

STATE OF MAINE

SUPREME JUDICIAL COURT

DOCKET NO: BAR-09-13
Related Docket No. BAR-02-5

CHARLES G. WILLIAMS III,

Petitioner for Reinstatement

v.

ORDER
(Reinstatement Petition)

BOARD OF OVERSEERS OF
THE BAR

This matter is before the Court to consider the petition for reinstatement filed pursuant to M. Bar. R. 7.3(j) by a disbarred attorney, Charles G. Williams III, bar number 8827. The petition for reinstatement was filed on or about September 30, 2009. In accordance with the rules, the matter was promptly referred to Panel B of the Grievance Commission for a hearing.

Accommodating Williams' request for expeditious consideration, the Grievance Panel held a hearing on November 19, 2009. As a further accommodation to Williams, he and his supporting witnesses were permitted to

appear and testify by telephone from Georgia where Williams was residing at the time. *See* M.R. Civ. P. 43(a).

On November 25, 2009, the Grievance Panel issued a report recommending that Williams' petition for reinstatement be denied. The Grievance Panel report was referred for consideration to the Board of Overseers of the Bar pursuant to M. Bar R. 7.3(j)(6).

Prior to the Board of Overseers' vote on the reinstatement issue, Williams filed with this Court an objection and motion to strike the Grievance Panel report and a "demand" that the matter be heard by the Court with or without a hearing on the merits pursuant to M. Bar R. 7.3(j)(6). The Court dismissed the motion as premature, pending consideration of the petition by the Board of Overseers.

On January 27, 2010, the Board of Overseers voted unanimously to support the Grievance Panel report and recommend to this Court that the petition for reinstatement submitted by Williams be denied.

The matter is properly before the Court for consideration now that the Board of Overseers has reviewed the Grievance Panel report and made its recommendation to the Court. There is a significant record before the Court arising from (i) the November 19 Grievance Panel hearing,¹ (ii) the filings related

¹ The transcript of the Grievance Panel hearing includes references to a document that may be described as a "G-7 Application." The record before this Court does not include such a document, however, from the references to that document in the hearing transcript, it does not appear that review of

to Williams' petition for reinstatement, and (iii) the record developed in BAR-02-5 incident to Williams' disbarment.² Therefore, the Court elected to consider the matter further based on that record and without taking additional evidence. Such consideration is authorized by M. Bar R. 7.3(j)(6). Neither party objected to the Court considering the matter on the available record. Accordingly, the Court issued an order on February 8, 2010, setting a briefing schedule for the parties. That briefing schedule was subsequently extended at Williams' request. All of the briefs having now been filed, the matter is before the Court for decision.

I. CASE HISTORY

The record discloses, without much dispute as to fact, the following:

1. Williams graduated from law school in 1998.
2. Williams was admitted to practice in Maine in April 1999.
3. Williams also sought admission to practice in Florida and gained employment with the District Attorney's Office in Leon County, Florida. In 1999, Williams failed the Florida bar exam, at which point his employment with the District Attorney's Office was terminated.

that document by the Court is required. Neither the Grievance Panel decision nor the briefs of the parties to this Court mentioned such a document.

² The record of BAR-02-5 includes extensive documentation, including filings, exhibits, and complaints, plus docket entries and a hearing log listing the witnesses presented and exhibits offered at the disbarment hearing. However, although the hearing was recorded, there is no transcript of the hearing that led to the disbarment order.

4. In early 2000, Williams set up a law practice as a sole practitioner in Lewiston. In his filings in support of reinstatement, Williams asserts that after a brief startup period, his practice became both visible and successful.

5. In 2001, Williams' actions as a lawyer began generating complaints by clients to the Board of Overseers of the Bar. These complaints led to the initiation of proceedings in BAR-02-5.

6. The accumulating complaints raised issues of sufficient seriousness that the Board of Overseers filed a motion with this Court, pursuant to M. Bar R. 7.2(c), seeking immediate temporary suspension of Williams from the practice of law pending determination of the complaints. The Court (*Rudman, J.*) granted the motion and Williams was temporarily suspended from the practice of law effective April 16, 2002.

7. On May 1, 2003, the Court (*Rudman, J.*) entered a further order suspending Williams from the practice of law and ordering that his client files be delivered to bar counsel.

