



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Michael P. Bowler, *Statewide Bar Counsel*

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Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

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

Attorney Frederick P. Devine, Jr.  
Devine Law Firm  
One Exchange Place, 4<sup>th</sup> Floor  
Waterbury, CT 06702

RE: Grievance Complaint #08-1214  
Oscar Silva v. Frederick P. Devine, Jr.

Dear Assistant Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, have reviewed the *Proposed Disposition Pursuant to Practice Book § 2-82(b)* (hereinafter "*Proposed Disposition*") filed July 9, 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 July 9, 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 ordered to attend in person and at his own expense a continuing legal education (hereinafter "CLE") course in Law Office Management. On-line courses and materials only courses do not comply. The CLE course is to consist of a minimum of three credit hours and is to be taken within ten months of the approval of this agreement. The Respondent is further ordered to provide the Statewide Grievance Committee with written confirmation of his compliance with this condition within thirty days of completion of the CLE course.

Reviewing committee member Attorney Nancy E. Fraser was not available for the July 9, 2009 hearing. Since both the Assistant Disciplinary Counsel and the Respondent waived the participation of Attorney Fraser, this matter was heard and decided by the undersigned.

So ordered.

cc: Mr. Oscar Silva  
Attorney Frederick L. Murolo  
Attorney Gail S. Kotowski

(4)  
(if)

DECISION DATE: 7/31/09

Grievance Complaint #08-1214

Decision

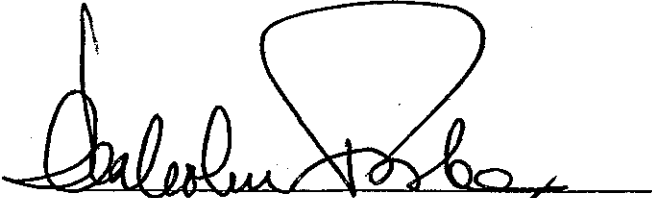
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Attorney Jorene M. Couture

Grievance Complaint #08-1214

Decision

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A handwritten signature in black ink, appearing to read "Malcolm Forbes", is written over a horizontal line. The signature is stylized with a large, prominent loop at the end.

Mr. Malcolm Forbes

**STATEWIDE GRIEVANCE COMMITTEE**

OSCAR SILVA  
Complainant

GRIEVANCE COMPLAINT #  
08-1214

v.

FREDERICK DEVINE  
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:

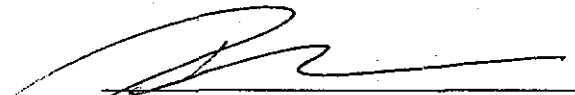
1. Frederick Devine (hereinafter Respondent), juris number 102348, was admitted to the bar of the State of Connecticut on October 27, 1982 and has no history of discipline.
2. The Respondent has registered with the Statewide Grievance Committee for registration year 2009 and is currently in good standing.
3. This matter was instituted by grievance complaint dated December 22, 2008.
4. On February 12, 2009, the Waterbury Grievance Panel found probable cause that the Respondent violated Rules 1.3 Diligence; 1.4 Communication; 1.15(b) and (e) Safekeeping Property and 8.4 (3) Misconduct of the Rules of Professional Conduct.
5. The Respondent has tendered an affidavit pursuant to Practice Book § 2-82(d) attached hereto, and admits he failed to communicate with the complainant regarding the settlement, probate court decree and disbursement of funds; failed to be diligent in following through with the probate court decree and failed to properly safeguard the property in a timely manner and the disbursement to the complainant and that this conduct violated Rule(s) 1.3 Diligence; 1.4 Communication and 1.15 (e) of the Rules of Professional Conduct. Disciplinary Counsel and the Respondent agree that the remaining alleged rule violations will be dismissed.
6. The Complainant will not be attending the hearing.

7. The Respondent and the Disciplinary Counsel agree that the Respondent will attend in-person and at his/her own expense a continuing legal education ("CLE") course(s) in Law Office Management. Online courses and materials only courses do not comply. The CLE course is to consist of a minimum of 3 credit hours, and is to be taken within 10 months of the approval of this agreement. The Respondent will provide the Statewide Grievance Committee with written confirmation of his/her compliance with this condition within 30 days of completion of the CLE course.
8. The Respondent understands that this is a disciplinary sanction and condition pursuant to Practice Book § 2-37(a).
9. The Respondent further understands that his/her failure to comply with all the terms of this/these conditions will result in the filing of a presentment pursuant to Practice Book § 2-37(c).
10. 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. If this agreement is rejected by the Statewide Grievance Committee, the Disciplinary Counsel will pursue this matter at a contested hearing.


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,

7-9-09  
Date

  
By: Beth L. Baldwin  
Assistant Disciplinary Counsel

10/9/09  
Date

  
Frederick Devine  
Respondent



in following through with the probate court decree and failed to properly safeguard the property so as to disburse it to the complainant in a timely manner and that this conduct violated Rule(s) 1.3 Diligence; 1.4 Communication and 1.15 (e) of the Rules of Professional Conduct. I understand the remaining alleged rule violations will be dismissed.

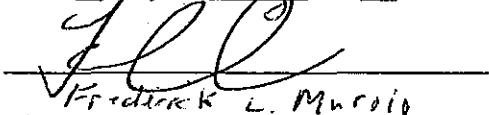
7. I agree to attend in-person and at my own expense a continuing legal education ("CLE") course in Law Office Management. Online courses and materials only courses do not comply. The CLE course is to consist of a minimum of 3 credit hours, and is to be taken within 10 months of the approval of this agreement. I understand and agree that it is my obligation to provide the Statewide Grievance Committee with written confirmation of my compliance with this condition within 30 days of completion of the CLE course.
8. I understand that Disciplinary Counsel will recommend that this matter be resolved by the imposition of the sanction set forth in the Proposed Disposition. If this agreement is rejected by the Statewide Grievance Committee, the Disciplinary Counsel will pursue this matter at a contested hearing.
9. I further understand that my failure to comply with all the terms and conditions stated herein will result in a presentment.



Frederick Devine

Subscribed and sworn to before me

This 7<sup>th</sup> day of July, 2009



Notary Public/Commissioner of the Superior Court