

# ATTORNEY GRIEVANCE COMMISSION OF MARYLAND



## 40th Annual Report

July 1, 2014 thru June 30, 2015

### Our Mission

*The Attorney Grievance Commission of Maryland is dedicated to protecting the public and maintaining the integrity of the legal profession. The Commission, through the Office of Bar Counsel, seeks to encourage and promote the ethical practice of law and the highest standards of professionalism by members of the Bar. In carrying out their functions of evaluating complaints and enforcing ethical standards for lawyers, the Commission and Bar Counsel strive for fairness and equity.*

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## **40th Annual Report**

### **Attorney Grievance Commission of Maryland**

**July 1, 2014 through June 30, 2015**

Perhaps the most significant change for the Commission and the Office of Bar Counsel in FY 2015 was the relocation in April of our office to an Annapolis commercial office building. We had been housed in the state office building home to the Department of Housing and Community Development in Crownsville since 1990. The space in Crownsville had become inadequate to the needs of the Office and did not have an accommodation for the Commission's monthly meetings. Our new home on Truman Parkway is a great improvement in terms of space and esthetics. It is a much more pleasant and efficient place to work. The meetings of the Commission can now be scheduled on the premises.

During the year, the Office said farewell to Assistant Bar Counsel James Gaither who left to take a position with a law firm. Ebtehaj "Eby" Kalantar joined the staff in May as an Assistant Bar Counsel. Eby's background includes a clerkship in the Circuit Court for Montgomery County and experience in civil litigation with two law firms. Assistant Bar Counsel Caroll Donayre departed to work for the District of Columbia Office of Bar Counsel. C. Shea McSpaden was promoted to Assistant Bar Counsel and is the attorney responsible for screening. Jennifer Thompson joined the office as Staff Attorney. She comes to the office with experience in private practice and was law clerk to Baltimore City Circuit Court Administrative Judge Michel Pierson. Staff Attorney Lisa Mezrich also departed and her position, which requires oversight of Conditional Diversion Agreements and Conservatorships, was taken by Staff Attorney Kelsey Brown, who started in the office as a law clerk.

For the second year in a row, the staff participated in a meeting of the Chesapeake Regional Association of Bar Counsel at National Harbor in Prince George's County. Court of Appeals Judge Lynne Battaglia gave the keynote address to representatives of the District of Columbia, Delaware, New Jersey, the United States Patent and Trademark Office and several federal agencies responsible for professional ethics and lawyer discipline. The participants heard presentations from psychiatrists and a therapist who discussed mental health issues affecting lawyers. The program also included panels on impact disciplinary cases and the work done by federal disciplinary agencies.

The Maryland Bar saw its ranks swell by over sixteen hundred (1,600) new lawyers, the largest increase in this century. The number of sanctioned attorneys was greater than in Fiscal Year 2014 in all categories. Disbarments increased from twenty-six (26) (close to the ten year average) to forty-four (44), one less than the previous high (FY 2012). Suspensions went from twenty-nine (29) in FY2014 to thirty-three (33) in this fiscal year. Reprimands in FY2014, both from the Commission and ordered by the Court of Appeals totaled twenty-nine (29); this year: thirty-two (32). The number of complaints remained approximately the same as last year, but the

Office was able to dispose of more cases and achieve a greater number of dispositions than in any of the previous ten years.

Attorneys were sanctioned in thirteen (13) reciprocal actions taken after discipline was imposed in other jurisdictions. In five (5) of these actions, attorneys received the same discipline as given in the other jurisdiction, six (6) received greater discipline and in two (2) actions the attorney was indefinitely suspended in the interim while the proceeding is pending.

For the first time, the Office found it necessary to seek receivers for the law firms of two disbarred attorneys, Neil Lewis and Leonard Sperling. Receivers were appointed and sought to marshal the assets of the firms in an effort to protect the interests of the firm's clients and the public generally. The Office also sought and received an Order from a Circuit Court that enjoined C. Trent Thomas of Allegany County from continuing to practice law. The Circuit Court for Washington County credited the arguments of Senior Assistant Bar Counsel Dolores Ridgell and found that his continued practice of law represented an immediate threat of substantial harm to the administration of justice and to the financial interests of potential clients. The injunction prevented Mr. Thomas from practicing while his disciplinary case was pending in the Court of Appeals.

Again this year, the staff of the Office of Bar Counsel was involved in lawyer and law student education in an effort to alert participants to their ethical and professional obligations. Again this year, staff members wrote articles and appeared before law firms, bar groups and law school classes and were very well received.

**DISCIPLINARY SUMMARIES**  
**Fiscal Year 2015**  
**(July 1, 2014 — June 30, 2015)**

**SANCTIONS AND ACTIONS AFFECTING LICENSURE**

ADAMS, Scott Gregory – Reprimand on February 5, 2015, as a reciprocal action to his reprimand in Maine, for failing to file a client's federal estate tax return in a timely manner.

ALONSO, Jaime Arturo – Disbarred by Consent on January 28, 2015, effective January 31, 2015, for misappropriating legal fees belonging to his former employer. Respondent converted over \$20,000 for his own use in connection with more than forty-eight (48) cases during his employment. Respondent voluntarily paid restitution in full to the Firm.

ALTER, Jennifer Lee – Commission Reprimand for failing to verify the authenticity of a special power of attorney that was related to the transfer of real property for which she was engaged.

AMOS, Esthus Christopher – Indefinite Suspension on December 17, 2014, for failing to pay his

child support arrearage.

AMOS, Esthus Christopher – Commission Reprimand for failing to provide reasonably diligent representation to his client in an action related to her military discharge that resulted in the dismissal of her case, for failing to communicate with the client about the status of her matter and for failing to respond timely to Bar Counsel’s lawful demand for information.

AQUIA, Antonio – Indefinite Suspension by Consent on May 11, 2015, for submitting falsified expense reports to his employer, for obtaining reimbursement of expenses to which he was not entitled and for making unauthorized charges to his employer’s credit card. Respondent has reimbursed the firm.

BABER, Gilbert – Suspended on an interim basis following his disbarment in the District of Columbia.

BARNETT, Michael Francis – Disbarred on October 3, 2014, for forging his client’s signature on a document without her authorization or knowledge, for failing to communicate with the client and for making material misrepresentations to Bar Counsel.

BARTON, Sheron Andrea – Indefinite Suspension on March 2, 2015, for neglecting numerous clients’ cases, for permitting a non-lawyer to engage in the unauthorized practice of law, for failing to safe keep her clients’ funds and for failing to refund a fee dispute despite a court order directing her to do so.

BASINGER, Carl Stephen – Reprimand on February 23, 2015, for having mailed letters to his client containing egregiously unprofessional language, including profanity, after she declined his services.

BAYLOR, Brynee Kyonne – Disbarred by Consent on June 5, 2015, for failing to safe keep trust funds, for misappropriating and using trust funds for purposes other than those for which the funds were entrusted and for making material misrepresentations to investors and potential investors.

BELL, Donald La’drae – Commission Reprimand for failing to provide reasonable diligence and prompt representation to a client by failing to submit a loan modification package to the client’s lender and for failing to communicate with the client.

BENNETT, Darrell J., Jr. – Disbarred by Consent on October 10, 2014, due to his conviction for possession of child pornography.

BENZER, Eric J. – Commission Reprimand for permitting the use of his name to solicit Maryland clients by two (2) out-of-state law firms that offered debt management services and for failing to provide diligent representation to those clients, for failing to communicate the basis or rate of his fee to his client, for failing to maintain a written fee agreement for the client’s matter and for failing to obtain a client’s original signatures on her bankruptcy petition prior to its filing with the

U.S. Bankruptcy Court.

**BIDDINGS, Verlene Minneva** – Commission Reprimand for filing frivolous motions, for failing to notify and obtain consent of all parties and for making false representations to the court relating to the motions.

**BLAIR, Floyd Reynard** – Disbarred on October 28, 2014, for lack of competence and diligence, for failing to communicate with his client, for abandoning his client by failing to perform legal work, for failing to return an unearned fee and for improper termination of the attorney-client relationship.

**BLONDES, Leonard Saul** – Disbarred by Consent on November 7, 2014, effective sixty (60) days from the date thereof, for failing to safe keep property and for engaging in conduct that is prejudicial to the administration of justice.

**BLUMENFELD, Scott Brian** – Indefinite Suspension by Consent on July 17, 2014, effective sixty (60) days from the date thereof (with the right to reapply for admission after six (6) months from the effective date), for charging unreasonable fees, for providing incompetent representation and for failing to supervise non-lawyer assistants who fraudulently witnessed and notarized estate documents.

**BRIGERMAN, Ronald Claude, Jr.** – Indefinite Suspension on December 18, 2014, for abandoning a client, for failing to communicate with his clients, for making a misrepresentation to a client and Bar Counsel and for failing to cooperate with Bar Counsel’s investigation.

**BRIGERMAN, Ronald Claude, Jr.** – Disbarred by Consent on January 16, 2015, for failing to provide competent, diligent and prompt representation to his clients, for failing to abide by his client’s decisions concerning the objectives of the representation, for failing to communicate and, upon termination of representation, for failing to take steps to the extent reasonably practicable to protect his clients’ interests.

**BRISKER, Arthur B.** – Commission Reprimand for drafting a will in which he was named as a beneficiary. His bequest was to be given to the client’s nephew to dissuade the client’s estranged wife from asserting a claim against the estate. Respondent, as Personal Representative, sent written confirmation to the nephew of the bequest and a copy of the will to the client’s wife, who filed a petition to caveat the will.