8. After completion of proceedings within the Board of Overseers, the Board had filed with the Court three informations involving a total of twenty-eight complaints of alleged ethical improprieties by Williams. The individual complaints frequently included reports within the complaints of several incidents of improper or neglectful actions or failures to act.

9. With appropriate notice to Williams, the Court scheduled a hearing on the informations for April 5 and 6, 2004. On the appointed date, bar counsel and many witnesses, including former clients of Williams, appeared for the hearing. Williams failed to appear.³ At hearing, the Board presented evidence through eighteen witnesses and a large volume of exhibits.

10. The record in BAR-02-5 includes evidence that:

—On three separate occasions, Williams had forced one former client to engage in unwanted sexual acts.

—On many occasions, Williams had missed scheduled appointments with clients.

—On several occasions, Williams had failed to appear for scheduled court proceedings.

—On several occasions, Williams failed to file required court documents or filed such documents very late.

—The problems with the courts occurred both in state courts and in the United States District Courts in Portland and Bangor.

—Williams regularly failed to make necessary communications with and respond to letters, notices and telephone messages from clients, opposing counsel,

³ Williams testimony at the Grievance Panel hearing and the record of BAR-02-5, establish that Williams was fully aware of the hearing date and the purpose of the hearing and elected not to appear. Explanations offered by Williams for his failure to appear included an alleged lack of funds to travel from Massachusetts to Maine for the hearing and dissatisfaction with various pre-hearing rulings on discovery and process issues.

and the courts. One of the many complaints of such misconduct included evidence of Williams refusing to respond appropriately, over many months, to many polite letters from a client seeking information about prosecution of the client's racial profiling complaint.

—Williams regularly failed to respond to notices, inquiries and requests for responses to complaints from the Board of Overseers, from bar counsel, and from the Fee Arbitration Commission.

—Williams charged excessive fees.

—On several occasions, Williams disclosed to third parties confidential information about clients without authorization.

—Williams failed to pay businesses serving his practice for services rendered, or businesses had checks returned for insufficient funds.

—Williams had taken money from clients as retainers or advance payments and then failed to perform promised work.

The Court also found that the Lawyers' Fund for Client Protection had paid claims against Williams by former clients involving money he had taken for work not performed totaling \$24,275.89.

11. With this proof of numerous ethical violations, the Court found that "Mr. Williams presents a danger to the public" and ordered him disbarred, citing numerous bar rules, which the Court found, had been "repeatedly violated." The

disbarment order was signed April 7, 2004, disbaring Williams from the practice of law in the State of Maine. Bar Rule 7.3(j)(1) permits disbarred attorneys to petition for reinstatement at any time after five years from the date of the disbarment order.

12. While Williams failed to appear for the hearing, his responses to the complaints against him demonstrated a pattern of blaming others including former clients, the Board of Overseers, and the courts for his ethical problems and of minimizing his own responsibility for his ethical violations. There were dozens of allegations in the informations filed with the Court addressing individual instances of failure to file documents or to act in a timely manner. To each of these separate allegations, Williams employed a standard response: “It is true that a reply was not timely submitted, however, the Respondent contends that extenuating personal and legal reasons either excuse or justify this lapse.” To this date, even in his materials in support of reinstatement, Williams has not explained what were the “extenuating personal and legal reasons” that he believed were sufficient to “excuse” or “justify” his ethical lapses.⁴

⁴ Williams personal statement in support of reinstatement and his testimony presented during the Grievance Panel hearing offered general explanations, “arrogance,” etc. (his word, not the Court’s) for some of the conduct leading to his disbarment. While the generalities Williams offered in support of reinstatement may provide some explanation for conduct that may have appeared disrespectful, selfish, or uncivil, those generalities provide no excuse or justification for Williams’ conduct that was neglectful of his obligations toward his clients, the bar, and the courts. It is this unexplained neglect of his obligations, financial improprieties, and the repeated sexual abuse of one client that were the primary causes of his disbarment.

13. Following the disbarment order, Williams took an appeal to the full Court, as was his right. Williams failed to file a brief in support of his appeal in a timely manner. Instead, he repeatedly sought and obtained extensions of the briefing schedule, which he repeatedly failed to meet. Finally, over a year later, after he failed to file a brief by a July 15, 2005, deadline, the Court (*Saufley, C.J.*) dismissed his appeal for want of prosecution by order dated July 20, 2005.⁵ At that point, the disbarment order became a final judgment.

