

Professional Responsibility Program FY 23 Annual Report

The Professional Responsibility Board is required by Administrative Order No. 9, Rule 1.E.(2) to provide to the Supreme Court “an annual report, including statistics and recommendations for any rule changes, which report shall be public.” The following is submitted in accordance with this mandate.

PROFESSIONAL RESPONSIBILITY BOARD

Carolyn Anderson, Esq., Chair
Bonnie Badgewick, Esq., Vice-Chair
Hon. David Howard (Retired)
Mr. Kevin O’Donnell
Ms. Susan Fey
Ms. Caryn Waxman, Esq.
Mr. Christopher Chapman

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Report from the Board

In 1999, the Vermont Supreme Court promulgated Administrative Order 9: Permanent Rules Governing Establishment and Operation of The Professional Responsibility Program (PRP). The order, A.O. 9, created the Professional Responsibility Board (Board). Rule 1.E sets out the Board’s power and duties. Pursuant to the rule, the Board “shall oversee the program, and implement, coordinate, and periodically review its policies and goals.” Rule 1.E.2 requires the Board to make “an annual report, including statistics and recommendations for any rule changes, which report shall be public.” This is the Board’s annual report for Fiscal Year 2023.¹

I. Staff & Volunteers

The Board acknowledges its staff and volunteers. But for the members of the Board’s hearing and assistance panels and their steadfast commitment, the program’s goals would not be met. The Board expresses its gratitude for each member’s service, as well as for the service provided by contract and conflict counsel.²

This year, the Board welcomed two new members. In September, the Court appointed Attorneys [Bonnie Badgewick](#) and [Caryn Waxman](#) to the Board. Bringing both geographic and practice area diversity to the Board, Bonnie and Caryn are not new to the program. Bonnie is a former hearing panel member, while Caryn has served on both a hearing panel and assistance panel.

Bonnie replaced Michael Hanley, while Caryn replaced Liz Miller. Attorney Hanley served on the Board for 12 years, including 5 years as Chair. Attorney Miller was appointed to the Board in 2018 after serving as both a hearing panel member and a member of an assistance panel. The Board extends deep gratitude for the leadership and service that Attorneys Hanley and Miller provided.

The Board also thanks Chris Chapman for his many years of dedicated service to the PRP. Chris was appointed to the Board in 2014 after serving for many years on a hearing panel. Chris termed off the Board in FY23. His insight, particularly related to trust accounting and a lawyer’s duty to safeguard client funds, will be missed. As the fiscal year ended, Chris’s replacement had not yet been named.

Sarah Katz is another valued member of the PRP who departed in FY23. Sarah was named Disciplinary Counsel in 2017 and effectively served in that role for 6 years. The Board is grateful for Sarah’s work as a dedicated prosecutor.

With Sarah’s departure, the Board is pleased to announce that Jon Alexander was hired as Disciplinary Counsel in April. Jon comes to the program after a few years in private practice where his work included representing lawyers in malpractice cases. Prior to that, Jon spent nearly a decade as an assistant attorney general assigned to the AGO’s civil division.

¹ July 1, 2022, through June 30, 2023.

² Appendix A is a list of hearing panel members, assistance panel members, and lawyers who served as contract or conflict counsel in FY23.

Also in FY23, the Board retained two lawyers to serve as hearing panel counsel. Robert Keiner joined the PRP after many years in private practice, as well as a stint as Chair of what was then known as the Professional Conduct Board. [Wendy Chen](#) is the PRP's newest hearing panel counsel. Wendy worked for nearly a decade in private practice in Seattle before moving to Vermont. Here, Wendy worked as an Administrative Law Judge for the Vermont Department of Labor and is the Food and Agriculture Fellow at Vermont Law & Graduate School's Center for Agriculture and Food Systems.

II. Board Work.

The Board met four times in FY23. Much of the Board's work involved its supervisory role over the staff attorneys and their respective workloads. Their reports are adopted as part of this one. The Board's additional work is summarized below.

A. Trust Accounts & Client Funds

In FY23, the Board reaffirmed its commitment to the trust account audit program. In addition, the Board asked bar counsel to increase the number of seminars that address trust account management, and to include practical tips and guidance from accounting professionals in those seminars.

B. Electronic Filing

The Board spent several meetings discussing whether and how to incorporate electronic filing into the disciplinary process. In the end, the Board voted to recommend (1) that Odyssey File & Serve be used in disciplinary prosecutions; and (2) that the public portal be used for access to disciplinary information.