**BROIDA, Charles J.** – Disbarred by Consent on December 15, 2014, for misappropriating estate funds and for fabricating account statements to conceal his conduct.

**BROOKS, Gary Morgan** – Commission Reprimand for failing to safe-keep property, for commingling funds, for having a negative balance in his attorney trust account and for improper use of that account.

BUEHLER, David Peter – Disbarred on December 10, 2014, as a reciprocal action related to his Virginia suspension, for engaging in conduct involving dishonesty, fraud, deceit and/or misrepresentation and conduct prejudicial to the administration of justice while representing a client in a landlord-tenant matter.

BURGHARDT, Mira Sugarman – Indefinite Suspension on March 4, 2015 (with the right to apply for reinstatement no sooner than her re-admittance in Massachusetts and the District of Columbia) as a reciprocal action to her one (1) year suspension in the state of Massachusetts for fraudulently seeking reimbursement from her employer of personal expenses for which she was not entitled and for submitting falsified invoices in support of said expenses.

BURKHARDT, John Kirby – Disbarred by Consent on May 1, 2015, for failing to provide competent, reasonably diligent and prompt representation to his clients, for failing to communicate, for failing to refund unearned fees and upon termination of representation, for failing to promptly surrender papers and property to which the client is entitled. Respondent was previously indefinitely suspended by consent on October 5, 2012.

BUTLER, Lance, III – Reprimand on January 27, 2015, for knowingly failing to respond to multiple requests for information from Bar Counsel.

CHANG, Sandy Yeh – Two (2) year Suspension by Consent on November 7, 2014, *Nunc Pro Tunc* to January 23, 2014, for allowing a non-lawyer to file false Credit Counseling Certificates using her ECF login and password.

CHESSON-WUREH, Yvette Nmuna – Commission Reprimand for failing to keep an adequate accounting, for failing to file timely accountings and generally mishandling a Special Needs Trust for her son, as Trustee.

CHIRUMBOLE, Stephen Howard – Disbarred by Consent on June 24, 2015, for failing to safe keep trust funds, for misappropriating client funds, for engaging in criminal conduct and for failing to communicate with his client.

CHUKLA, Joseph, Jr. – Commission Reprimand for failing to take reasonable measures to ensure that the attorney he hired as a consultant and expert witness made full and complete disclosures to the heirs of real property and the Orphan’s Court relating to the transfer of said real property.

COCCO, Darlene M. (aka Cocco-Adams, Darlene M.) – Disbarred on February 23, 2015, for having knowingly issued and served an invalid subpoena, for misrepresenting to third parties that they were required to comply with an invalid subpoena and for threatening the third parties with personal suit if they failed to comply.

COHEN, Maxwell Clifford – Commission Reprimand for failing to take appropriate measures to investigate an out-of-state law firm prior to his “of counsel” association with the law firm that was operating a loan modification scheme, for providing the law firm with information about those

attending a town hall meeting without authorization and for failing to provide Bar Counsel with all the requested email correspondence in his possession related to the law firm and town hall meeting.

CUADRA, Tabatha Karina – Indefinite Suspension by Consent on August 25, 2014, effective sixty (60) days from the date thereof, for failing to represent her clients with competence, reasonable diligence and promptness, for failing to communicate promptly with her clients, for failing to safe-keep property and maintain attorney trust records, for failing to ensure that the conduct of her non-lawyer employees, over whom she had direct supervisory authority, was compatible with the Respondent's professional obligations, for failing to repay any of her clients who suffered a loss due to her misconduct and for knowingly failing to respond to lawful requests for information from Bar Counsel.

DIMAS, Marilyn D. – Disbarred by Consent on October 21, 2014, effective forty-five (45) days from the date thereof, for failing to safe keep property, for failing to timely file state and federal tax returns and for failing to timely pay taxes for tax years 2006 through 2010.

ECKEL, Grason John-Allen – Indefinite Suspension on May 22, 2015 as a result of his criminal conviction for assault in the second degree, a sexual offense in the fourth degree and false imprisonment.

FELDER, Thomas Wesley, II – Disbarred on September 11, 2014, for lack of competence and diligence, for failing to communicate with his client, for abandoning his client by failing to perform legal work, for failing to maintain unearned fees in trust, for failing to promptly return an unearned fee, for improper termination of the attorney-client relationship and for assisting another in the unauthorized practice of law.

FELDMAN, Larry Jason – Indefinite Suspension by Consent on January 13, 2015, effective January 31, 2015, for failing to provide competent, and diligent representation to his client, for disclosing confidential client information without informed consent of the client, for his criminal misconduct involving prostitution and for failing to be forthcoming with a specially assigned federal disciplinary prosecutor.

FISH, Pamela Ann – Disbarred by Consent on October 9, 2014, effective thirty (30) days from the date thereof, as a reciprocal action to her August 21, 2014 one (1) year suspension for negligently and incompetently representing her client and for converting and mishandling client funds.

FLOAM, Steven Scott – Reprimand by Consent on June 9, 2015, for failing to respond to lawful demands for information from Bar Counsel.

GAGE-COHEN, Christine Boco – Disbarred on October 21, 2014, for failing to provide competent, diligent and prompt representation to her client, for failing to communicate with the client, for improper termination of the attorney-client relationship and for misappropriation of client funds.



GELB, Jason Robin – Disbarred on October 22, 2014, for failing to provide competent, diligent and prompt representation to his clients, for failing to communicate, for charging unreasonable fees, for failing to safe keep property, for commingling funds, for intentional misappropriation of funds and for engaging in prohibited trust account transactions.

GERTNER, Abraham Allan – Indefinite Suspension by Consent on June 25, 2015, effective thirty (30) days from the date thereof (with the right to apply for reinstatement one hundred twenty (120) days after the effective date) for failing to safe keep client funds, for his conflict of interest, for failing to inform his clients of the terms of an agreement with third parties and for failing to keep accurate and complete records of his attorney trust account.

GREEN, John Melvin – Indefinite Suspension on December 22, 2014, for failing to communicate adequately with a client, for unreasonable fees, for failing to deposit an unearned advance retainer in a trust account and for failing to respond to lawful demands for information from Bar Counsel.

GREEN, John Melvin – Indefinite Suspension by Consent on January 27, 2015, for knowingly failing to respond to lawful demands for information from Bar Counsel.

GREENBERG, Mitchell Alan – 30-day Suspension by Consent, effective November 20, 2014, for failing to obtain written confirmation that his client agreed to the joint representation by himself and another law firm and for his conflict of interest.

GREIDINGER, Marc Alan – Commission Reprimand for his unintentional attempt to bring a handgun into the Maryland Court of Appeals building.

HALEY, Kenneth – Indefinite Suspension by Consent on December 10, 2014, effective January 1, 2015, for failing to provide competent, diligent and prompt representation to his clients, for failing to communicate with his clients and for making numerous misrepresentations.

HALEY, Kenneth – Disbarred on June 5, 2015, for failing to provide competent, diligent and prompt representation, for failing to communicate with his clients, for failing to safe keep property, for misappropriating client funds, for failing to maintain unearned fees in a client trust account, for failing to refund unearned fees, for his improper termination of the attorney-client relationships, for making misrepresentations to the court in his clients' cases and for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

HAMILTON, John T., Jr. – Disbarred on May 13, 2015, for failing to provide competent representation to his clients, for failing to appear at a scheduled proceeding, for failing to file discovery that resulted in sanctions imposed against his clients, for failing to communicate with his clients, for failing to deposit client funds in an attorney trust account, for charging an unreasonable fee, for failing to refund unearned fees, for misrepresenting that he made filings in a case and for misappropriating client funds.

HARMON, Anthony Maurice – Disbarment by Consent on July 24, 2014, for making

misrepresentations to Bar Counsel during the investigation of a complaint and during a deposition.

HODES, Michael Carl – Disbarred on October 7, 2014, for engaging in self-dealing, misappropriating funds held in a fiduciary capacity and engaging in misconduct associated with his activities relating to a deceased client who made Respondent trustee of a testamentary trust.

INGERMAN, Bruce E. – Commission Reprimand for failing to provide diligent and prompt representation to his client, for failing to communicate with the client, resulting in the loss of her claim due to the expiration of the statute of limitations, for his conflict of interest and for attempting to enter into an agreement prospectively limiting his ability to the client for malpractice.

IWEANOGE, John O., II – Commission Reprimand for failing to act with reasonable diligence and promptness in representing a client.

JACOBS, W. Michael – Commission Reprimand for failing to provide competent, reasonably diligent and prompt representation to his clients that resulted in the loss of a client's claim, for failing to diligently prosecute another client's case, for failing to communicate with the clients and for his improper termination of the attorney-client relationship.

JAMES, Denise Nicole – Disbarred by Consent on February 24, 2015, for failing to provide competent, reasonably diligent and prompt representation to a client, for failing to abide by her client's decisions, for charging an unreasonable fee, for failing to safe keep property of clients or third persons, for her improper termination of the attorney-client relationship, and for forging, as an ostensible co-signer, the signature of another without that person's authority or consent on her student loan.

JORDAN, Laura Elizabeth – Indefinite Suspension by Consent on July 18, 2014 (with the right to reapply for admission in Maryland after eighteen (18) months from the date thereof) for failing to timely file tax returns for multiple tax years, for failing to pay income taxes owed, for negligently misappropriating estate funds and for failing to provide competent and diligent representation to the estate.

