

Thomas J. Cleary

SHAREHOLDER

📞 508-880-6677



Services

Healthcare & Nursing Home Law

- Healthcare Debt Collection
- Conservatorship (For Healthcare Facilities)
- Guardianship (For Healthcare Facilities)
- Regulatory Compliance
- Risk Mitigation and Training
- Contracts, Disputes, and Insurance Claims
- Estate Claims and Creditor Administration

Medicaid and Medicare

- Appeal of 30-Day Discharge Notices
- Appeal of Denial of Benefits
- Appeal of Notice of Medicare Non-Coverage (NOMNC)
- Medicaid Hardship Waiver Requests
- Medicaid/Medicare Applications

Probate, Trust & Estate Administration

- Probate With a Will
- Probate Without a Will
- Estate Administration
- Estate and Trust Litigation

Overview

Thomas J. Cleary is a founding partner of Cohen Cleary, P.C. and a senior trial attorney whose practice is centered on healthcare law and the representation of healthcare providers and facilities throughout Massachusetts with the firm representing healthcare clients throughout New England. He works closely with healthcare executives, administrators, and operators on matters involving regulatory compliance, collections, Medicare and Medicaid and benefits issues, fiduciary proceedings, and complex disputes that directly affect care delivery and institutional operations.

Before and after co-founding Cohen Cleary, Thomas served as counsel to a healthcare management company, representing skilled nursing facilities, hospitals, and affiliated entities. His healthcare practice is grounded in a practical understanding of the operational, regulatory, and financial pressures facing providers, and he is frequently called upon to navigate matters where legal strategy and institutional realities must align. Clients rely on him for clear guidance, disciplined execution, and steady advocacy in high-stakes, time-sensitive matters.

In addition to his healthcare-focused work, Thomas maintains a broad civil litigation practice. Over the course of his career, he has handled, overseen, and resolved thousands of matters for corporations, individuals, families, and institutional clients through negotiations as well as in administrative proceedings, state courts, and federal courts. He has secured significant recoveries for plaintiffs in employment law, discrimination, sexual harassment, and personal injury cases, including numerous six-figure settlements, and has extensive experience representing clients in probate, estate, and fiduciary litigation.

As a partner at Cohen Cleary, Thomas plays a central role in the firm's leadership and strategic direction while remaining actively engaged in client representation. His practice is defined by preparation, judgment, and the ability to move matters forward efficiently without losing sight of long-term goals or consequences.

- Trust Administration
- Mediation
- Probate and Estate Law Mediation

Estate Planning

- Advance Directives
- Asset Protection
- Estate Litigation
- Fiduciary Services
- Health Care Proxy
- Last Will & Testament
- Power of Attorney
- Special Needs Trust
- Trusts
- Trust Administration

Conservatorship & Guardianship

- Appointment of Guardians and Conservators For Adults
- Appointment of Guardians and Conservators For Minors
- Guardianship and Conservatorship Litigation
- Removal of Guardians and Conservators

Civil Litigation

- Restraining Orders (Harassment Prevention)
- Appeals and Post-Trial Motions
- Breach of Contract and Commercial Disputes
- Injunctive Relief and Emergency Motions
- Tort Claims and Personal Liability Defense

Debt Collection

- Debt Collection Defense
- Debt Collection for Creditors
- Judgment Enforcement

Employment & Labor Law

- Civil Service Disputes
- Discrimination and Retaliation
- Severance and Employment Agreements
- Sexual Harassment
- Unemployment Appeals
- Unemployment Overpayment Waiver Requests
- Union and Collective Bargaining Agreements

“Cleary is by far the most respected attorney I have ever known. He comes with the highest recommendations in dealing with special needs trust and getting problematic estate issues resolved.”

Donna L.

Experience

Thomas’s experience includes representation of clients in:

- Healthcare and long-term care matters, including regulatory compliance, Medicare/Medicaid and benefits issues, collections, fiduciary proceedings, and disputes affecting healthcare operations
- Employment law matters involving wrongful termination, discrimination, retaliation, and sexual harassment before the MCAD, EEOC, and Massachusetts and federal courts
- Personal injury claims resulting in substantial recoveries for individuals injured by negligence
- Probate and estate litigation, including contested estates, trust disputes, and fiduciary conflicts
- Guardianship and conservatorship proceedings, including court appointments involving minors, incapacitated adults, and developmentally disabled individuals
- MassHealth, short-term disability, and long-term disability insurance appeals
- Civil litigation and contract disputes for individuals and businesses

Throughout his practice, Thomas approaches every matter with trial readiness, strategic restraint, and a focus on practical outcomes tailored to the client’s goals and forum.