C. Self-Assessment

The Board resolved to ensure that staff provide the Board with the reports and data necessary for the Board meaningfully to assess the PRP's work.

D. In-person Annual Meeting

For the first time since before the pandemic, the PRP's Annual Meeting was in-person. Held in June at the Capitol Plaza, more than 50 PRP volunteers attended. The program included seminars on civility & professionalism, wellness, and the disciplinary process. The Board especially thanks Rod Smolla. Rod, who is the President of Vermont Law & Graduate School, led a session that included his fascinating presentation of each side's arguments in the United States Supreme Court case that involved the use of race-conscious admissions programs at Harvard and the University of North Carolina.

E. Rule Changes & Amendments

1. Administrative Order 9.

In FY23, the Board recommended several amendments to Administrative Order 9. The Court published the proposed amendments for notice and comment. Ultimately, all the Board's

recommendations were adopted. Specifically, [changes](#) that made A.O. 9 gender neutral, a change to rule regarding the [effective date](#) of a disbarment or disciplinary suspension, and changes to [Rules 7, 8, 20, and 26](#).

Late in the fiscal year, the Board recommended that the Court amend Rule 14.A of Administrative Order 9 to clarify that upon the expiration of a hearing panel member's term, the member serves until a replacement. The Court published the [proposed recommendation](#) for notice and comment. The comment period remained open as the fiscal year ended.

2. *Malpractice Insurance.*

In the prior fiscal year, the Board joined with the Vermont Bar Association to recommend that the Court require lawyers to disclose their insurance status on the attorney licensing statement. After publishing the proposed language for notice and comment, the Court [adopted the recommendation](#) in July 2022.

3. *Rules of Professional Conduct.*

In the prior fiscal year, the Board recommended a series of amendments to the Vermont Rules of Professional Conduct. After publishing the recommendations for notice and comment, the Court adopted the amendments and made them effective as of November 14, 2022. The amendments are [here](#). Bar Counsel summarized them [here](#).

III. Disciplinary Opinions & Decisions

A. Hearing Panels.

The Board maintains 10 hearing panels. By rule, each panel must include two lawyers and one person who is not a lawyer. In each case in which formal disciplinary charges are presented, a hearing panel must make findings of fact, conclusions of law, and, upon finding a violation, impose a disciplinary sanction. By rule, either Disciplinary Counsel or the respondent-lawyer may appeal a hearing panel decision to the Vermont Supreme Court. Even if no appeal is taken, the Supreme Court may review a hearing panel decision its own motion.

Hearing panels issued two decisions in FY 2022.

1. *PRB Decision No. 248.*

Following a contested hearing, a panel suspended a lawyer for five months after concluding that the lawyer failed to take reasonable steps to assess an estate planning client's competence to make informed decisions about the representation. The panel's decision is [here](#). The decision was pending Supreme Court review as the fiscal year ended.

2. *PRB Decision No. 249.*

A hearing panel suspended a lawyer for six months after concluding that the lawyer failed to cooperate with a disciplinary investigation. The panel's decision is [here](#). There was no appeal. The Supreme Court [adopted](#) the panel's decision on its own.

B. Supreme Court Opinions.

1. *PRB Decision No. 246*

In the prior fiscal year, a hearing panel suspended a lawyer's law license for 15 months after concluding that the lawyer committed multiple violations of the Rules of Professional Conduct. The panel's decision is here. IN FY23, the Supreme Court adopted the panel's decision as its own.

2. *PRB Decision No. 250.*

After the Maryland Supreme Court indefinitely suspended a lawyer who is licensed in both Maryland and Vermont, the Vermont Supreme Court entered an order reciprocally disbaring the lawyer in Vermont.

III. Conclusion

Fully staffed to start Fiscal Year 2024, the Board looks forward to continuing to work to serve the Supreme Court, the legal profession, and the public.

Bar Counsel's Report

I. Introduction

As bar counsel,³ I have long believed in [proactive attorney regulation](#). The goal of proactive regulation is for the regulator to work with the regulated to reduce risk and avoid problems. I view my job as to assist lawyers to comply with their professional responsibilities.⁴

I perform my job through the administration of the Bar Assistance Program. Everything that I do is meant to assist lawyers to develop and maintain the tools necessary to provide competent representation and to meet the high standards of professionalism and civility expected of attorneys admitted to the bar of the Vermont Supreme Court.