14. During the pendency of the bar disciplinary proceeding and the appeal, materials in the record of BAR-02-5 and in Williams's petition for reinstatement indicate that he relocated first to Massachusetts and then to Georgia. Correspondence in the file of BAR-09-13 indicates that Williams has recently moved back to Massachusetts.

15. In June 2004, Williams applied for a teaching certificate in Georgia. As part of the application process, Williams was required to respond to a two-part question asking about any past professional discipline and any present investigations or actions relating to professional discipline. The question asked first, had he "surrendered any professional certificate/credential/license/ permit or had one denied, revoked or suspended" and second, "is any investigation or action

⁵ In his testimony before the Grievance Panel, Williams admitted he did not file a brief to support his appeal. He suggested that his position was explained by a motion to dismiss for lack of subject matter jurisdiction that he had filed.

now pending against you with any regulatory agency, including the Professional Standards Commission?” The exact wording of the question was as follows:

Have you surrendered any professional certificate/credential/license/permit or had one denied, revoked or suspended or is any investigation or action now pending against you with any regulatory agency, including the professional standards commission? (Each application requires that you report any revocation, denial or suspension, including nonpayment of student loan suspensions.)

Despite the then-recent disbarment order and the then-pending appeal, Williams answered the question in the negative. Williams’ untruthful answers to the question were not discovered at the time.⁶ He was issued a teaching certificate and obtained teaching positions at several high schools over the next three years.

16. In 2006, during the course of a dispute about the appropriate level of the teaching certificate for which Williams was qualified, the Georgia Professional Standards Commission, which certifies teachers, discovered that Williams had been disbarred in Maine and that, consequently, he had not responded truthfully to the professional misconduct question on the applications for a teaching certificate.

17. The Georgia Professional Standards Commission then initiated a proceeding to have Williams’s teaching certificate revoked. In April 2007, an administrative law judge found that Williams’s concealment of his disbarment

⁶ The record suggests that Williams answered that same question with the same answer on two separate applications

violated the Georgia Code of Ethics for Educators and ordered his teaching certificate revoked.

18. Williams appealed the administrative law judge's revocation order to the Georgia Superior Court. In his appeal, and in his arguments in support of reinstatement, Williams asserted that the professional misconduct question was unconstitutionally vague and that the reference to "any regulatory agency," in the second part of the question justified his answering the entire question in the negative. In a position reminiscent of his opposition to some of the events that preceded his disbarment, Williams contended that the action to revoke his teaching certificate was motivated by bias against him arising from the dispute regarding the appropriate level of his teaching certification. Williams asserted that without that motivation and bias, no action would have been taken against him, and he would have been allowed to maintain his teaching certificate.

19. The Georgia Superior Court rejected Williams's challenge to the decision by the administrative law judge, found that the administrative law judge's findings were either established without dispute as to material fact or were supported by the record, and affirmed the decision by the administrative law judge.

20. Williams appealed the Superior Court's judgment to the Georgia Court of Appeals and the Georgia Supreme Court, both of which denied his appeals without reaching the merits. Accordingly, the decision by the

administrative law judge, affirmed by the Superior Court, is a final judgment. The Georgia Court action establishes that Williams' teaching certificate was revoked as a result of his making an untruthful statement in his application for a teaching certificate and that the question posed, to which he responded in the negative, was not vague and should have been understood to include inquiry about past professional disciplinary actions taken by a court.

21. Williams' petition for reinstatement was filed on or about September 30, 2009. The petition was supported with an extensive "personal statement" that Williams reaffirmed at the Grievance Panel hearing. In his personal statement, Williams offered wide-ranging views on his personal history, his sense of self-importance, the significance to his being an attorney admitted to practice in Maine, the reasons for his disbarment, his experiences in Georgia and the loss of his teaching certificate in that state, and his views of his capacity for change to avoid the problems that led to his disbarment.

22. Among other things, Williams stated in 2009 that upon his admission to the bar in Maine, in his view: "[t]he world opened to me and showed me the path that I was to take: an attorney in Maine, who had accepted the challenge of serving his people in a jurisdiction which was devoid of any legal civil rights architecture or sophistication: a state in need of a hero."