KANG, Seung Oh (a/k/a OH, Seung E. and OH, Sandy) – Interim Suspension on June 1, 2015.

KARGER, William Harry – Reprimand by Consent on December 22, 2014, for failing to communicate with his client and for engaging in the unauthorized practice of law in the state of Florida while winding down a law practice.

KATZ, Gerald Isadore - Disbarred on May 11, 2015, for his repeated, willful failure to pay federal income taxes and for his failure to timely file federal income tax returns over the course of 15 years.

KOZEL, Claire Elizabeth – Disbarred by Consent on November 14, 2014, for her criminal conduct.

KUM, Joseph Mua - Disbarred on September 10, 2014, for misappropriating client funds and abandoning his law practice when he left the United States in 2011.

LEWIS, Neil Jerome – Disbarred by Consent on September 1, 2014, for failing to provide competent, diligent and prompt representation to his clients, for failing to safe keep property, for failing to deliver promptly to a third party funds to which it was entitled, for regular and intentional misappropriation of funds for his personal benefit, and for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

LITMAN, Donald Saunders – Indefinite Suspension on October 21, 2014, as a reciprocal action to his public censure by the Pennsylvania Supreme Court, for failing to provide competent representation to his client, for intentionally misrepresenting facts and law to a tribunal and for interfering with the administration of justice.

McBRIDE, Joseph F. – Disbarred by Consent on December 16, 2014, for misappropriating client funds.

McDANIEL, Anthony Raynard – Disbarred by Consent on May 11, 2015, for engaging in multiple fraudulent transactions in connection with his operation of used car dealerships.

McDERMOTT, Mark T. – Commission Reprimand for failing to provide competent representation to his client relating to the adoption of the client’s unborn child and for engaging in conduct prejudicial to the administration of justice.

McNALLY, Richard Donald – Disbarred by Consent on March 13, 2015, for his criminal conduct involving embezzlement and misappropriation by a fiduciary. Respondent was ordered to pay restitution in the amount of \$49,589.98.

MARCALUS, Jeffrey S. – Disbarred on February 5, 2015, for engaging in sexually explicit text messages with a female opposing party and for informing her that he would arrange for a “sugar daddy” to pay her for a sexually explicit act. Respondent has been disciplined previously on two (2) occasions for engaging in misconduct.

MARTUCCI, Louis J. – Commission Reprimand for failing to safe keep client funds in trust until earned and for failing to create and maintain a record for the receipt and disbursement of funds of clients or of third persons.

MILLER, Karen Jones – Disbarred by Consent on July 25, 2014, as a reciprocal action related to her District of Columbia disbarment on February 6, 2014, for misappropriating funds entrusted to her as the court-appointed conservator and guardian of property of the Ward and as personal representative of the Ward’s probate estate after his death.

MIXTER, Mark Thomas – Disbarred on February 2, 2015, for improperly obstructing litigation and for knowingly making intentional misrepresentations to courts, parties and witnesses.

MOODY, Maurice Marnea – Commission Reprimand for failing to maintain adequate records of his attorney trust account that resulted in an overdraft of that account and for commingling his funds with those of his clients and/or third persons.

MUNGIN, Vaughn Miles – Indefinite Suspension on July 18, 2014, effective thirty (30) days from the date thereof (with the right to reapply for admission after six (6) months from the effective date), for failing to provide competent representation, for failing to safe-keep property, for failing to pay two (2) medical providers' liens for over two (2) years, for failing to properly maintain trust account records for his clients, for engaging in prohibited trust account transactions and for mishandling trust funds.

NACE, Barry John – 120-day suspension on August 28, 2014, commencing *Nunc Pro Tunc* on October 25, 2013 and ending on February 22, 2014, as a reciprocal action to his suspension in West Virginia, for failing to represent his client with competence and diligence, for failing to communicate, for failing to safe keep property and for dishonesty.

OLANDER, Christopher Dean – Indefinite Suspension by Consent on January 15, 2015, effective January 31, 2015, for failing to safeguard property of clients or third persons in an attorney trust account and for commingling client funds in his operating account.

OLSZEWSKI, Kevin Trent – Indefinite Suspension on January 27, 2015 (with the right to apply for reinstatement after six (6) months from the date thereof) for his conflict of interest, for failing to remedy the conflict, for failing to provide competent, diligent and prompt representation to his clients, for mishandling client funds and for failing to maintain disputed funds in trust.

PEKLO, Gary Stewart – Indefinite Suspension by Consent on June 9, 2015, effective thirty (30) days from the date thereof (with the right to apply for reinstatement after thirty (30) days of the effective date and conditioned upon his repayment of \$30,600 to the estate of his deceased client) for his conflict of interest relating to his role as personal representative of the estate, in which he hired himself to sell real property of the estate and paid himself a broker's fee.

PHILLIPS, Duane Timothy – Indefinite Suspension on January 22, 2015, as a reciprocal action to his three (3) month suspension in New Jersey, for failing to act with reasonable diligence and promptness, for engaging in the unauthorized practice of law and for knowingly making a false statement of material fact in connection with a disciplinary matter.

PLIMPTON, Thomas William – Disbarred by Consent on December 18, 2014, as a reciprocal action to his New York disbarment for his criminal conduct involving conversion of client funds by fraud between 2009 – 2013.

POVERMAN, Christopher W. – Indefinite Suspension on November 21, 2014, as a reciprocal

action relating to his Delaware reprimand for making a knowing misrepresentation on an annual registration statement and for repeatedly failing to respond to lawful demands for information from a disciplinary authority.

REID, Rhon Carl – Commission Reprimand for filing frivolous pleadings and for failing to dismiss a case after the matter was settled that caused the court to dismiss the case with prejudice.

RENO, Sandra Lynn – Six (6) month Suspension on November 19, 2014, effective thirty (30) days from the date thereof, for assisting in the purchase of a handgun for an individual who was prohibited from possessing a regulated firearm and for knowingly participating in the illegal receipt of said firearm by the prohibited individual.

RICHA, Tony C. – Commission Reprimand for engaging in the unauthorized practice of law after he was decertified for failing to meet his *pro bono* reporting and annual assessment requirements.

ROLLISON, Mark Edward – Reprimand by Consent on April 7, 2015, for failing to provide competent representation to his client that related to his handling of the client's appeal, that caused her case to be dismissed and for failing to keep the client reasonably informed about the status of her case.

SERIO, Samuel Leonard – Commission Reprimand for failing to safe keep client funds in trust until earned, for failing to create and maintain a record for the receipt and disbursement of funds of clients or of third persons and for failing to promptly comply with reasonable requests for information.

SHAPIRO, David Benjamin – Reprimand by Consent on November 13, 2014, for engaging in prohibited direct contact with a prospective client that had the appearance of soliciting professional employment.

SHAPIRO, Eugene Alan – Indefinite Suspension on January 30, 2015, for failing to file a client's medical malpractice claim prior to the expiration of the statute of limitations, for failing to keep his client informed, for misrepresenting the status of the case to his client and for his conflict of interest.

SHIELDS, Robert Lee, Jr. – Disbarred by Consent on February 13, 2015, for the unauthorized practice of law.

SINGLETON, John Michael – Commission Reprimand for engaging in the unauthorized contact with a witness who was known to be represented by counsel.

SMITH, Bruce Michael – Indefinite Suspension on February 23, 2015 (with the right to apply for reinstatement no sooner than sixty (60) days from the date thereof) for engaging in conduct prejudicial to the administration of justice and for failing to act diligently in performing his duties as an Assistant State's Attorney.

SMITH, Earl Americus – Disbarred on June 23, 2015, for failing to ensure that the conduct of his non-lawyer employee, over whom he had direct supervisory authority, was compatible with his professional obligations, for failing to appropriately review and oversee an attorney trust account that resulted in a non-lawyer assistant’s misappropriation of \$600,000 over a four-year period, for failing to take reasonable remedial measures to safe keep client and third party funds, for commingling personal funds and for failing to communicate with and follow directions of his clients.

SNYDER, Stephen Lawrence – Commission Reprimand for his overzealous representation of his client before a tribunal in a multi-day hearing, and his conduct during the hearing was prejudicial to the administration of justice.

SPERLING, Leonard Jerome – Disbarred by Consent on August 26, 2014, for his intentional misappropriation of client funds, for commingling funds, for failing to maintain appropriate trust account records, for failing to provide competent, diligent and prompt representation to a client, for failing to inform a client of the expiration of the statute of limitations on her claim, for failing to advise the client of a conflict of interest and for knowingly failing to respond to lawful demands for information from Bar Counsel.

STEVENS, Saleh A. – Disbarment by Consent on October 9, 2014, for his criminal conduct involving mail fraud.

SULLIVAN, John J., Jr. – Disbarred by Consent on July 16, 2014, as a reciprocal action related to his Delaware disbarment, for making false certification of multiple HUD-1 real estate settlement statements and for his impermissible use of other clients’ funds in his firm’s escrow account to fund all or part of the buyers’ contributions in certain real estate settlements that occurred between 2006 and 2008.

SWEITZER, Philip James – Suspended on September 22, 2014, due to his criminal conviction.

SWERDLIN, Jill Berman, a/k/a Jill Honey Berman, Jill Swerdlin – Disbarred by Consent on July 9, 2014, for criminal conduct that adversely reflects on her honesty, trustworthiness or fitness as a lawyer and for conduct prejudicial to the administration of justice.