This is the report of my activities in fiscal year 2023.⁵

II. Ethics Inquiries

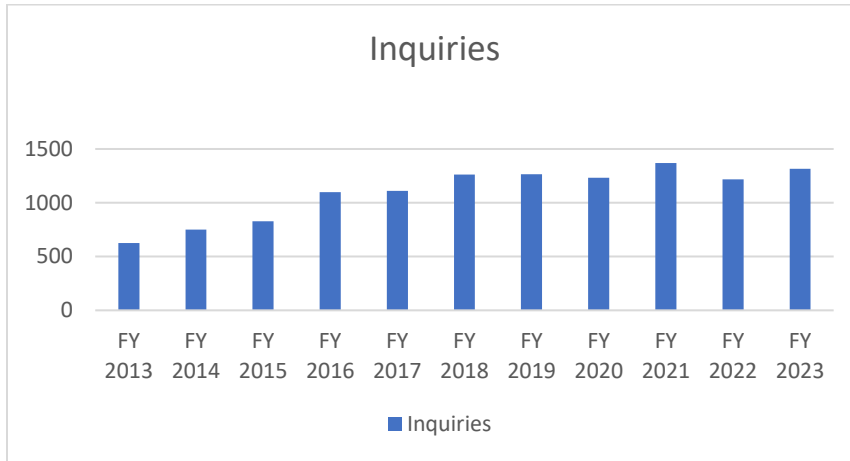
³ The position of bar counsel exists pursuant to Rule 2 of [Supreme Court Administrative Order 9](#), with the incumbent's duties set out in Rules 4, 5, 6, and 7.

⁴ See, Administrative Order. 9, Purpose, (1): A purpose of the Professional Responsibility Program is "to assist attorneys and the public by providing education, guidance, referrals, and other information designed to achieve, maintain, and enhance professional competence and professional responsibility."

⁵ The Judiciary's fiscal year ran from July 1, 2022, thru June 30, 2023.

Bar Counsel responds to ethics inquiries.⁶ Inquiries are confidential and bar counsel is exempt from the mandatory reporting rule.⁷ Here are my [Policies on Ethics Inquiries](#).

I received 1,317 inquiries in FY23, the second most in program history. The inquiries received each year:



Appendix B is a summary of the 1st, 25th, 50th, and 75th inquiry received each month in FY23. The sample is representative of inquiries received throughout the fiscal year.

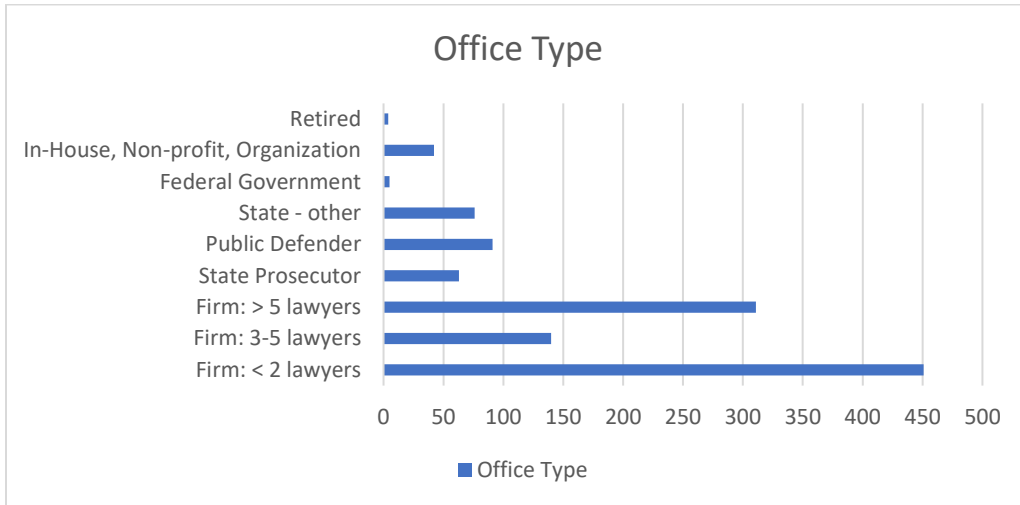
Most of the inquiries came from lawyers:

Lawyers	1193
Non-Lawyers	88
Judges	21
Law Professors	6
Law Students	6
Media	3

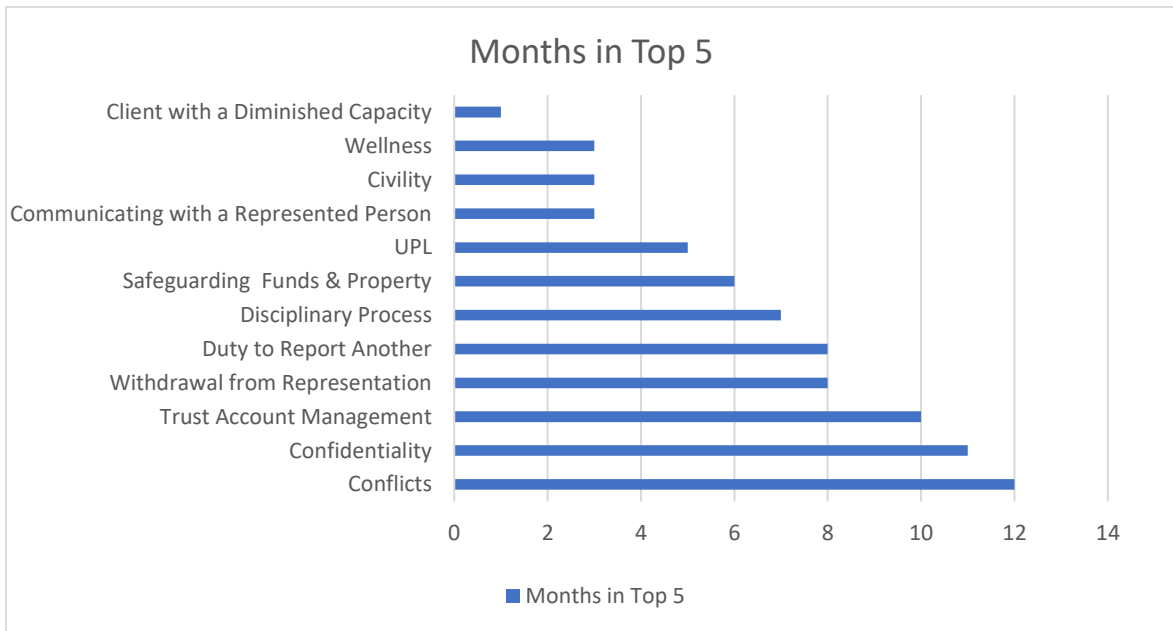
⁶ A.O. 9, Rule 6. Rule 6 includes the following language: “(A) Legal Ethics Inquiries. In response to an inquiry related to the Rules of Professional Conduct, law practice management, or a lawyer or judge’s professionalism or professional responsibilities, Bar Counsel will provide the inquirer with: (1) the appropriate referral, educational materials, or guidance; or (2) the preventive advice and information necessary to assist lawyers and judges to achieve, maintain, and enhance professional competence and professional responsibility.” (emphasis in the original).

⁷ See, A.O. 9, Rule 8, and V.R.Pr.C. 8.3(c).

This chart shows where the lawyers who made inquiries work:



I track the topics raised in inquiries. Many inquiries involve more than one topic or rule. For instance, inquiries about conflicts of interest often include discussion of the duty of confidentiality. Similarly, it is not uncommon for questions related to tech competence to include a reminder of the duty to act competently to safeguard client information. Each month, I report the five most common topic areas. Here are the topic areas and the number of months that they were among the five most common:



Finally, 75% of inquiries were resolved on the same day that they were received, with 92% resolved within 1-2 business days receipt.



III. Education and Outreach

Rule 5 of Administrative Order 9 requires Bar Counsel to:

“D. Develop and present programs related to the Rules of Professional Conduct, legal ethics, and a lawyer’s professional competence and professional responsibilities; and,

E. Develop and present programs concerning lawyer wellness and on issues related to the signs, symptoms, causes, and prevention of behavioral health issues that affect lawyers’ and judges’ professional competence.”

In FY23, my education and outreach were done through CLE presentations, law firm consults, and my blog.

