

## **ADMONITION NO. 20-10**

### **CLASSIFICATIONS:**

Failing to act diligently [Mass. R. Prof. C. 1.3]

Failing to communicate adequately with client [Mass. R. Prof. C. 1.4(a)(4)]

Failure to return unearned fee [Mass. R. Prof. C. 1.16(d)]

### **SUMMARY:**

In November of 2018, the respondent agreed to represent a client in connection with the client's late mother's estate. The respondent did not seek payment at the outset, but the client sent her, and the respondent accepted, \$1,500 to perform the work. The respondent performed no work of substance. Over several months, the client attempted to reach the respondent by phone, email, and mail to inquire about her matter. The respondent did not return any of the messages. The client then wrote to the respondent to ask for a return of her fees, but the respondent did not respond to her requests. After the complaint was filed, the respondent returned her client's retainer, and sent the client an apology letter.

By failing to represent the client diligently and by failing to promptly reply to reasonable requests for information, the respondent violated Mass. R. Prof. C. 1.3 and 1.4(a)(4). By failing to promptly return the client's file and unearned fee, the respondent violated Mass. R. Prof. C. 1.16(d).

In mitigation, during the representation, the respondent was dealing with serious family problems in the aftermath of her father's death.

The respondent was admitted to the bar in 1996 and has no prior discipline. The respondent has received an admonition for her misconduct.