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## Lawyer Charged With Embezzlement

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MANCHESTER -- James M. Higgins Jr., a former partner in a local law firm, has been arrested and charged with embezzling more than \$50,000 from clients and from his firm.

Higgins, 51, of Hollister Street, turned himself at the police department on a warrant Saturday. Higgins was charged with two counts of first-degree larceny, three counts of third-degree larceny, one count of fourth-degree larceny and two counts of criminal attempt to commit larceny.

"It was terribly upsetting to everyone associated with the firm. The staff were particularly outraged. It's a terrible breach of faith, to the clients and ourselves. We work hard to maintain a reputation in the community and that's the exact opposite of his conduct," Stephen Penny, a partner in the law firm, Penny, Botticello & O'Brien, said Monday.

According to the affidavit, two paralegals discovered discrepancies in the accounting of some of the estates of Higgins' clients and alerted one of the firm's partners, Barry Botticello, on Sept. 8. The affidavit says that the firm previously had been unaware of any wrongdoing. Some of the alleged embezzlement includes cash withdrawals from clients' estates. The firm's staff and partners discovered that he'd been withdrawing cash since at least 1999, as far back as the firm's records go, Penny said.

Higgins stole more than \$50,000 from his clients and additional money from the firm, the affidavit says. A few of the firm's attorneys met with Higgins Sept. 13 to discuss the embezzlement with him and Higgins admitted to them that taking money from his clients became easier after the first time.

The firm believes Higgins stole money from six clients but further investigations have revealed that he probably stole from more, the affidavit says.

Higgins was fired from the law firm and a notice went out to the firm's clientele in October explaining the situation and reassuring them that the money stolen has been repaid and that police and the State Grievance Committee were notified. Higgins' cases were reassigned.

Penny said Higgins had been a law partner since 1990 and handled probate and estate planning cases and certain Medicare cases.

The firm alerted early on the clients who were the most vulnerable and paid them back immediately, Penny said. A couple of Higgins' clients left the firm but otherwise, there hasn't been significant client loss, he said.

"I think that many people in the firm are still very angry and, of course, it's been very distracting and very wearing on everybody because we've had to do a lot of investigatory work along with our regular responsibilities," Penny said.

Police Sgt. Chris Davis said Higgins posted \$50,000 bail Saturday and is expected in Superior Court in Manchester Nov. 20.

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