A. CLE Presentations

In FY23, I presented or co-presented at 34 different seminars that totaled 40.5 credit hours. The seminars were sponsored or arranged by:

- Chittenden County Bar Association
- Federal Bar Association
- National Organization of Bar Counsel
- New England Legal Aid Directors
- Office of the Attorney General
- Office of Child Support
- Office of the Defender General
- Office of the State’s Attorneys & Sheriffs
- Professional Responsibility Board
- South Royalton Legal Clinic
- Tri-State Insurance Defense Lawyers
- VATC/CATIC – Vermont Attorney’s Title Corporation
- Vermont Association of Criminal Defense Lawyers
- Vermont Association for Justice
- Vermont Bar Association
- Vermont Bar Association Bankruptcy Section

- Vermont Bar Association Incubator Project
- Vermont Bar Association Young Lawyers Division
- Vermont Captive Insurance Association
- Vermont Law School
- Vermont Paralegal Organization
- Windham County Bar Association

B. Law Firm Consults

A few years ago, I started a project that melds ethics inquiries with a CLE presentation. I visit offices to discuss legal ethics and professional responsibility with both the lawyers and the non-lawyer staff.

I begin with a short presentation that is identical to a CLE. Then, given that all in attendance work together, attendees can ask questions as if making a confidential ethics inquiry of bar counsel. In FY23, I provided in-house CLE/ethics consults for 5 firms and offices.

C. Blog

I created [Ethical Grounds](#) in 2015. I use it to raise awareness on issues related to legal ethics and professional responsibility.

In FY23, I authored 106 posts. There were 20,326 distinct visits to the blog, with the visitors combining for 39,348 page views. Generally, the most popular posts are, by far, [the Friday quizzes](#) and the [Was That Wrong?](#) posts. The most read posts in FY23 were:

- [Does Vermont’s legal profession have a civility problem?](#)
- [Are you sure that opposing counsel is being deceitful?](#)
- [History’s best “worst” song and tips on protecting client data](#)
- [Wellness Wednesday: Don’t Stresslax](#)
- [6-month suspension prompts reminder on duties when holding funds to which someone other than a client asserts an interest](#)

IV. The Bar Assistance Program

A. History & Purpose.

The Bar Assistance Program (BAP) grew out of the Vermont Supreme Court’s 2019 decision to make clear that [wellbeing is an aspect of a lawyer’s duty of competence](#). The Court’s decision followed several years of study, reflection, and discussion in response to the troubling findings reported in 2016 by the American Bar Association and Hazelden Betty Ford Clinic⁸. The findings prompted formation of the National Task Force on Lawyer Well-Being. In 2017, the

⁸ I first blogged about the findings [here](#).

Task Force [*The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*](#). In it, the Task Force acknowledged that:

“To be a good lawyer, one has to be a healthy lawyer. Sadly, our profession is falling short when it comes to well-being. [Studies] reveal that too many lawyers and law students experience chronic stress and high rates of depression and substance abuse. These findings are incompatible with a sustainable legal profession, and they raise troubling implications for many lawyers’ basic competence.”

The Task Force recommended that each state supreme court create its own commission to study ways to address (and improve) the legal profession’s wellbeing.

In response, the Court created the Vermont Commission on the Well-Being of the Legal Profession. In 2018, the Commission issued a [State Action Plan](#). The plan played a significant role in the eventual creation of the Bar Assistance Program.

Nationally, the consensus is that many disciplinary violations involve lawyers with behavioral health issues.⁹ BAP’s goal is to reach lawyers before a complaint is filed. BAP stresses:

1. *It is okay to seek help.*
2. *Help is available.*

BAP began on April 1, 2021. Before then, bar counsel screened complaints, responded to ethics inquiries, and presented continuing legal education seminars. When BAP began, bar counsel’s duties expanded to include assisting lawyers to address behavioral health issues. Reflecting a concern that lawyers in need of assistance would be wary of contacting bar counsel, BAP’s creation resulted in a decision to remove bar counsel from the process by which disciplinary complaints are screened.

As bar counsel, I am committed to the notion that low-level or benign misconduct should be diverted from the disciplinary process. I am as committed to the positions that help-seeking behavior should be destigmatized, and that behavioral health assistance must be decoupled from both the disciplinary process and the bar admission process.

B. BAP Referrals

Administrative Order 9 contemplates three types of referrals to BAP: (a) informal behavioral health referrals; (b) formal behavioral health referrals; and (c) referrals for the non-disciplinary resolution of disciplinary complaints that have nothing to do with behavioral health.

1. *Informal Behavior Health Referrals.*

Informal behavioral health referrals are governed by Rule 6.B of Administrative Order 9. The rule authorizes bar counsel to provide guidance, advice, and referrals to the lawyer who is the

⁹ See, Jerome M. Organ, [The Relationship between Attorney Discipline and Attorney Impairment: The Need for Better Information to Protect Clients and to Help Attorneys](#), 17 U. ST. THOMAS L.J. 941, 942-946 (2022)

subject of the informal referral and, if the lawyer consents, to refer the matter to an Assistance Panel. The rule also allows the lawyer to enter a “compliance agreement” with bar counsel.