Reporting in September 2009 his views of his brief, two-year experience as a trial attorney litigating in Maine, Williams stated: “[f]rom this one case, my practice grew in renown. At its peak, whenever a major civil rights or criminal case drew the attention of the Maine media, it was likely that the case would contact me for advice and representation. Wherever I went—in whatever courthouse I argued—I was followed by crowds, cameras and enthusiasts. At the age 27, I argued to packed courthouses from Wells to Dover-Foxcroft and was the focus of the civil rights movement in Maine.”⁷

Williams further stated: “[d]uring my brief practice in Maine, many of the most controversial and famous cases to enter the court system in your state were filed and argued by me.”

23. There is nothing in the record to support Williams’ claim that in 2001 and 2002, before his suspension, he was providing representation or advice in many of the high visibility criminal or civil rights cases in the state, or that he regularly argued to packed courthouses. Assuming, for purposes of this opinion, that Williams believes the above statements to be true, they suggest that Williams views some problems that led to his disbarment as the product of his taking on too much work and too many high visibility cases that required his attention.

⁷ There is no courthouse or court facility in Wells.

The record in BAR-02-5 suggests otherwise. It includes evidence that Williams complained that he was not being treated fairly by the staff at the Lewiston District Court who, he alleged, were not assigning him enough court appointed cases to support his practice. The record also includes evidence that Williams' practice was experiencing significant financial difficulties that would be unlikely to be experienced by a practice as busy and successful as Williams asserts his practice was. Further, Williams' response to dozens of allegations that he failed to timely meet or communicate with clients, file court documents, or respond to complaints made no mention of any heavy workload, or the press of other legal business, only "extenuating personal and legal reasons" to "excuse or justify" his failures to act.

24. Recounting his experiences during the disbarment proceedings, Williams 2009 personal statement contended: "[m]y disbarment was as public as my practice was: splashy, sensational, and notorious. Headlines and broadcasts covered my disciplinary hearing before the Board via live feeds, web blogs, and chatrooms. The level of vitriol that permeated the Bench against me was quite tangible: many jurists actually congratulated Board members for the outcome." Williams' brief in support of reinstatement, referencing the Grievance Panel hearing, states that "[e]very single aspect of his personal statement was supported by the testimony and documentation which Mr. Williams offered to the Panel."

25. Neither the record of Williams' disbarment proceeding in BAR-02-5 nor the record of this reinstatement proceeding, including Williams' testimony in which he could have backed up his claim with facts, contain any evidence to support Williams' charge that bias against him "permeated the Bench."⁸ Further, Williams' suspension and disbarment proceedings were before the Court, and his disbarment was ordered by the Court, not the Board of Overseers of the Bar.

26. The personal statement includes an extended discussion of Williams' views of his experiences teaching school in Georgia and the proceedings that lead to the revocation of his teaching certificate. The statement is consistent with the justifications for his actions offered during the administrative and judicial proceedings in Georgia that led to the final judgment, a result that Williams clearly does not accept. However, this reinstatement proceeding in Maine is not a forum to collaterally attack a final judgment of the courts in the State of Georgia. The final judgments in Georgia are part of the history of this case relating to the propriety of Williams' actions subsequent to his disbarment.

27. The personal statement concludes with a listing of Williams' views of the reasons why he should be reinstated. The justification section includes a brief generalized statement that Williams acknowledges the wrongfulness of his actions,

⁸ The only discussion of bias in the record of BAR-02-5 is in Williams' own allegations that adverse rulings by the Justice presiding in BAR-02-5 reflected bias against him. There is no evidence of actual bias, or of communications by any judge or justice to congratulate Board members for whatever the Board may have done.

but without any discussion at this point or at any other place in the record acknowledging any wrongdoing with reference to any of the specific client complaints, from forcing himself sexually upon a client, to failures to appear in court, to neglect of clients and their cases, to taking money from clients and then not performing services he agreed to perform, that led to his disbarment.

28. During the Grievance Panel hearing, Williams' Maine attorney asked him if he recognized the wrongfulness of his prior misconduct. Williams then testified as follows:

As I mentioned in the personal statement, one of the biggest problems that I have of the problems that I articulated which caused the misconduct was, frankly, arrogance. When I first started practice, I started very humbly with one client and one bus ticket. And I met that client in the Cleaves Law Library in Portland. And from that one client, I was able to build a practice, or so I thought.