THOMAS, Gayton Joseph, Jr. – Disbarred on November 20, 2014, for failing to provide competent, diligent and prompt representation to his client, for failing to communicate with the client, including failure to notify him of a hearing date, for failing to appear at the immigration hearing that resulted in an *in absentia* order removing the client from the United States and for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

VAN DUSEN, Dennis Alan – Disbarred on May 8, 2015, for his criminal conduct involving the use of hidden cameras to secretly record, in intimate circumstances, female tenants who rented rooms in his house and for failing to disclose said conduct on his Bar application.

VARNADO, Sean Anthony – Indefinite Suspension by Consent on December 1, 2014 (with the right to apply for reinstatement no sooner than ninety (90) days from the date thereof), for commingling funds and for conduct prejudicial to the administration of justice.

WAGAMAN, Charles Francis, Jr. – Commission Reprimand for his conflict of interest relating to an action to quiet title, in which he reopened an estate, had himself appointed personal representative and quit claimed the real property from the estate to the defendants in a case for whom he was serving as an expert witness.

WEIERS, Daun Robert – Reprimand on October 22, 2014, for commingling funds and for knowingly failing to respond to lawful demands for information from Bar Counsel.

WILLIAMS, Craig – Commission Reprimand for failing to provide competent, diligent and prompt representation to his client, for failing to keep his client informed and, upon termination of the representation, for failing to take steps to the extent reasonably practicable to protect his client's interest.

WILLS, Talieb Nilaja – Disbarred on October 3, 2014, effective forty-five (45) days from the date thereof. Respondent misappropriated his client's funds, was deceitful about those funds and the work he performed for that client.

WOLOSZYN, John J. – Indefinite Suspension by Consent on September 4, 2014, for failing to file Maryland state income tax returns for several years and for failing to respond initially to lawful requests for information from Bar Counsel.

WORSHAM, Michael Craig – Disbarred on October 3, 2014, for failing to file federal or State income tax returns and pay related income taxes over an eight-year period, with fraudulent intent and attempting to conceal income from federal and State agencies and after his misconduct was detected he raised frivolous arguments in the federal courts and the Court of Appeals about his federal tax liability.

WORTHY, Michael Ron – Indefinite Suspension by Consent on February 23, 2015 (with the right to apply for reinstatement at any time provided restitution is paid in full) for charging his client an unreasonable fee and upon termination of the representation, for failing to take steps to the extent reasonably practicable to protect the client's interests.

WRAY, Ronald Allen – Indefinite Suspension on September 22, 2014, for failing to pay his child support obligations in violation of a court order.

WRAY, Ronald Allen – Indefinite Suspension by Consent on March 4, 2015, for failing to provide competent and diligent representation to his client and for failing to keep adequate records of the receipt, maintenance and disbursement of client funds.

ZHANG, Runan – Disbarred on July 21, 2014, for failing to provide competent representation, for

a conflict of interest, for misrepresenting to her co-counsel that the co-counsel had authority to sign settlement agreements on behalf of the client without advising the client of the agreements and obtaining her consent, for the unauthorized practice of law and for dishonesty, fraud, deceit or misrepresentation.

### **TARGETED MAIL SOLICITATIONS**

The Business Occupations and Professions Article of the Annotated Code of Maryland §10-605.2 requires an attorney to file with Bar Counsel copies of letters of solicitation sent to prospective clients under certain circumstances. In FY 2015, there were 1,171 targeted mail solicitations, down from 1,354 in FY 2014. This continues a downward trend, as in FY 2012, there were 1,819 such submissions. Of the submissions to Bar Counsel this year, seventeen (17) letters required revisions. The reasons for the necessary revisions included the failure to have appropriate wording in the solicitation, the failure to include required wording on the advertising envelope, and the inadequate font size of the required wording. In FY 2014, twenty-eight (28) letters required revision.

### **ATTORNEY TRUST ACCOUNT OVERDRAFTS**

Maryland Rule 16-610 permits approved financial institutions to maintain attorney trust accounts. Those approved institutions must agree promptly to report overdrafts on such accounts to Bar Counsel. Upon receipt of the bank's report, Bar Counsel seeks an explanation from the attorney. This year, there were one hundred and forty-three (143) overdraft notifications, up from one hundred and thirty-two (132) in FY2014. Twelve (12) were transferred to docketed status for further investigation, up from eight (8) in FY 2014. The reasons for docketing were:

a) Improperly Using Escrow Account	1
b) Other Docketed Case on Attorney	3
c) Failure to Respond to Bar Counsel	3
d) Misappropriation of Client Funds	2
e) Fictitious Documents Sent to Bar Counsel	1
f) Possible Fraud	1
g) <u>Safekeeping Property</u>	<u>1</u>
Total	12

Thirty-four (34) overdrafts were attributed to some form of bank error that included fees charged in error, transfers from the wrong account, incorrect postings and incorrect dollar amounts.



## CONSERVATORSHIPS

When an attorney is deceased, disbarred or suspended, and there is no responsible attorney to take possession of the client files of that attorney, it becomes necessary for Bar Counsel to petition the local Circuit Court to establish a conservatorship. If no attorney is available in the community to take on the task, an attorney on Bar Counsel's staff is nominated to serve as conservator. Upon approval by the Circuit Court in the county where the attorney was licensed to practice, an appointment of a conservator is ordered, the files of the attorney are marshalled and, with the aid of the paralegal staff, notices are sent to clients to determine the appropriate disposition of active files. Pursuant to court order, the destruction of unclaimed client files is permitted.

In FY 2015, eleven (11) conservatorships were established and members of Bar Counsel's staff were appointed as the conservator in three (3) cases. Private lawyers were appointed as Conservators in the remaining eight (8) cases. Seven (7) conservatorships were closed during the fiscal year. There are nineteen (19) pending conservatorship cases at the end of FY 2015, including the eleven (11), which were opened this fiscal year. Bar Counsel staff members were appointed as Conservators in eight (8) of the cases, and third parties were appointed as Conservators in the remaining eleven (11) cases.

### CONSERVATORSHIPS FISCAL YEAR 2015

<u>Opened</u>	<u>July 1, 2014 – June 30, 2015</u>	<u>Third Party or AGC</u>
1. Alex, John	(06/05/15)	3 <sup>rd</sup> Party
2. Bartnik, Keith	(02/18/15)	3 <sup>rd</sup> Party
3. Brager, Elliott	(08/04/14)	3 <sup>rd</sup> Party
4. Button, Edward	(10/10/14)	3 <sup>rd</sup> Party
5. Conrad, John III	(06/05/15)	3 <sup>rd</sup> Party
6. Goeringer, Joan	(02/05/15)	3 <sup>rd</sup> Party
7. Gray, Melissa	(10/01/14)	AGC
8. Lewis, Neil	(10/15/14)	AGC
9. Montgomery, Bonnie J.	(06/25/15)	AGC
10. Raine, John	(03/13/15)	3 <sup>rd</sup> Party
11. Schaefer, Michael	(01/13/15)	3 <sup>rd</sup> Party

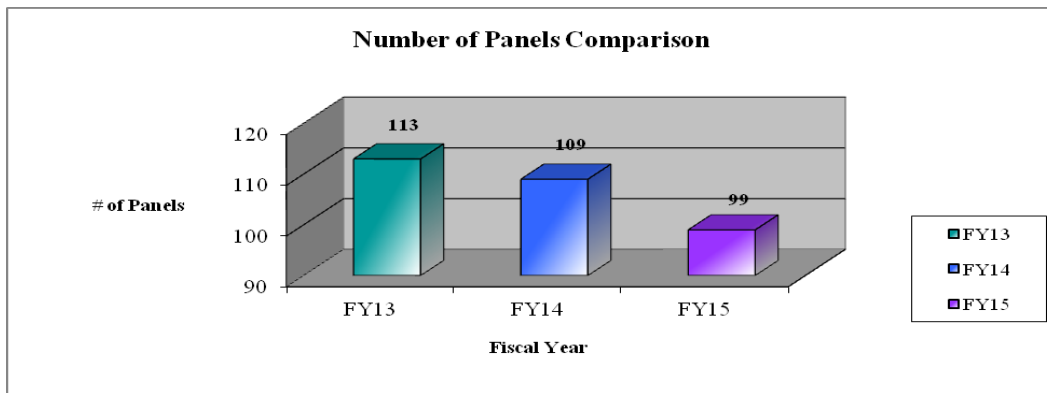
<u>Closed</u>	<u>July 1, 2014 – June 30, 2015</u>	<u>Third Party or AGC</u>
1. Booth, Walter	(04/07/15)	3 <sup>rd</sup> Party
2. Bruce, Charles A. Jr.	(04/20/15)	3 <sup>rd</sup> Party
3. Doherty, Monica	(09/23/14)	AGC
4. Garrett, Ranji M.	(09/24/14)	AGC
5. Sachs, Lee	(08/12/14)	3 <sup>rd</sup> Party
6. Sawhney, Vivek	(09/23/14)	AGC
7. Street, Timothy	(05/26/15)	3 <sup>rd</sup> Party