Publications

Thomas has also published numerous articles, blogs, industry publications, training materials, and other materials including:

- *In Impartiality We Trust: A Commentary on Government Aid and Involvement with Religion*, 2 S. NEW ENG. ROUNDTABLE SYMP. L. J. 113 (2007).
- *A Wolf in Sheep’s Clothing: The Unilateral Executive and the Separation of Powers*, 6 PIERCE LAW REV. 265 (2007).
- Foreword: Trends and Issues in Terrorism and the Law: 5 U. MASS. ROUNDTABLE SYMP. L. J. 1 (2010).
- *Important Information About Employment Law and Workers’ Rights*, International Union of Painters and Allied Trades (2013).
- *Understanding the Essentials: Guardianships, Conservatorships & Collection for Skilled Nursing Facilities* (2018).

Informed consent and decisional capacity: The legal implications and evaluation of alleged incapacitated persons, Forthcoming.

Talks

- 2025 CLE Seminar Lecturer on:

- and Disputes
- Wage and Hour / Overtime Claims
- Wrongful Termination

Consumer Protection Law

- Consumer Fraud and Deceptive Practices
- Disability Insurance Appeals
- Insurance Claims and Disputes

Bar Admissions

Massachusetts
 United States District Court for the District of Massachusetts

- Advance Directives: Planning for Medical Care, Incapacity, and End of Life Decisions
- Served for 4 years as an Adjunct Professor of Law at the Southern New England School of Law.
- Served for 3 years as an Adjunct Professor for the University of Massachusetts School of Law at Dartmouth as a faculty advisor to the University of Massachusetts Law Review where he taught advanced legal research, writing and editing.
- Lectured at numerous programs on the Massachusetts Uniform Probate Code and has been a keynote speaker on trends and issues in employment law, guardianships, estate and long-term care planning.
- Invited to speak as a training program panelist on the Supreme Judicial Court’s Mental Health Legal Advisor Committee. Attorney Cleary also volunteers as a member of the South Coastal Counties Legal Services Pro Bono Panel and has served as an Advisor to the Tiverton High School Mock Trial Team.

Education

University of Massachusetts School of Law
Valedictorian; Magna Cum Laude

- Founder and Editor-in-Chief, *University of Massachusetts Law Review*
- Faculty Academic Achievement Award
- Sarah Clarman Bernstein Prize for Academic Excellence

Hiram College
Magna Cum Laude

- Outstanding Undergraduate Research Award

Awards & Honors

- Based on peer recognition and professional achievement, Thomas has been selected as a Super Lawyer, which is an honor presented to less than 2.5% of attorneys.
- Magna Cum Laude graduate of Hiram College where he was a recipient of the Outstanding Undergraduate Research Award. Attorney Cleary is a Magna Cum Laude graduate and Valedictorian from the University of Massachusetts School of Law at Dartmouth. While in law school, Attorney Cleary was a founder and the Editor-in-Chief of the law school’s scholarly legal journal, which is currently the University of Massachusetts Law Review.
- Awarded the Faculty Academic Achievement Award, the Sarah Clarman Bernstein Prize for Academic Excellence, the Pro Bono Program Honorary Designation and was a participant in the Domenick L. Gabrielli Family Law National Moot Court Competition.



Associations

- Served consecutive terms as the President of the Board of Directors for the UMass Law Alumni Association and as Chair of the Association’s Awards, Scholarships and Publications Committees.
- Member of the South Coastal Friends of Legal Services Council and has recently been selected to serve on the Board of Directors for the South Coastal Counties Legal Services, Inc.
- Serviced on the Massachusetts Bar Association Small and Solo Firm Council as well as

serving as an ex officio member of the University of Massachusetts Dartmouth Alumni Association.

- Member of the Massachusetts Employment Lawyers Association, the Massachusetts Bar Association, the Boston Bar Association, the Plymouth County Bar Association, the Plymouth District Bar Association, the Bristol County Bar Association and the Delta Theta Phi International Law Fraternity.
- [A Proud Member of the Massachusetts Senior Care Association 2019 – Present](#)