In FY23, there were 21 informal referrals to BAP. Fourteen were self-referrals, while 7 were referred by others who requested that bar counsel perform a wellness check.¹⁰ I provided each of the 21 with guidance, advice, and referrals, sometimes over the course of several discussions. None of the lawyers accepted a referral to an Assistance Panel or opted to enter into a compliance agreement with bar counsel.

Special thanks to Josh Simonds. Josh runs the Vermont Lawyer Assistance Program and is an invaluable resource to the Bar Assistance Program. This year, one matter stood out. Upon receiving an informal referral, I enlisted Josh’s help. Josh and I were able to convince a lawyer to enter a residential treatment program.

Remember: it is okay to ask for help and help is available. There is a list of resources [here](#). There are even more resources on the [VBA’s Attorney Well-Being page](#)

2. *Formal Behavioral Health Referrals.*

Formal behavioral health referrals are governed by Rule 6.C of Administrative Order 9. The rule authorizes screening counsel, disciplinary counsel, a hearing panel,¹¹ the Character and Fitness Committee, and the Judicial Conduct Board to make behavioral health referrals to BAP. If made, bar counsel must assign the matter to an Assistance Panel for resolution consistent with Rule 7 of Administrative Order 9.

BAP received one formal referral in FY23. The matter was referred by a private lawyer serving as special disciplinary counsel and remained pending as the fiscal year ended.

I find the lack of formal referrals concerning. We know the numbers that affect the profession. Absent formal referrals, I do not think it makes sense to continue to keep bar counsel from the screening process.

3. *Nonbehavioral Health Referrals.*

A nonbehavioral health referral is when Screening Counsel or Disciplinary Counsel refers a disciplinary complaint to BAP for non-disciplinary dispute resolution and for reasons that, as the label suggests, have nothing to do with behavioral health. The process is like “diversion,” with many of the referrals being assigned to an assistance panel. These types of referrals are most often complaints that are too serious to dismiss out of hand but that are not serious enough to warrant a disciplinary prosecution. The Reporter’s Notes to the 2021 Amendments to A.O. 9

¹⁰ I try to keep requests for wellness checks anonymous. Sometimes, however, the lawyer who is the subject of the request can determine who contacted me.

¹¹ A “hearing panel” is the Professional Responsibility Board’s version of a “trial court.” Hearing panels consider and decide matters in which formal disciplinary or disability charges are commenced against a lawyer’s license. See, A.O. 9, Rule 14. There are 10 standing panels.

indicate that “[t]he Court and Board support the notion that Assistance Panels play an important role in building and maintaining the public’s confidence in the legal profession.”

In FY23, BAP received 3 nonbehavioral health referrals from Disciplinary Counsel and 2 from screening counsel. This marked the fewest Assistance Panel referrals since I started as deputy disciplinary counsel in 1998. Of the 5 referrals, 3 were resolved by Assistance Panels, I resolved one, and another remained pending as the fiscal year ended.

V. Other

In FY23, I served as a member of the:

- Vermont Commission of the Well-Being of the Legal Profession (Chair, Regulators Committee)
- Vermont Bar Association COVID-19 Response Committee
- Vermont Bar Association Pro Bono Committee (Chair)
- National Organization of Bar Counsel Website Committee

Outside the law, I served as a member of the Run Vermont Board of Directors and was an assistant coach on the South Burlington High School varsity girls basketball team. My preferred wellness tool was running. In FY23, I logged 2,117 miles and completed the Boston Marathon and the Vermont City Marathon.

Screening Counsel’s Report

By rule, Screening Counsel screens complaints. The screening process involves conducting a limited investigation to determine the nature of a complaint and whether it can be resolved via non-disciplinary means. Upon concluding the limited investigation, Screening Counsel may dismiss or resolve the complaint, refer the complaint for non-disciplinary dispute resolution, or refer the complaint to Disciplinary Counsel for an investigation.

There are exceptions to the rule. Screening Counsel does not screen notices that a trust account has been overdrawn. Overdraft notices are automatically referred to Disciplinary Counsel for investigation. In addition, Disciplinary Counsel has the authority to open an investigation into any conduct that comes to her attention. Finally, Screening Counsel is prohibited from screening a complaint in which Screening Counsel has a conflict of interest.

