

THE ATTACHED DECISION IS PRESENTLY STAYED IN ACCORDANCE WITH PRACTICE BOOK §§2-35 AND 2-38.

SECTION 2-35 STATES, IN PART, AS FOLLOWS:

(e) ... Enforcement of the final decision ... shall be stayed for thirty days from the date of the issuance to the parties of the final decision. In the event the respondent timely submits to the Statewide Grievance Committee a request for review of the final decision of the reviewing committee, such stay shall remain in full force and effect pursuant to Section 2-38(b).

SECTION 2-38 STATES, IN PART, AS FOLLOWS:

(b) ... Enforcement of a decision by a reviewing committee imposing sanctions or conditions against the respondent ... shall be stayed for thirty days from the issuance to the parties of the final decision of the reviewing committee pursuant to Section 2-35(g). If within that period the respondent files with the Statewide Grievance Committee a request for review of the reviewing committee's decision, the stay shall remain in effect for thirty days from the issuance by the Statewide Grievance Committee of its final decision pursuant to Section 2-36. If the respondent timely commences an appeal [of the sanctions or conditions to the Superior Court] pursuant to subsection (a) of this section, such stay shall remain in full force and effect until the conclusion of all proceedings, including all appeals, relating to the decision imposing sanctions or conditions against the respondent. If at the conclusion of all proceedings, the decision imposing sanctions or conditions against the respondent is rescinded, the complaint shall be deemed dismissed as of the date of the decision imposing sanctions or conditions against the respondent.

DECISION DATE: 11.13.09



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

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Attorney Karyl L. Carrasquilla
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
100 Washington Street
Hartford, CT 06106

Attorney John A. Barbieri
18 Cedar Street
P. O. Box 1445
New Britain, CT 06050-1445

RE: Grievance Complaint #09-0340, New Britain Judicial District and Judicial District of Hartford for Geographical Area 12 and the Towns of Avon, Bloomfield, Canton, Farmington and West Hartford Grievance Panel v. John A. Barbieri

Dear Assistant Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Proposed Disposition Pursuant to Practice Book Section 2-82(b)* (hereinafter "*Proposed Disposition*") filed October 1, 2009 and submitted for approval in the above referenced matter. After careful consideration of the *Proposed Disposition*, the *Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(d) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on October 1, 2009, the undersigned hereby APPROVE the *Proposed Disposition*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Assistant Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Proposed Disposition* is hereby made an order of this reviewing committee. The Respondent is reprimanded and conditions are imposed as set forth in the *Proposed Disposition*.

So ordered.

cc: Attorney Richard Florentine
Attorney John J. Quinn

DECISION DATE: 11.13.09

(4)
(jf)

Grievance Complaint #09-0340

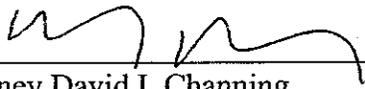
Decision

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A handwritten signature in black ink, consisting of a vertical line on the left, a curved line that loops back to the left, and a long diagonal line extending upwards and to the right.

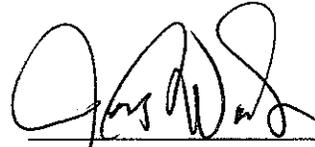
Attorney Noble F. Allen

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Attorney David I. Channing

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Mr. John B. Walsh

STATEWIDE GRIEVANCE COMMITTEE

NEW BRITAIN/HARTFORD J.D.
GRIEVANCE PANEL
Complainant

GRIEVANCE COMPLAINT #
09-0340

v.

JOHN A. BARBIERI
Respondent

PROPOSED DISPOSITION PURSUANT TO PRACTICE BOOK § 2-82(b)

Pursuant to Practice Book § 2-82(b), and Practice Book § 2-82(a)(2), the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. John A. Barbieri (hereinafter Respondent), juris number 001797, was admitted to the bar of the State of Connecticut on August 11, 1964 and has no history of discipline.
2. The Respondent has registered with the Statewide Grievance Committee for 2009 and is currently in good standing
3. This matter was instituted by grievance complaint dated March 27, 2009.
4. On August 10, 2009, the New Britain/Hartford J.D. Grievance Panel found probable cause that the Respondent violated Rule 1.15(a) of the Rules of Professional Conduct and Practice Book § 2-27.
5. The Respondent has tendered an affidavit pursuant to Practice Book § 2-82(d) attached hereto, and admits that he did not maintain his law firm's personal funds separate from his IOLTA account and that this conduct violated Practice Book § 2-27(a).
6. The Respondent and Disciplinary Counsel agree that the Respondent will be reprimanded pursuant to Practice Book §2-37(a).
7. The Respondent will immediately retain an accountant/bookkeeper, to review his law firm's records and assist in his reaching and maintaining compliance with

the Connecticut Practice Book and Rules of Professional Conduct regarding client's funds and safekeeping property. Respondent will provide disciplinary counsel and the Statewide Grievance Committee with a written report from the accountant of findings and corrective measures taken.

8. Respondent agrees to quarterly audits by the Statewide Grievance Committee of his law firm for a period of one year from the date of acceptance of this Proposed Agreement.
9. Respondent and disciplinary counsel agree that the Respondent will attend in-person and at his own expense a continuing legal education (CLE) course in law office management for the solo practitioner/small office. Online courses and materials only courses do not comply. 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 approval of this Proposed Agreement. The Respondent will provide disciplinary counsel with written confirmation of his compliance with this condition within thirty (30) days of completion of the CLE course.
10. The Respondent further understands that his failure to comply with all of the terms of these conditions will result in the filing of a presentment pursuant to Practice Book § 2-37(c).
11. The Respondent and the Disciplinary Counsel agree that the Disciplinary Counsel will recommend that the Statewide Grievance Committee impose the sanction set forth in this agreement.

WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82(b).

Office of Disciplinary Counsel,

10/1/09
Date

By: 
Karyl L. Carrasquilla
Assistant Disciplinary Counsel

Oct 1, 2009
Date

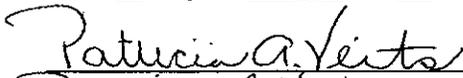

John A. Barbieri
Respondent

8. I agree to immediately retain an accountant/bookkeeper, to assist me in achieving and maintaining compliance with the Rules of Professional Conduct and the Connecticut Practice Book. I agree to provide a report to disciplinary counsel and Statewide Grievance Committee from the accountant.
9. I agree to submit to quarterly audits by the Statewide Grievance Committee of my law practice for a period of one year from the date of acceptance of this Proposed Agreement.
10. I agree to attend in-person and at my own expense a three (3) credit hour Continuing Legal Education (CLE) course in law office management for the solo practitioner/small office. Online courses and materials only courses do not comply. This course must be taken within six (6) months of the approval of this Proposed Agreement. I understand and agree that it is my obligation to provide the Office of Chief Disciplinary Counsel with written confirmation of my compliance with this condition within thirty (30) days of completion of the CLE course.
11. I further understand and agree that my failure to comply with all of the terms and conditions stated herein will result in a presentment.
12. Finally, I understand that disciplinary counsel will recommend that this matter be resolved by the imposition of the sanctions set forth in the Proposed Disposition.


John A. Barbieri

Subscribed and sworn to before me

This 1st day of Oct, 2009


Patricia A. Veits
 Notary Public/Commissioner of the Superior Court
 Comm. # 12-3112