The problem with building a practice by trying to garner notoriety through the press, through trying to pick fights, frankly, where conflict really wasn't existing is you start to believe your own press clippings, to put it mildly. When you see your face in the Portland Press Herald as a second coming of, say, Thurgood Marshall, you start to believe it if you don't have a sense of maturity and if you don't have a sense of being grounded. I didn't have either of those.

Many practitioners in your state will tell you – especially in Portland and in Lewiston – will tell you that although I was a gifted young attorney, I was extremely headstrong and inexperienced. That translated into me, frankly, thinking I could do no wrong or that whatever I did was perfectly justified because, after all, I was a civil rights attorney, I was a good guy. By definition, anyone I encountered who happened to be Caucasian and on the other side of the table must, by definition, be someone who is in a league with Bull Conner.

Not to mention the fact that when you build yourself up as someone who professes to be a champion of civil rights and minority

causes, what I have seen with other persons with that title is that they tend – they tend to have a very inflated sense of self, they tend to make many of the same mistakes that I made. The only difference is they have yet to admit them.

Q Do you now admit them?

A Yes I do.

29. Williams' claim that other civil rights and minority cause champions, like him, have a very inflated sense of self and make many of the same mistakes that he made and that caused his disbarment has no support in the record or in reported bar disciplinary proceedings or opinions of this Court over the past thirty years. Williams was most definitely not just another civil rights advocate doing his job and getting disciplined for doing things many other civil rights advocates do. Williams may believe such statements to be true, but his statements reflect serious misunderstanding of the ethical violations he committed and minimization of the harm done to his clients and their causes.

30. The hearing before the Grievance Panel involved the testimony of Williams and four witnesses, all of whom testified by telephone from Georgia as permitted by the Grievance Panel. The witnesses included one attorney and others who had known Williams as a teacher and in the community. All testified favorably to Williams, in examination by Williams' retained attorney who

appeared at the hearing in Maine, with brief questioning by bar counsel, and some questioning by some members of the Grievance Panel.⁹

31. A letter submitted by Williams’s Georgia attorney joined Williams’ criticism and attempts to collaterally attack the Georgia court proceedings. The Georgia attorney’s letter observed that: “[w]hile I believe Mr. Williams was legally right, I do not think at the end of the day that law had anything to do with all and any of the court rulings.”

32. After the hearing, the Grievance Panel concluded that Williams had failed to meet his burden of proof, to the clear and convincing evidence standard, to justify his readmission. The Panel found that: “Mr. Williams appears to have retained some of his demonstrated arrogance and the inability to recognize that the ethical rules imposed on attorneys are not rules that can be sidestepped by a clever argument or rhetoric.” The Panel further found that: “Mr. Williams has not submitted evidence sufficient to give the Panel an abiding conviction that it is likely that his reinstatement will not be detrimental to the integrity and standing of the Bar, the administration of justice or to the public interest.” Accordingly, the Panel recommended that Williams’ petition for reinstatement be denied.

⁹ Williams’ Maine attorney, who filed the reinstatement petition, withdrew from representation of Williams by letter dated December 10, 2009.

33. The Grievance Panel's recommendation was supported by the Board of Overseers of the Bar which, by a unanimous vote, recommended that Williams' petition for reinstatement be denied.

34. In his arguments to this Court, Williams asserts that (i) the Court must reinstate him because all of the testimony presented at hearing was by persons favorable to him; (ii) the credibility of that testimony must be accepted; (iii) he has otherwise complied with all of the prerequisites listed in the rules for reinstatement; (iv) the actions of the Georgia administrative agencies and courts leading to the revocation of his teaching certificate were motivated by bias against him and were wrong as to the facts and the law; and (v) he accepts the disbarment determination and stands ready to avoid repetition of the wrongful acts that led to his disbarment.

