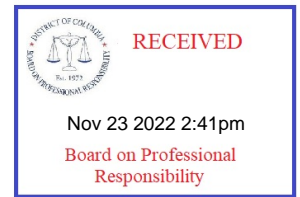


D.C. COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY
HEARING COMMITTEE NUMBER FOUR



In re

SONYA ARMFIELD
Respondent

DDN 2016-D230

RESPONDENT'S ANSWER TO THE SPECIFICATION OF CHARGES

Comes now the Respondent, by and through the undersigned, and for her answer to the Specification of Charges states as follows:

First Defense: Objection is made to the Specification's use (whether by quotation or characterization) of Superior Court Probate Division court orders, as well as Auditor-Master orders, reports, or requests for information. Superior Court probate-related proceedings are not based on clear and convincing evidentiary standards; and in some instances are merely acts within the court's discretion.

Second Defense: With respect to the enumerated paragraphs of the Specification, Respondent Answers as follows:

- 1) Admit.
- 2) Admit.
- 3) Admit.
- 4) Admit.
- 5) Admit.
- 6) Admit, in part, deny in part.
 - a) Admit that the reports were filed out of time, without leave, but deny that Respondent failed to file guardianship reports.

b) Admit with an explanation. Respondent had relied on a bookkeeper, Leslie Friend, to create and maintain records of the cash expenditures. Ms. Friend tragically passed away suddenly and Respondent was never able to locate the records despite substantial efforts.

c) Admit to the extent that funds were not promptly returned after the Auditor-Master Order, however Respondent includes the following caveats:

1. Respondent was taken by surprise after the Auditor-Master released a report that disallowed substantially greater expenses than he had indicated it would at their meeting that preceded the report.
2. Originally, Respondent had planned to take exception to the Auditor-Master's excessive discounting of her valid expenses however, due to extenuating circumstances that will be explained in the Mitigation Factors section, she paid restitution to avoid the stress of litigating the issue.
3. Deny that the delay in making restitution was undue.

7) Admit to the basic factual assertions but deny that removal as guardian is indicative in and of itself of having engaged in unethical or sanction-able conduct.

8) The combined First and Second Accounting speaks for itself. To the extent that paragraph 8 is inconsistent with the accounting document, denied.

9) The Auditor-Master report speaks for itself. To the extent paragraph 9 is inconsistent with the report, denied.

10) Admit.

11) Deny. Respondent, at least for a time, created and maintained records. She relied on her bookkeeper, Leslie Friend, for these services and after Ms. Friend suddenly passed away she was unable to locate the records. After Ms. Friend died, Respondent attempted to reconstruct the records, however, due to extenuating circumstances that will be explained in the Mitigation Factors section, Respondent was unable to complete this effort.

- 12) Deny.
- a) Respondent denies ever intentionally placing any of the ward's checks into her personal bank account and has no knowledge of any of the ward's money ever being deposited therein. To the extent that this assertion is based on bank records, the records speak for themselves, and to the extent that paragraph 12 disagrees with the records, deny.
 - b) Respondent denies ever intentionally placing any of the ward's checks into her personal bank account and has no knowledge of any of the ward's money ever being deposited therein. To the extent that this assertion is based on bank records, the records speak for themselves, and to the extent that paragraph 12 disagrees with the records, deny.
 - c) Respondent denies ever intentionally placing any of the ward's checks into her personal bank account and has no knowledge of any of the ward's money ever being deposited therein. To the extent that this assertion is based on bank records, the records speak for themselves, and to the extent that paragraph 12 disagrees with the records, deny.
- 13) Deny. Respondent denies ever intentionally placing any of the ward's checks into her personal bank account and has no knowledge of any of the ward's money ever being deposited therein. To the extent that this assertion is based on bank records, the records speak for themselves, and to the extent that paragraph 13 disagrees with the records, deny.
- 14) Respondent admits to the account being overdrawn on those occasions with the explanation that the ward was often targeted by predatory relatives and neighbors who used forged credentials to gain access to her accounts. She believes that the overdrafts were caused by a cousin of the ward.
- 15) Admit in part, deny in part.
- a) Admit that the account incurred overdraft fees.
 - b) Respondent does not recall the exact value of the fees charged due to ATM withdrawals made on behalf of the ward and to the extent that this assertion is based on bank records,

the records speak for themselves, and to the extent that paragraph 15 disagrees with the records, deny.

c) Respondent does not specifically recall overdrafts and to the extent that this assertion is based on bank records, the records speak for themselves, and to the extent that paragraph 15 disagrees with the records, deny. Respondent recalls that the ward was often targeted by predatory relatives and neighbors who used forged credentials to gain access to her accounts, which could explain the over drafts.

16) Admit in part and deny in part.

a) Admit to the extent that the checks were deposited into the Respondent's account.

b) Deny that the funds were not spent on the ward.

c) Deny that Respondent lacked authority to deposit the check into her account.

17) Deny.

a) Deny.

1. Deny as to intentional or reckless misappropriation.

2. Deny as to commingling.

3. Admit as to failure to maintain records for more than five years with the explanation that Respondent lost access to her records after her long time bookkeeper suddenly died, and that during the period in question Respondent suffered from medical conditions that made it impossible for her to locate and reconstruct the records.

b) Deny. Respondent denies any deliberate interference in the administration of justice. As fully explained in Mitigating Factors section the Respondent's medical conditions made it impossible to cooperate in the way Disciplinary Counsel demanded.

Any allegation not specifically admitted to is denied.

Statement of Mitigating Factors

Pursuant to the court's ruling in *In re Kersey*, 520 A.2d 321, 325-27 (D.C. 1987), Respondent hereby gives notice of her intent to put on evidence that she suffered from severe physical and mental disabilities that, at the time of the alleged misconduct, impacted her ability to practice law and would have contributed to the alleged misconduct. Respondent's Notice of Intent to Raise Disability (or Addiction) in Mitigation is being filed contemporaneously herewith in accordance with Board Rule 7.6(a).

Right to Supplement and Amend this Answer

Respondent reserves the right to supplement or amend this Answer as review of records yields more complete information as to the facts and circumstances of the conduct that forms the basis of the allegations described in the Specification of Charges.

Respectfully submitted,

SONYA ARMFIELD
By Counsel

/s/ McGavock D Reed Jr

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CERTIFICATE OF SERVICE

I certify that I served a true copy of the foregoing Respondent's Answer to the Specification of Charges upon Traci Tait, via email, on this 23rd day of November, 2022.

/ s / McGavock D Reed Jr

McGavock D. Reed, Jr