<b><u>Pending:</u></b>	<b><u>Third Party or AGC</u></b>
1. Buettner, Robert	AGC
2. Burgan, John	3 <sup>rd</sup> Party
3. Cammack, Olivia D.	AGC
4. Campbell, Elizabeth	AGC (Originally was 3 <sup>rd</sup> Party)
5. Hogg, Ronald	3 <sup>rd</sup> Party
6. Jenkins, Frank P.	AGC
7. Kountz, Charles	3 <sup>rd</sup> Party
8. Lubitz, Lynn A.	3 <sup>rd</sup> Party
9. McIntosh, Robert	3 <sup>rd</sup> Party
10. Messenger, Donald	3 <sup>rd</sup> Party
11. Plum, Jeffery J.	3 <sup>rd</sup> Party
12. Rhoads, Arthur	AGC
13. Robaton, David M.	AGC
14. Salafia, Matthew J.	AGC
15. Sapro, Robert	3 <sup>rd</sup> Party
16. Stocksdale, Robert	3 <sup>rd</sup> Party
17. Tayback, Matthew G.	3 <sup>rd</sup> Party
18. Taylor, Douglas	AGC
19. Vogulhut, Steven	3 <sup>rd</sup> Party

## PEER REVIEW COMMITTEE

This fiscal year 353 lawyers and 78 non-lawyers agreed to volunteer their time to participate in the peer review process. There were 99 peer review meetings scheduled, compared to 109 last year, a decline of 9.17%. Nineteen (19) panels heard more than one complaint against a respondent attorney. A total of 150 complaints were subject to peer review. In twenty-eight per cent (28%) of the complaints addressed by peer review panels, public charges were recommended; three per cent (3%) conditional diversion; eight per cent (8%) reprimand; four per cent (4%) dismissal; and ten per cent (10%) dismissal with a warning. Nineteen per cent (19%) were terminated prior to the meeting due to the non-cooperation of the respondent attorney. Eighteen per cent (18%) were pending at the end of the fiscal year. The Commission makes the final decision after receiving a recommendation from a Peer Review Panel. This fiscal year the Commission overturned five (5) recommendations, all of which resulted in greater disciplinary exposure for the attorneys.

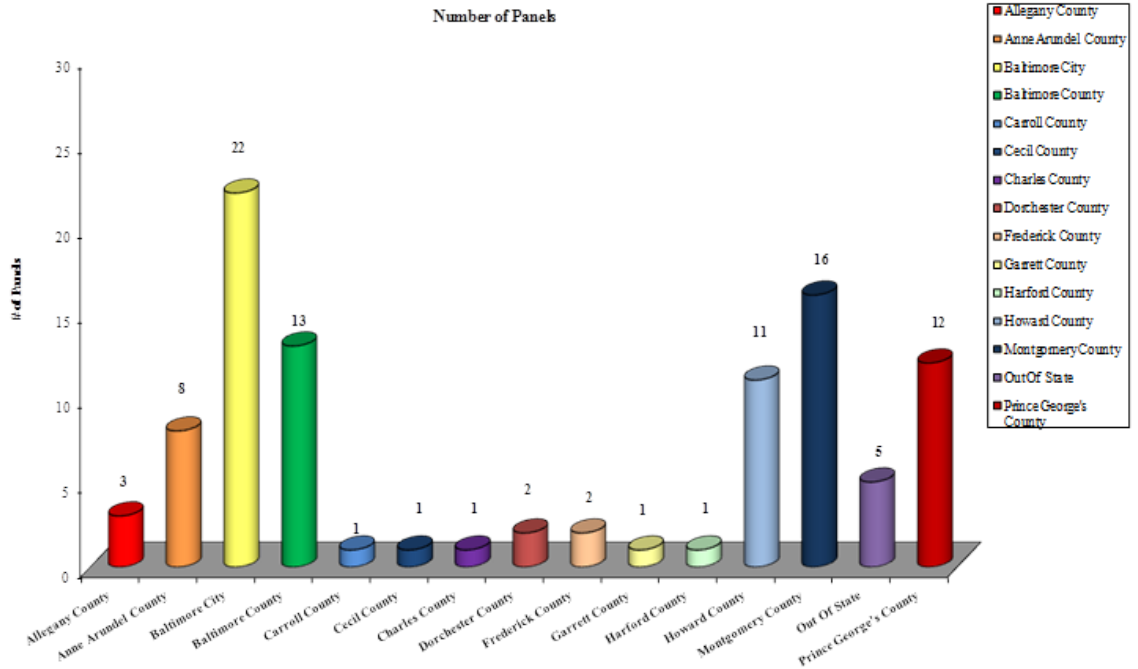
The average time to hold the panel meeting after the panel was constituted was forty-eight (48) days, and the average time for filing of the panel report was eighteen (18) days after the meeting.



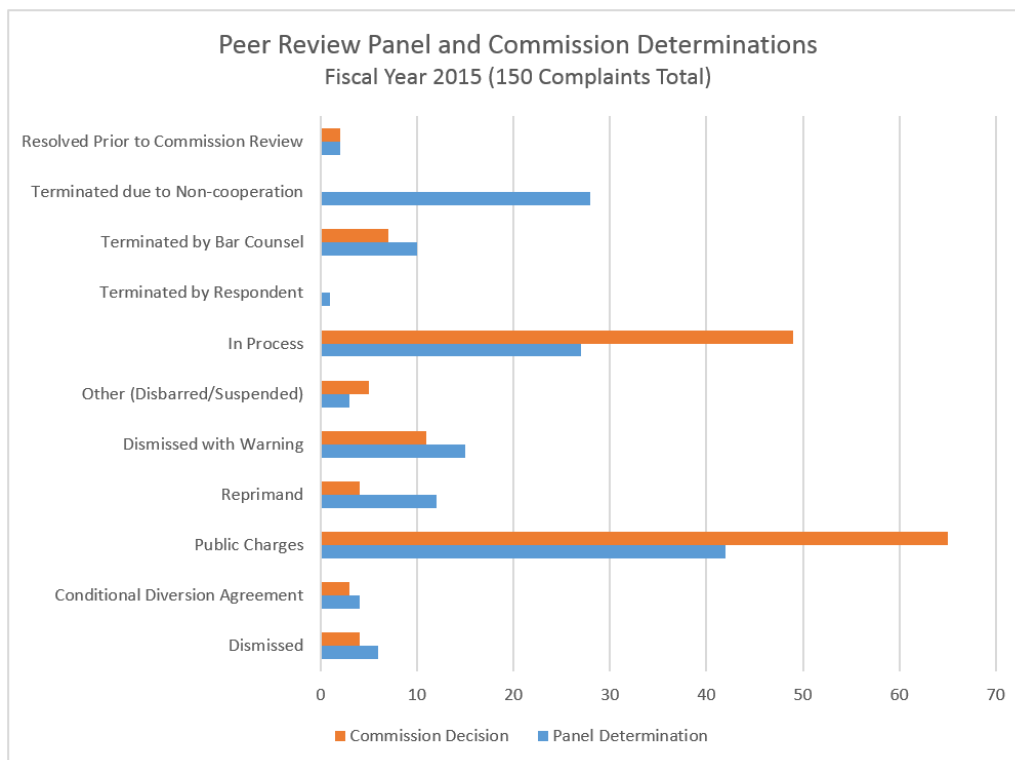
Baltimore City (22) and Montgomery County (16) had the highest number of Peer Review Panel meetings while ten (10) counties had none during the fiscal year.

## Panel Breakdown by County

- Total of 99 Panels
- Total of 150 BC Dockets



**Note:** The following counties had **0 Panels** in their jurisdiction:  
**Calvert, Caroline, Kent, Queen Anne's, Somerset, St. Mary, Talbot, Washington, Worcester, Wicomico**



### **CONDITIONAL DIVERSION AGREEMENTS**

When it is determined that misconduct by an attorney can be remediated without the need for a sanction, and the attorney and Bar Counsel agree, then a Conditional Diversion Agreement may be executed with the approval of the Commission. The agreement may have a variety of conditions, tailored to the needs of the attorney, recognizing any harm done to the complainant. Those conditions may include one or more of the following: an apology to a complainant, attendance at educational seminars, the appointment of a practice monitor for a specified period of time, hiring an accountant to instruct on proper bookkeeping practices, psychiatric and psychological treatment, and other conditions, as well.

Such agreements usually conclude the disciplinary process. Ordinarily, the attorney has not been the subject of prior complaints. This fiscal year fifteen (15) conditional diversion agreements were entered into. Twenty-one (21) conditional diversion agreements were administratively closed, and four (4) agreements were revoked. Thirty-one (31) were pending at the end of the fiscal year.

### **UNAUTHORIZED PRACTICE OF LAW INVESTIGATIONS**

There were fifty-three (53) unauthorized practice of law files in FY 2015. Of that number, forty-four (44) files were newly opened in FY 2015, and nine (9) remained opened from FY 2014. Investigations led to finding there was of no unauthorized practice of law in thirteen (13) cases.

Seven (7) individuals voluntarily agreed to cease the unauthorized practice. Ten (10) files were referred to out of state disciplinary authorities and eight (8) were referred to the Maryland State's Attorney's Office for prosecution of the offending individual. Two (2) were referred to the Office of the Attorney General for handling, and two (2) were referred to federal agencies. One (1) file was docketed and eleven (11) files remained open at the end of the FY 2015.

### **ACTIVITIES OF PROFESSIONAL STAFF**

Glenn M. Grossman was an instructor at the mandatory professionalism course for new bar admittees and appeared at two risk management seminars sponsored by CNA Insurance Company and insurance broker Rossmann-Hurt-Hoffman. He was a panelist at a program sponsored by the National Association of Administrative Law Judiciary and guest lectured at the University of Baltimore School of Law and co-taught a seminar, "Malpractice and Discipline," at the University of Maryland Francis King Carey School of Law. He appeared as a panelist on negotiated discipline in Houston at a program sponsored by the National Organization of Bar Counsel. He joined with the District of Columbia and Virginia Bar Counsel in a program on the disciplinary year in review. Mr. Grossman spoke at the Judicial Institute and at several bar association-sponsored events.

