

Private Admonition -- Board Case Nos. 37 & 45, 1994. Date of Sanction: December 19, 1994. With the consent of the Respondent and the approval of the Preliminary Review Committee of the Board on Professional Responsibility, a private admonition was imposed for the Respondent's violation of **DLRPC 1.3** (lawyer shall act with diligence and promptness), **DLRPC 1.4** (lawyer shall communicate with and explain matters to client), and **DLRPC 8.1(b)** (lawyer shall submit information requested by disciplinary agency).

With regard to a custody matter, the Respondent admitted violating **DLRPC 1.3** by failing to contact in a timely manner certain key witnesses prior to the custody hearing. With regard to a bankruptcy matter in which Respondent represented another client, Respondent admitted violating **DLRPC 1.3** by failing to provide the bankruptcy trustee with information necessary to move the matter forward, despite repeated contacts from the bankruptcy trustee.

The Respondent violated **DLRPC 1.4** with respect to the custody matter by failing to return the client's calls following an adverse ruling at the custody hearing. Respondent also violated **DLRPC 1.4** with respect to the bankruptcy matter by failing to return the client's calls, particularly after the trustee had put the client on notice that the trustee was prepared to seek the dismissal of the case due to Respondent's lack of diligence. The Respondent also violated **DLRPC 1.4** by failing to respond to the client's repeated requests for a copy of the bankruptcy petition nearly until a month after the Office of Disciplinary Counsel (the "ODC") put Respondent on notice of its investigation of the matter.

The Respondent admitted multiple violations of **DLRPC 8.1(b)** by failing to respond to letters from the ODC relating to the custody and bankruptcy matters addressed above. The Respondent also agreed to take the following conditions to the offer of a private admonition: (1) the refund of the fee paid by the clients, (2) the submission to an audit of Respondent's law office management procedures to be conducted by the Professional Guidance Committee of the Delaware Bar Association, and the implementation of any measures that the Committee recommends as a result of that audit at Respondent's cost, and report to the ODC on the results of the audit and measures taken, (3) the attendance at a CLE seminar addressing the ethical and law office management issues faced by solo and small firm practitioners, and (4) the writing of an anonymous article for possible publication in In Re; addressing the problems that led to this discipline and the steps taken to avoid similar problems in the future.