

**Matter of Wolhar**  
**Del. Supr., No. 337, 1995 (10/16/95),**  
**Board Case No. 21, 1992 and Nos. 22 and 45, 1993,**  
**1995 WL 622533**

**Disciplinary Rules:**            DLRPC 1.2(a), 1.3, 1.4(a), 1.4(b), 8.4(c), 8.4(d)

**Nature of Case:**

The Board on Professional Responsibility made findings in three consolidated disciplinary cases. In the first case, the respondent represented a client in a personal injury matter which went to trial. In that case, the respondent did not properly explain to the client the settlement offers or the calculation of litigation costs. The second case arose out of the respondent's defense of a landlord-tenant action against him in the Justice of the Peace Court. Although the respondent had obtained a dismissal of the case as to him, the court took the unusual step of overturning its own decision and voiding the dismissal, based on its later discovery that the respondent had not been fully candid with the court. In the third case, the respondent represented a corporate client in a debt collection matter which was to have been appealed. After the respondent failed to timely file the appeal or communicate with his client, he sent his client what were described as settlement funds received from the opposing party, but which were actually his own funds, since no settlement had been reached.

**Action Taken By The Court:**

The Board on Professional Responsibility found that the respondent had violated DLRPC 1.4(b) by not properly explaining his client's matter in the first case, DLRPC 8.4(d) for engaging in conduct prejudicial to the administration of justice in the second case, and DLRPC 1.2(a), 1.3, 1.4(a), and 8.4(c) for his lack of diligence and generally deceptive conduct in the third case. The Board recommended the imposition of a single public reprimand with a one-year period of probation, with various terms and conditions geared to improving the respondent's law practice. The Supreme Court approved the Board's report, making the reprimand and probation final.