Deputy Bar Counsel Raymond A. Hein spoke to law students at the University of Baltimore Law School as part of a professional ethics program sponsored by the Baltimore County Bar Association. He maintained his membership on the Ethics Review Panel of the Baltimore County Public Schools through the end of 2014.

Assistant Bar Counsel Lydia Lawless was elected to the Maryland State Bar Association Litigation Section Council for a three year term and she continues to serve on the editorial board of the *Maryland Litigator*. Ms. Lawless spoke at the Annual Meeting of the Maryland State Bar Association on a program with Mr. Grossman. She presented two educational programs for the Maryland Association for Justice and appeared before the Baltimore County Bar Association Estates and Trusts Section. She spoke to the Office of the Montgomery County State's Attorney as well as to the Maryland Volunteer lawyers Service. Articles authored by Ms. Lawless appeared in the Montgomery County Bar Association Newsletter, the Maryland Bar Journal and the Maryland Litigator.

Assistant Bar Counsel JaCina Stanton spoke before the Salome Howard Bar Association on trust account management and was a panelist at an "Ethics and Professionalism" forum sponsored by the University of Maryland Francis King Carey School of Law. She spoke at a Maryland State Bar Association Bankruptcy Section program on professionalism.

Assistant Bar Counsel Amy Paulick was a panelist at the University of Baltimore School of Law Student Bar Association Immigration Spring Conference and she appeared as a panelist at a meeting of the American Immigration Lawyers Association in Rockville, Maryland.

**THE COMMISSION**

(As of June 30, 2015)

Linda H. Lamone, Esq. Chair  
J. Donald Braden, Vice-Chair  
Betty Smith Adams, Esq.  
Jeffrey P. Ayers, Esq.  
John A. Bielec, Esq.  
Louise T. Keelty, Esq.  
Thomas A. McManus, Esq.  
Kerry D. Staton, Esq.  
C. Mayda Tsaknis, Esq.  
Timothy Phelps, Public Member  
Barry P. Gossett, Public Member  
Linda Bowler Pierson, Secretary, Public Member

Executive Secretary

Kendall R. Ruffatto

Administrative Assistant to Executive Secretary

Jane F. Carr

**ATTORNEY STAFF MEMBERS**

(As of June 30, 2015)



**Bar Counsel**

Glenn M. Grossman

**Deputy Bar Counsel**

Raymond A. Hein

**Assistant Bar Counsel**

Dolores O. Ridgell

Marianne J. Lee

JaCina N. Stanton

Lydia E. Lawless

Amy S. Paulick

C. Shea McSpaden

Ebtehaj Kalantar

**Staff Attorney**

Kelsey L. Brown

Jennifer L. Thompson



## **STAFF MEMBERS**

### **Investigators**

Marc O. Fiedler, Lead Investigator  
Michael H. Peregoy  
William M. Ramsey  
Edwin P. Karr  
Charles E. Miller  
Richard D. Lisko  
Cheryl A. Trivelli

### **Paralegals**

Kandace L. Harries  
Robyna S. Hill

### **Office Manager**

Debra L. Zachry

### **Secretaries**

Sharon D. Gross  
Susan G. Townshend  
Debora A. Goodrick  
Nancy M. LaRocque  
Debbie L. Long

### **Receptionist**

Nancy I. Sale

### **File Clerk**

Tammy Vosbury

# ATTORNEY GRIEVANCE COMMISSION OF MARYLAND STATISTICAL REPORT

Fiscal Year 2015

## TEN (10) YEAR COMPARISON CHART

July 1, 2005 through June 30, 2015

	2005- 2006	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	2013- 2014	2014- 2015	10 Year Totals
New Cases Received	2,244	1,940	2,053	1,885	2,003	2,321	2,037	1,963	2,082	2,147	20,675
Cases not Docketed	1,844	1,589	1,647	1,532	1,597	1,880	1,648	1,604	1,717	1,795	16,853

### Cases Docketed

Docketed Complaints (Prima facie misconduct indicated)	400	351	406	353	406	429	382	320	330	330	3,707
Reinstatement Petitions Received	n/a	n/a	n/a	n/a	n/a	12	7	16	22	11	68
Attorney Trust Account Overdraft Notice (*)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	23	8	6	37
Resignation (*)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3	4	7
Unauthorized Practice of Law (*)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2	1	3
<b>TOTALS</b>	<b>400</b>	<b>351</b>	<b>406</b>	<b>353</b>	<b>406</b>	<b>441</b>	<b>389</b>	<b>359</b>	<b>365</b>	<b>352</b>	<b>3,822</b>

<b>Docketed Cases Concluded</b>	<b>441</b>	<b>368</b>	<b>414</b>	<b>375</b>	<b>361</b>	<b>375</b>	<b>431</b>	<b>376</b>	<b>368</b>	<b>426</b>	<b>3,935</b>
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### Dispositions (by number of Attorneys)

Disbarred	10	9	11	5	15	11	23	16	18	20	138
Disbarred by Consent	12	8	10	13	13	13	22	21	8	24	144
Suspension	21	20	24	18	13	8	15	21	29	33	202
Interim Suspension	2	1	0	1	0	1	0	3	4	2	14
Public Reprimand by Court	10	3	9	6	4	6	7	5	9	8	67
Public Reprimand by Commission	16	16	12	20	31	27	26	23	19	24	214
Inactive Status	3	4	1	0	4	2	3	2	3	1	23
Dismissed by Court	4	4	7	8	11	5	5	10	6	5	65
Petitions for Reinstatement Granted	1	3	9	7	0	5	0	6	11	5	47
Petitions for Reinstatement Denied	4	5	7	7	7	7	3	5	7	4	56
Petitions for Reinstatement Withdrawn	0	0	0	0	0	0	0	1	6	3	10
Resignations	0	2	1	0	0	0	0	0	0	4	7
Resignation Denied	0	0	0	0	0	0	0	0	2	0	2
<b>TOTALS</b>	<b>83</b>	<b>75</b>	<b>91</b>	<b>85</b>	<b>98</b>	<b>85</b>	<b>104</b>	<b>113</b>	<b>122</b>	<b>133</b>	<b>989</b>

Number of active Attorneys admitted to practice law in Maryland	32,390	33,018	33,400	34,569	34,506	35,515	36,579	37,290	37,266	38,938
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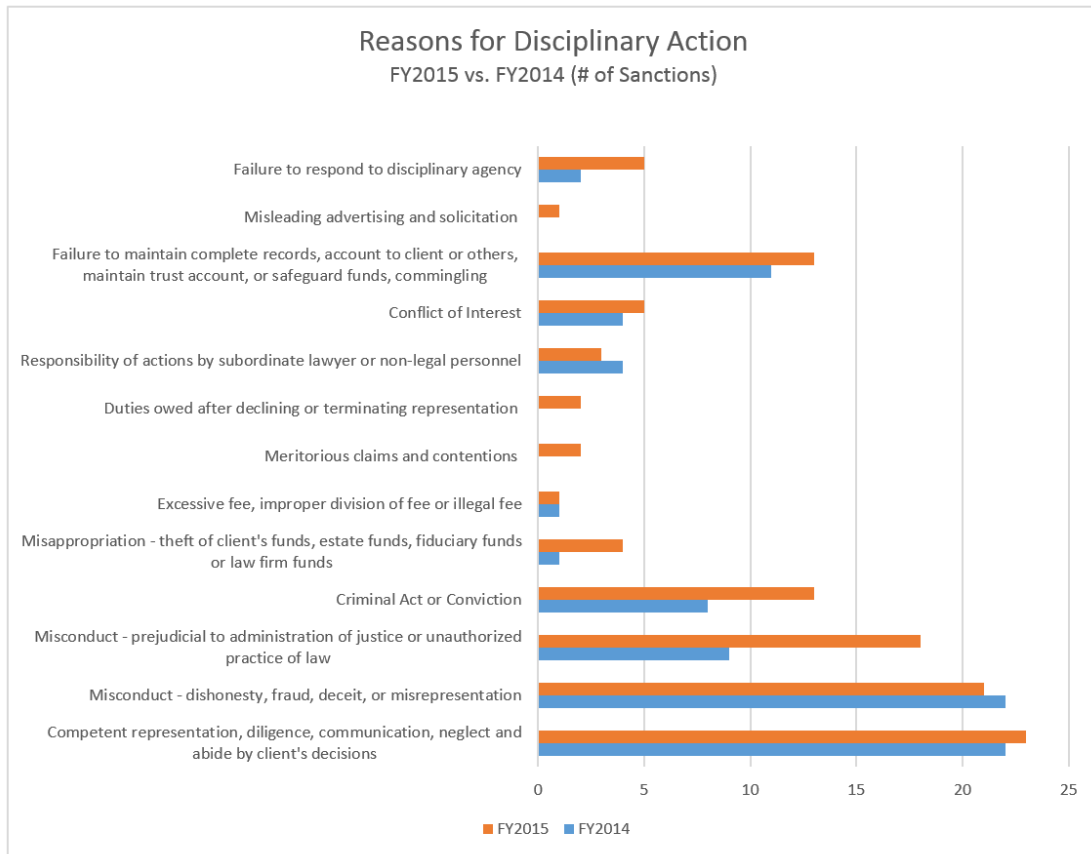
(\*) New Category beginning FY 2014

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND**  
**STATISTICAL REPORT**  
Fiscal Year 2015

<b>REASONS FOR DISCIPLINARY ACTION:</b>		
Represents number of cases resulting in sanctions - excludes reinstatement, resignation, inactive status, dismissal by the court, or monitoring. Disciplinary action may have resulted from several rule violations, <u>only the primary rule violated</u> is indicated below.	<b>2013-2014</b>	<b>2014-2015</b>
Competent representation, diligence, communication, neglect and abide by client's decisions	22	23
Misconduct - dishonesty, fraud, deceit, or misrepresentation	22	21
Misconduct - prejudicial to administration of justice or unauthorized practice of law	9	18
Criminal Act or Conviction	8	13
Misappropriation - theft of client's funds, estate funds, fiduciary funds or law firm funds	1	4
Excessive fee, improper division of fee or illegal fee	1	1
Incapacity (substance abuse, mental or physical illness)	0	0
Meritorious claims and contentions	*	2
Duties owed after declining or terminating representation	*	2
Responsibility of actions by subordinate lawyer or non-legal personnel	4	3
Conflict of Interest	4	5
Failure to maintain complete records, account to client or others, maintain trust account, or safeguard funds, commingling	11	13
Misleading advertising and solicitation	*	1
Failure to respond to disciplinary agency	2	5

**TOTAL:**                      84                      111

\* Denotes a separate category that was not included in the chart in FY2014.



