

IN RE: COLIN GILLIS a/k.a COLIN W. GILLIS

NO. BD-2016-052

S.J.C. Judgment of Disbarment entered by Justice Gaziano on March 13, 2019.¹

The respondent was disbarred following a criminal conviction in the United States District Court for misappropriating fiduciary funds (Veterans Administration benefits) he held for his disabled brother-in-law.

SUMMARY²

The respondent Colin Gillis was admitted to practice in Massachusetts on June 18, 1992.

On January 28, 2014, the respondent pleaded guilty in the United States District Court, District of Massachusetts, to one count of misappropriation by a fiduciary in violation of 38 U.S.C. § 6101(a), a felony. The respondent was sentenced to probation for a term of five years, the first six months of which were served in home detention. He was also ordered to make restitution in the amount of \$137,493 in accordance with a repayment schedule established by the court.

The respondent's conviction was based on the following facts. The respondent was appointed by the Veterans Affairs Administration in the late 1990s to be a fiduciary and to administer VA benefits for his brother-in-law, a veteran suffering from a mental disability. The respondent received his brother-in-law's VA benefit payments and paid authorized expenses. At some points between October of 2008 and September of 2011, the respondent also misappropriated some of his brother-in-law's funds to pay his own personal and family expenses totaling approximately \$137,493. When asked by the VA to provide an accounting for the time period during which he had misappropriated funds, the respondent initially falsely claimed that he had earned legal fees in representing his brother-in-law in various matters. He later admitted his misappropriations in a voluntary statement to VA agents.

The respondent's criminal conduct violated Mass. R. Prof. C. 8.4(b), (c) and (h).

On January 24, 2018, bar counsel filed with the Board of Bar Overseers a petition for discipline based upon the respondent's conviction. The respondent admitted the charges set forth in the petition and did not request an opportunity to be heard in mitigation. On April 9, 2018, the board voted to recommend that the respondent be disbarred, retroactive to June 1, 2016, the date the respondent was temporarily suspended pending further disciplinary proceedings. The parties waived hearing before the Court and assented to disbarment as recommended by the board. On March 13, 2019, the Supreme Judicial Court for Suffolk County (Gaziano, J.) so ordered.

¹ The complete order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.