In FY 2023, we opened 157 new files. The results of screening those files are as follows:

- IOLTA Overdraft Notices (referred directly to Disciplinary Counsel): 21
- Referred to Conflict Screening Counsel: 5
- Referred to the Bar Assistance Program for Non-Disciplinary Resolution: 1

- Resolved or Dismissed after Limited Investigation by Screening Counsel: 94
- Dismissed after opened in error: 1
- Referred to Disciplinary Counsel for Investigation: 33
- Reciprocal Discipline matter referred to Disciplinary Counsel: 1
- Withdrawn by complainant: 1

Disciplinary Counsel

The disciplinary office underwent a significant change in FY23. Long-time prosecutor Sarah Katz left for a new job at the end of December. The Board is thankful for Sarah's service and wishes her well in the new position. In May, Jon Alexander was named Disciplinary Counsel. The Board looks forward to working with Jon and is excited to have him in the role.

Given the changes, FY23 saw many investigations and prosecutions referred to special counsel. The Board appreciates the willingness of the private bar to take over this critical function. Given the number of referrals to outside, this annual report will not include the statistics that traditionally appear in the Annual Report. Rather, the docket is reflected in the section that reports decisions of the hearing panels and the Supreme Court, as well as the section that details Screening Counsel's referrals. With Jon Alexander on board as FY24 opened, the next annual report will include traditional statistics.

Appendix A
PROFESSIONAL RESPONSIBILITY BOARD VOLUNTEERS

In addition to our Board Member, the Professional Responsibility Program is comprised of other volunteers. The program is indebted to their contribution of time and expertise.

HEARING PANELS

As FY23 ended, the following individuals served as members of Hearing Panels:

Panel 1:	Anthony Iarrapino	Emily Tredeau	Scott Hess
Panel 2:	James Valente	Amelia Darrow	Brian Bannon
Panel 3:	Gary Karnedy	Ashley Taylor	Peter Zuk
Panel 4:	Cara Cookson	James Murdoch	Thad Richardson
Panel 5:	Devin McLaughlin	Sarah Starr	Traci Cherrier
Panel 6:	Dave Berman	Matthew Little	Nicole Junas Ravlin
Panel 7:	Richard Goldsborough	Megan Manahan Bliss	Karen Luneau
Panel 8:	Jennifer McDonald	Jonathan Rose	Patrick Burke
Panel 9:	Mary Kay Lanthier	Shannon Lamb	Thomas J. Sabotka
Panel 10:	Katherine M. Lamson	Michael Munson	Kelly Legacy

ASSISTANCE PANELS

In addition to Board members, all of whom may serve on Assistance Panels, the following volunteers served as Assistance Panel members during FY23:

Attorney Members

Steve Adler	Honorable David Howard
Carolyn Anderson	Deb Kirchwey
Shannon Bertrand	Thea Lloyd
Fred Bethel	Andrew Manitsky
Sandra Bevans	Lon McClintock
Gavin Boyles	Elizabeth Miller
Amy Butler	Mark Oettinger
Joe Cahill	Bob O’Neill
Liz Ryan Cole	Susan Palmer
Phil Danielson	Alan Rome
Honorable Thomas Durkin	Josh Simonds
Jennifer Emens-Butler	Martha Smyrski
Ed French	Alfonso Villegas
Leslie Hanafin	Caryn Waxman
Michael Hanley	

Lay Members

Chris Chapman
Lori Cohen
Lynn Dunton
Susan Fay
Kevin O'Donnell
Quaron Pinckney

Holly Poulin
Neal Rodar
Linda Joy Sullivan
Erik Wheeler
Lucia White
Peter Zuk

CONTRACT COUNSEL

The following Attorneys served the program as screening and/or disciplinary counsel as needed in FY 23.

Steve Adler
Ed Adrian
Francesca Bove
Jessica Burke
Ian Carleton
Russell Hillard
Samantha Lednicky

Kevin Lumpkin
Tom McCormick
Pete Mousseau
David Seff
Lisa Shelkrot
Navah Spero
Hannah Waite

Appendix B Inquiries of Bar Counsel

This appendix is a representative sample of inquiries of Bar Counsel. It reflects the 1st, 25th, 50th, and 75th inquiry of each month of FY23.