**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND**  
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Fiscal Year 2015

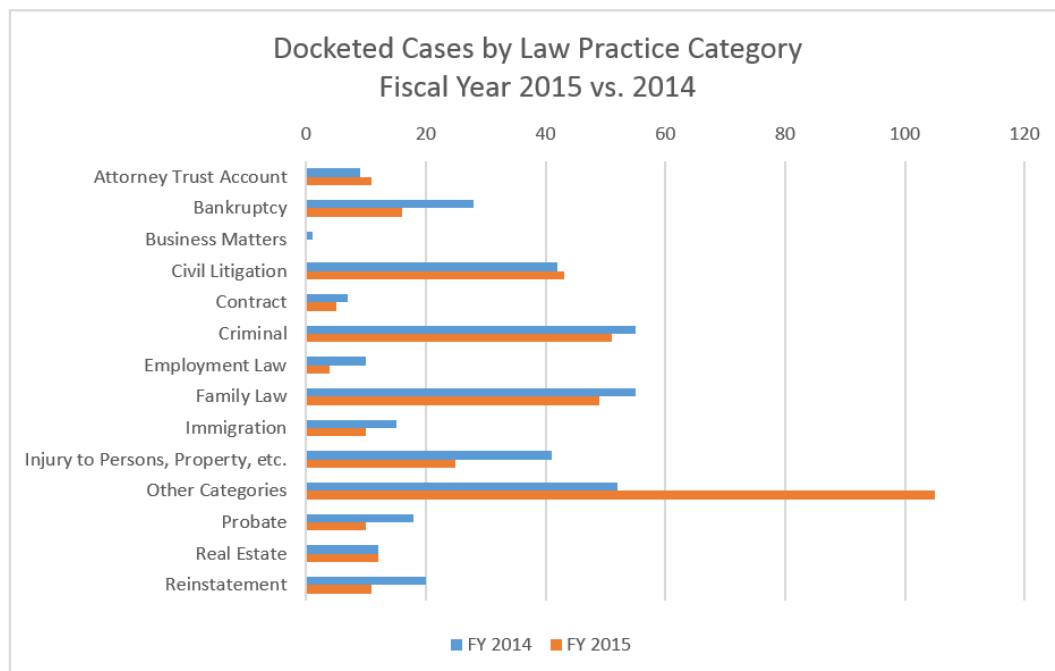
**OVERVIEW**

<b>NEW CASES RECEIVED</b>	<b>FY 2014</b>	<b>FY 2015</b>
Complaint	1906	1969
Attorney Trust Account Overdraft Notice	132	133
Resignation	3	4
Unauthorized Practice of Law	41	38
<b>TOTAL:</b>	<b>2082</b>	<b>2144</b>

<b>NEW DOCKETED CASES</b>	<b>FY 2014</b>	<b>FY 2015</b>
Complaint	330	330
Attorney Trust Account Overdraft Notice	8	6
Reinstatement Petitions Received	22	11
Resignation	3	4
Unauthorized Practice of Law	2	1
<b>TOTAL:</b>	<b>365</b>	<b>352</b>

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND**  
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<b>LAW PRACTICE CATEGORY</b>	<b>FY 2014</b>	<b>FY 2015</b>
Attorney Trust Account	9	11
Bankruptcy	28	16
Business Matters	1	0
Civil Litigation	42	43
Contract	7	5
Criminal	55	51
Employment Law	10	4
Family Law	55	49
Immigration	15	10
Injury to Persons, Property, etc.	41	25
Local Government	0	0
Other Categories	52	105
Patent and Trademark	0	0
Probate	18	10
Real Estate	12	12
Reinstatement	20	11
Tax	0	0
<b>TOTAL:</b>	<b>365</b>	<b>352</b>



**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND**  
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**Fiscal Year 2015**

<b>DOCKETED CASES BY LOCALE</b>	<b>FY 2014</b>	<b>FY 2015</b>
Allegany County	3	17
Anne Arundel County	18	25
Baltimore City	52	49
Baltimore County	97	57
Calvert County	0	1
Caroline County	0	0
Carroll County	4	3
Cecil County	1	6
Charles County	3	3
Dorchester County	4	3
Frederick County	2	12
Garrett County	2	1
Harford County	5	4
Howard County	26	27
Kent County	0	0
Montgomery County	68	69
Prince George's County	37	30
Queen Anne's County	1	3
Somerset County	0	0
St Mary's County	0	3
Talbot County	3	0
Washington County	6	3
Wicomico County	1	2
Worcester County	0	3
Out of State	32	31
<b>TOTAL:</b>	<b>365</b>	<b>352</b>

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND**  
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<b>PRIMARY MD RULES OF PROFESSIONAL CONDUCT VIOLATED</b>		<b>FY 2014</b>	<b>FY 2015</b>
<b>(Primary rule violated may change during the course of the case)</b>			
<b>1.01</b>	Competence	13	17
<b>1.02</b>	Scope of representation/allocation of authority	7	3
<b>1.03</b>	Diligence	47	61
<b>1.04</b>	Communication	65	31
<b>1.05</b>	Fees	7	11
<b>1.06</b>	Confidentiality of Information	1	2
<b>1.07</b>	Conflict of Interest: General Rule	6	7
<b>1.08</b>	Conflict of Interest: Current Clients: Specific Rules	6	1
<b>1.09</b>	Duties to Former Clients	3	1
<b>1.10</b>	Imputation of Conflicts of Interest: General Rule	0	1
<b>1.11</b>	Special Conflicts of Interest for Former and Current Government Officers an	1	0
<b>1.15</b>	Safekeeping Property	51	36
<b>1.16</b>	Declining or Terminating Representation	14	19
<b>1.18</b>	Duties to Prospective Client	0	1
<b>3.1</b>	Meritorious Claims and Contentions	1	1
<b>3.3</b>	Candor Toward the Tribunal	7	2
<b>3.4</b>	Fairness to Opposing Party and Counsel	1	3
<b>4.2</b>	Communication with Person Represented by Counsel	5	1
<b>4.4</b>	Respect for Rights of Third Persons	1	0
<b>5.3</b>	Responsibilities Regarding Nonlawyer Assistants	11	1
<b>5.5</b>	Unauthorized Practice of Law; Multijurisdictional Practice of Law	7	9
<b>7.1</b>	Communications Concerning a Lawyer's Services	1	0
<b>7.2</b>	Advertising	1	0
<b>7.3</b>	Direct Contact with Prospective Clients	2	0
<b>8.1</b>	Bar Admission and Disciplinary Matters	11	26
<b>8.2</b>	Judicial and Legal Officials	1	1
<b>8.4</b>	Misconduct	1	4
<b>8.4 (a)</b>	Misconduct - Violate or attempt to violate rules through another	2	4
<b>8.4 (b)</b>	Misconduct - Commit a criminal act	10	14
<b>8.4 (c)</b>	Misconduct - Dishonesty, fraud, deceit, misrepresentation	28	37
<b>8.4 (d)</b>	Misconduct - Prejudicial to administration of justice	30	28
<b>Other</b>	Other (Reinstatement, Reciprocal, Inactive, etc)	26	30
<b>TOTAL:</b>		365	352

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND  
STATISTICAL REPORT**

Fiscal Year 2015

<b>DISPOSITIONS OF FILES</b>	<b>FY 2014</b>	<b>FY 2015</b>
Administratively Closed	51	83
Disbarment	26	41
Disbarment by COA	0	0
Disbarment by Consent	16	37
Dismissed	87	62
Dismissed by Court	7	6
Dismissed Peer Review	9	5
Dismissed with Warning	58	67
Dismissed with Warning - Peer Review	8	15
Inactive	1	0
Inactive By Consent	2	1
Indefinite Suspension	13	25
Indefinite Suspension by Consent	22	28
Reinstatement - Denied	7	4
Reinstatement - Granted	11	5
Reinstatement – Withdrawn	6	3
Reprimand - Commission	21	27
Reprimand by COA	3	4
Reprimand by Consent - COA	6	4
Resignation	0	4
Resignation Denied	1	0
Resignation w/Prejudice	0	0
Suspension	1	1
Suspension (Misc.)	0	1
Suspension 1 Year	1	0
Suspension 20 Days	0	0
Suspension 30 Days	1	1
Suspension 30 days by Consent	2	1
Suspension 6 Months	1	1
Suspension 60 Days	3	0
Suspension 90 Days	3	0
Suspension Indefinite (Stayed)	0	0
Warning - Peer Review	0	0
<b>TOTAL:</b>	<b>367</b>	<b>426</b>