35. Williams also criticizes the Grievance Panel's use of the word "arrogance" in its finding that Williams retained an inability to recognize that the ethical rules imposed on attorneys are not rules that can be sidestepped by a clever argument or rhetoric. Williams asserts that use of the word "arrogance" by the Grievance Panel is indicative, not of any failing of Williams, but of cultural differences between himself and the Grievance Panel which, he suggests, lead some individuals to conclude that qualities of aggressiveness and success that are valued in some attorneys are viewed as "arrogance" when seen in other attorneys

of different cultural backgrounds. The word “arrogance” was introduced into the proceedings, not by the Grievance Panel, but by Williams, who used it repeatedly in his personal statement and testimony to discuss his failings that led to his disbarment. Use of the word selected by Williams to describe a problem that led to his disbarment and to express concern that the problem continued is no indication of cultural insensitivity by the Grievance Panel, but an acceptance and utilization of Williams’s own words to find that a problem in his past behavior that he identified is continuing.

II. CONCLUSIONS

With this case history and the recommendations from the Grievance Panel and the Board of Overseers of the Bar, the Court must address the merits of Williams’ petition for reinstatement. Williams and bar counsel spend some time in their briefs discussing the appropriate standard of review for the Court to apply to the determinations already made by the Grievance Panel and the Board of Overseers of the Bar. However, as both the Grievance Panel and the Board of Overseers of the Bar recognized, their recommendations are just that, recommendations. The ultimate responsibility to decide a petition for reinstatement by a disbarred attorney is the Court’s. The Grievance Panel and the Board of Overseers of the Bar are the agents delegated by the Court to review these matters, develop a record, and make recommendations, but the ultimate decision

on these matters must be made by the Court de novo, not as a matter of deferential review of recommendations forwarded to it.

As is appropriate and as is accepted by Williams and the Board, the Court is considering this matter without hearing additional evidence. M. Bar R. 7.3(j)(6). Neither party has suggested any other evidence that should be developed beyond that which is already before the Court. The parameters for decision-making on the petition for reinstatement following disbarment are established by M. Bar R. 7.3(j)(5). That rule provides, in pertinent part:

On any petition referred for hearing, the Grievance Commission shall promptly and on reasonable notice (including reasonable notice to the Attorney General, the Maine State Bar Association and appropriate local bar association and District Attorneys) hear the petitioner who shall have the burden of presenting clear and convincing evidence demonstrating the moral qualifications, competency, and learning in law required for admission to practice law in this State. The petitioner shall also offer clear and convincing evidence that it is likely that reinstatement will not be detrimental to the integrity and standing of the Bar, the administration of justice, or to the public interest. Factors to be considered as to the petitioner's meeting that burden include evidence that:

(A) The petitioner has fully complied with the terms of all prior disciplinary orders;

(B) The petitioner has neither engaged nor attempted to engage in the unauthorized practice of law;

(C) The petitioner recognizes the wrongfulness and seriousness of the misconduct;

(D) The petitioner has not engaged in any other professional misconduct since resignation, suspension or disbarment;

(E) The petitioner has the requisite honesty and integrity to practice law;

(F) The petitioner has met the continuing legal education requirements of Rule 12(a)(1) for each year the attorney has been inactive, withdrawn or prohibited from the practice of law in Maine, but need not complete more than 22 credit hours of approved continuing legal education for that entire period of absence from practice, provided that: (1) no more than one half of the credit hours are earned through in-office courses, self-study, or a combination thereof; and (2) at least two credit hours are primarily concerned with the issues of ethics or professional responsibility.

The Court will proceed to consider the petition for reinstatement in accordance with the factors as listed in subparagraphs A-F of the rule. However, these factors are not the exclusive factors that the Court may consider in ruling on a petition for reinstatement of a disbarred attorney and in determining whether “it is likely that reinstatement will not be detrimental to the integrity and standing of the Bar, the administration of justice, or to the public interest.” The Court may consider any evidence in the record that may inform that decision.

Looking at the listed factors, it appears established, to the clear and convincing evidence standard, that:

A. Williams has fully complied with the terms of the disbarment order which specified that, prior to consideration of reinstatement, he should repay the Lawyers’ Fund for Client Protection for the funds it paid to cover losses of former clients and pay the Board of Overseers of the Bar for its expenses related to the

disbarment proceeding. Those funds were apparently repaid during the course of the proceedings before the Grievance Panel;

B. There is no evidence that Williams either engaged or attempted to engage in the unauthorized practice of law since his disbarment; and

F. It appears that Williams has met the continuing legal education prerequisites for reinstatement, although the documentation indicating that this prerequisite had been completed was not filed until after the decision by the Grievance Panel.