- 7.1.22 A lawyer contacted me for guidance on whether to report another lawyer.
- 7.25.22 A lawyer requested guidance after a judge denied the lawyer's motion to withdraw in which the lawyer cited a conflict of interest.
- 7.50.22 A lawyer requested guidance on a situation in which a client's relative appeared to be exerting undue influence over the client.
- 7.75.22 A state prosecutor contacted me for guidance on a potential conflict.
- 8.1.22 A lawyer sought guidance on fee dispute with a client.
- 8.25.22 A lawyer requested guidance regarding a client who filed motions that the lawyer considers frivolous.
- 8.50.22 A lawyer sought guidance after a former client's new lawyer made claims against the lawyer but refused to provide a copy of the file for the lawyer to defend against the claims.
- 8.75.22 A lawyer sought guidance related to the potential imputation of a co-worker's former client conflict.
- 9.1.22 A lawyer called to ask how much the lawyer could disclose in a motion to withdraw.
- 9.25.22 A lawyer requested guidance on a matter in which opposing counsel used to represent the lawyer's client in a matter that appears related.
- 9.50.22 A lawyer sought input on a growing concern about a court's scheduling.
- 9.75.22 A lawyer contacted me for guidance related to the fact that the lawyer is now a victim of a crime committed by a current client.
- 10.1.22 A lawyer requested guidance on a potential conflict of interest arising from a job that the lawyer had before becoming a lawyer.

- 10.25.22 A lawyer asked for tips on how to deal with a lawyer who is constantly rude and belittling.
- 10.50.22 A lawyer sought guidance on the lawyer's duties when closing a law practice.
- 10.75.22 A lawyer asked for guidance on how long to retain notes of meetings with prospective clients who decide not to hire the lawyer.
- 11.1.22 A lawyer requested guidance on the rule that prohibits communication with a represented person.
- 11.25.22 A lawyer contacted me for guidance on whether to report an opposing party to law enforcement.
- 11.50.22 A prosecutor contacted me to discuss a potential conflict of interest.
- 11.75.22 A lawyer contacted me for guidance on a potential conflict of interest.
- 12.1.22 A lawyer sought guidance on whether to withdraw from representing a client.
- 12.25.22 A lawyer contacted me to discuss the rule that prohibits communicating with a represented person.
- 12.50.22 A lawyer asked how much the lawyer can disclose in a motion to withdraw.
- 12.75.23 A lawyer asked whether filing for bankruptcy would impact a disciplinary investigation.
- 1.1.23 A judge contacted me to discuss a potential conflict.
- 1.25.23 A nonlawyer had questions about how to file a complaint.
- 1.50.23 A lawyer sought guidance on a trust accounting issue.
- 1.75.23 A lawyer sought guidance on whether the lawyer had a duty to self-report.
- 2.1.23 A lawyer had a question about how to list inactive lawyers on the firm's letterhead.
- 2.25.23 A nonlawyer had questions about how to file a complaint.
- 2.50.23 A lawyer sought guidance related to a motion that a client wants filed but that the lawyer doesn't think has merit.
- 2.75.23 A lawyer asked whether the lawyer can share a deposition transcript with another lawyer.

- 3.1.23 A lawyer contacted me for guidance on withdrawing from representation.
- 3.25.23 A lawyer sought guidance on whether the lawyer has a duty to disclose confidential information.
- 3.50.23 A lawyer contacted me for guidance as to what constitutes “the file.”
- 3.75.23 A non-lawyer asked how to file a fee complaint.
- 4.1.23 A lawyer sought guidance on trust account reconciliation.
- 4.25.23 A lawyer sought guidance related to a matter in which the opposing party is not represented.
- 4.50.23 A firm’s bookkeeper contacted me with a question about stale checks.
- 4.75.23 A lawyer contacted me for guidance after discovering a data breach.
- 5.1.23 A lawyer asked for guidance related to delivering a former client’s file.
- 5.25.23 A nonlawyer asked for a lawyer’s disciplinary history.
- 5.50.23 A lawyer requested guidance related to a motion to withdraw.
- 5.75.23 A lawyer asked for guidance on how much information can be disclosed to a former client’s new lawyer.
- 6.1.23 A lawyer asked how to report a nonlawyer for UPL.
- 6.25.23 A lawyer asked for guidance on how much information can be disclosed to a former client’s new lawyer.
- 6.50.23 A lawyer asked for guidance on relicensing.
- 6.75.23 A lawyer contacted me to discuss whether the lawyer has a duty to report another lawyer.