**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND  
STATISTICAL REPORT**

Fiscal Year 2015

<b>DISCIPLINARY ACTION (by Attorneys)</b>	<b>FY 2014</b>	<b>FY 2015</b>
Disbarment	18	20
Disbarment by Consent	8	24
Indefinite Suspension	10	14
Indefinite Suspension by Consent	10	14
Suspension	9	5
Dismissed by Court	6	5
Inactive	1	0
Inactive By Consent	2	1
Interim Suspension	4	2
Reinstatement - Denied	7	4
Reinstatement - Granted	11	5
Reinstatement – Withdrawn	6	3
Reprimand - Commission	18	24
Reprimand by COA	3	4
Reprimand by Consent - COA	6	4
Reprimand by Consent - Commission	1	0
Resignation	0	4
Resignation Denied	2	0
<b>TOTAL:</b>	<b>122</b>	<b>134</b>

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND  
SUPPLEMENTARY SCHEDULES OF  
BUDGET, RECEIPTS, EXPENDITURES AND FUND BALANCE  
FOR THE YEARS ENDED JUNE 30, 2015 and 2014**

	2015			2014		
	Actual	Budget	Variance Positive (Negative)	Actual	Budget	Variance Positive (Negative)
<b>RECEIPTS</b>						
Attorney assessments	\$ 4,151,923	\$ 4,010,055	\$ 141,868	\$ 4,069,133	\$ 3,916,500	\$ 152,633
Investment income	24,440	30,000	(5,560)	32,269	50,000	(17,731)
Court recovered Costs	58,627	25,000	33,627	52,597	25,000	27,597
Total	4,234,991	4,065,055	169,936	4,153,999	3,991,500	162,499
CPF Executive Director Salary and Benefits	135,365	134,459	906	131,218	129,660	1,558
CPF Secretarial Salary and Benefits	71,393	61,749	9,644	79,446	59,347	20,099
CPF Administrative Assistant Salary and Benefits	83,933	82,434	1,499	81,812	78,415	3,397
CPF Office Clerk Salary and Benefits	56,917	55,756	1,161	64,380	50,074	14,306
Total CPF reimbursements	347,608	334,398	13,210	356,856	317,496	39,360
Total receipts	4,582,599	4,399,453	183,146	4,510,855	4,308,996	201,859
<b>EXPENDITURES</b>						
Bar counsel salary	138,566	138,566	-	135,196	135,196	-
Deputy bar counsel salary	109,345	109,345	-	104,619	104,619	-
Assistant bar counsel salaries	642,183	676,097	(33,914)	622,614	668,469	(45,855)
Investigator salaries	413,996	425,077	(11,081)	411,120	411,122	(2)
Office Manager & Administrative Assistant salaries	128,709	148,154	(19,445)	124,421	185,819	(61,398)
Paralegal salaries	94,337	124,481	(30,144)	89,447	119,012	(29,565)
Secretaries salaries	226,126	305,262	(79,136)	246,250	365,532	(119,282)
FICA	128,919	143,703	(14,784)	127,587	146,727	(19,140)
Medicare	30,196	33,608	(3,412)	29,896	34,315	(4,419)
Employee benefits	713,070	802,670	(89,600)	699,926	739,416	(39,490)
Retiree Health Insurance Credit Plan	63,157	5,000	58,157	61,446	5,000	56,446
Compensated absences	7,636	-	7,636	(41,725)	-	(41,725)
Total Personnel Costs	2,696,240	2,911,962	(215,722)	2,610,798	2,915,227	(304,429)
Temporary Contractual Staffing	19,193	25,000	(5,807)	14,547	25,000	(10,453)
Investigator/related costs	135,740	98,000	37,740	121,253	96,000	25,253
Depositions and transcripts	19,288	25,000	(5,712)	26,329	26,000	329
Peer review committee	80,548	115,349	(34,801)	78,067	110,079	(32,012)
Law library	22,135	20,000	2,135	22,034	17,000	5,034
Total Case Management Costs	276,903	283,349	(6,446)	262,231	274,079	(11,848)
Travel and mileage	58,163	65,000	(6,837)	64,004	66,500	(2,496)
Dues/professional organizations	14,946	12,000	2,946	9,440	10,000	(560)
Contin. Education & related cost	10,526	27,000	(16,474)	17,900	25,000	(7,100)
Staff Functions	7,822	10,000	(2,178)	10,309	10,000	309
Commission expenses	10,548	15,000	(4,452)	10,554	15,000	(4,446)
Peer review training seminars	-	10,000	(10,000)	-	10,000	(10,000)
Total Staff Support	102,006	139,000	(36,994)	112,207	136,500	(24,293)
Insurance and bonds	8,507	20,000	(11,493)	17,485	18,000	(515)
Audit and periodic accounting support	30,040	21,000	9,040	17,500	20,000	(2,500)
Total Outside Services	\$ 38,547	\$ 41,000	\$ (2,453)	\$ 34,985	\$ 38,000	\$ (3,015)

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND  
SUPPLEMENTARY SCHEDULES OF  
BUDGET, RECEIPTS, EXPENDITURES AND FUND BALANCE  
YEARS ENDED JUNE 30, 2015 and 2014 (Continued)**

	2015			2014		
	Actual	Budget	Variance Positive (Negative)	Actual	Budget	Variance Positive (Negative)
<b>EXPENDITURES (Continued)</b>						
Outside legal and software support	\$ 84,940	\$ 92,000	\$ (7,060)	\$ 3,492	\$ 6,000	\$ (2,508)
Computer hardware and software	16,279	-	16,279	149,821	150,000	(179)
Case Management System Development	132,056	104,000	28,056	442,220	300,000	142,220
Computer Maintenance	484	-	484	-	-	-
Total Information Technology Support	233,758	196,000	37,758	595,534	456,000	139,534
Telephone	18,513	20,000	(1,487)	16,111	20,000	(3,889)
Photocopy	13,666	15,000	(1,334)	23,515	15,000	8,515
Postage meter	3,972	5,500	(1,528)	5,018	5,500	(482)
Office supplies	45,429	35,000	10,429	40,401	35,000	5,401
Postage	27,537	25,000	2,537	27,512	28,000	(488)
Equipment maintenance	2,145	15,000	(12,855)	15,377	15,000	377
Bank fees	357	900	(543)	948	600	348
Office furniture	17,663	40,000	(22,337)	3,437	15,000	(11,563)
Relocation Costs	96,752	82,000	14,752	-	-	-
Office lease expense	58,594	62,500	(3,906)	-	-	-
Total Office Expense	284,628	300,900	(16,271)	132,320	134,100	(1,780)
Conservatorship costs	78,680	50,000	28,680	22,881	12,500	10,381
Lawyer assistance program	106,910	106,910	-	101,984	102,784	(801)
Total Court Mandated Costs	185,590	156,910	28,680	124,864	115,284	9,580
Executive secretary salary	111,914	111,914	-	109,191	109,191	-
Legal secretary salary	53,569	53,569	-	50,640	50,640	-
Office supplies	849	2,100	(1,251)	1,623	2,500	(878)
Mailing costs	-	2,000	(2,000)	1,500	2,500	(1,000)
Equipment purchases	-	8,000	(8,000)	4,834	10,500	(5,666)
Equipment maintenance	2,472	3,500	(1,028)	3,924	4,800	(876)
Telephone	100	3,000	(2,900)	100	3,000	(2,900)
Miscellaneous	300	800	(500)	300	1,000	(700)
Total Office of Executive Secretary	169,204	184,883	(15,679)	172,112	184,131	(12,019)
CPF secretarial	45,210	38,972	6,237	53,469	37,541	15,928
CPF executive director	98,143	98,143	-	94,474	94,474	-
CPF administrative assistant	53,351	53,351	-	51,360	51,360	-
CPF clerk	34,858	34,858	-	33,580	33,580	-
Total Client Protection Fund Payroll	231,561	225,324	6,237	232,883	216,955	15,928
Total Expenditures	4,218,438	4,439,328	(220,890)	4,277,933	4,470,276	(192,343)
<b>INCREASE IN UNRESTRICTED FUND BALANCE</b>						
BEFORE COURT ORDERED TRANSFER	364,161	(39,875)	404,036	232,922	(161,280)	394,202
Court Ordered Transfer	-	-	-	2,495,109	2,495,109	-
<b>INCREASE (DECREASE) IN UNRESTRICTED FUND BALANCE</b>	<b>\$ 364,161</b>	<b>\$ (39,875)</b>	<b>\$ 404,036</b>	<b>\$ (2,262,187)</b>	<b>\$ (2,656,389)</b>	<b>\$ 394,202</b>
<b>UNRESTRICTED FUND BALANCE,</b>						
<b>BEGINNING OF YEAR</b>	3,208,448			5,577,778		
<b>RESTRICTED FUND BALANCE</b>	408,778			107,142		
<b>UNRESTRICTED FUND BALANCE, END OF YEAR</b>	<b>\$ 3,163,831</b>			<b>\$ 3,208,448</b>		

## DISCIPLINARY ACTIONS CHART Fiscal Years 2015 and 2014