Williams has failed to prove the other three listed factors to the clear and convincing evidence standard. Specifically:

C. Beyond a generalized statement that he recognizes the wrongfulness of the conduct that led to his disbarment, Williams does not appear to truly accept that his conduct was seriously wrong and, perhaps of greater concern, he does not appear to recognize and address the conduct – neglect, financial impropriety, and abuse of clients and their cases - that was the cause of his disbarment.

In his personal statement and in his testimony before the Grievance Panel, Williams presents himself as seeking to practice in Maine as a modern day civil rights crusader, “serving his people in a jurisdiction which was devoid of any legal civil rights architecture or sophistication” and giving the state a needed “hero.” While he claims to acknowledge the error of his ways, Williams personal statement

and testimony portray the ethical violations that led to his disbarment as caused by arrogance, immaturity, selfishness and overzealousness in the cause of advancement of civil rights in a jurisdiction hostile to his advocacy. He appears to consider himself as akin to the civil rights attorneys litigating in the South a generation or two ago who were often subject to threats of discipline, disbarment, or worse because of their zeal and their success.

Williams' view of himself and the reasons for his disbarment might be understandable, even if incorrect, had he been disciplined for overzealousness, arrogance, incivility, or disrespect toward clients, the bar or the courts. But Williams was disciplined primarily for abuse, financial impropriety and neglect of clients. The catch words Williams uses to characterize his problems do not explain this abuse, financial impropriety and neglect, and Williams does not appear to acknowledge this as a problem.

The record in BAR-02-5 demonstrates that when Williams was unavailable for clients, it was not because he was trying a high visibility case in Dover Foxcroft or doing interviews for the evening news, but because he was nowhere to be found when his clients needed him. Repeated sexual abuse of a client, missing many court deadlines, and neglect of many cases, including that of the gentleman who wanted to pursue a racial profiling action are not the practice of an attorney who "professes to be a champion of civil rights and minority causes." In sum,

Williams fixation on his self image as “*the* focus of the civil rights movement in Maine,” has led him to loose sight of what misconduct actually caused his disbarment. Williams has not proven to the clear and convincing evidence standard that he recognizes the wrongfulness and seriousness of the conduct that caused his disbarment.

D. Since his disbarment, Williams has engaged in professional misconduct by making an untruthful statement on his applications for teacher certification in Georgia. This statement relates to his professional qualifications to be a lawyer because it attempted to hide the attorney disciplinary action taken against him and was a statement of untruth in an application for certification for a professional position. Thus, Williams has failed to demonstrate that he has not engaged in professional misconduct since his disbarment. The evidence reflected by a final judgment of the courts of the State of Georgia is to the contrary.

E. Williams has also not proven to the clear and convincing evidence standard that he has the requisite honesty and integrity to be reinstated to the practice of law. His extraordinarily expansive statements in his testimony and personal statement suggest that he views himself as a larger-than-life figure, called to practice in Maine to lead a civil rights effort that before his coming had been afflicted by disinterest and a faulty structure of laws and court processes. Such a perception is far removed from the reality of his brief practice in Maine which

included court dates and deadlines missed, clients slighted, defrauded, and abused, and cases and a practice neglected. Anyone with a perception of himself and of his importance that is so far removed from reality will likely not pursue practice with the requisite honesty and integrity when understanding and adhering to ethical standards conflicts with Williams' unrealistic self-image of who he is and should be in life and in law.

Williams' assessment of himself as a "hero" called to a state "devoid of any legal civil rights architecture or sophistication" denigrates the hard and dedicated work of many individuals and families, African-Americans and others, over generations as lawyers, legislators, and leaders of state and local government, dedicated to promoting in Maine a structure of laws and ethics in which civil rights and human rights are protected and respected as in the best interest of all Maine citizens. That he would so denigrate the hard work and sacrifice of those who have gone before him to call himself "the" focus of the civil rights movement in Maine after his brief tenure in practice suggests that he would not respect and perhaps not even understand his ethical obligations should he perceive them to conflict with his self interest or his self image.

In sum, because Williams does not honestly and sincerely recognize the wrongfulness and the seriousness of the misconduct that led to his disbarment, because he has committed professional misconduct since his disbarment, and

