

**DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY**



In the Matter of :
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 :
SONYA N. ARMFIELD, ESQUIRE :
 :
Respondent, :
 :
 :
A Member of the Bar of the :
District of Columbia Court of Appeals :
Date of Admission: July 6, 2007 :
Bar Number: 491717 :

Disciplinary Docket No. 2016-D230

SPECIFICATION OF CHARGES

The disciplinary proceedings instituted by this petition are based upon conduct that violates the standards governing the practice of law in the District of Columbia as prescribed by Rule X and Rule XI, § 2(b) of the District of Columbia Court of Appeals Rules Governing the Bar. Jurisdiction for this disciplinary proceeding is prescribed by D.C. Bar R. XI.

1. Pursuant to D.C. Bar R. XI, §1(a), Disciplinary Counsel has jurisdiction to prosecute because Respondent is a member of the District of Columbia Bar admitted on July 6, 2007, and assigned Bar number 491717.
2. Respondent is also a member of the Connecticut bars.

The Auditor-Master's Review

3. In **January 2014**, Respondent was appointed by the D.C. Superior Court to be the guardian and conservator for Eleise Brown.

4. When Respondent was appointed Ms. Brown's conservator in early 2014, her ward received modest monthly social security and civil service payments totaling less than \$1300/month; she had a brokerage account containing about \$18,000.

5. As Ms. Brown's conservator, Respondent was responsible for marshalling and preserving her ward's assets.

6. From the beginning of her fiduciary relationship with Ms. Brown, Respondent failed to discharge her responsibilities to marshal, protect, and document Ms. Brown's financial assets and income. For example:

A. Respondent filed nearly all required reports out of time, without leave, or failed to file them at all.

B. Respondent failed to obtain or maintain financial records demonstrating how she spent thousands of dollars of her ward's cash.

C. Respondent failed to promptly refund to her ward expenses disallowed and undocumented by the Auditor-Master.

7. The Superior Court's Office of the Auditor-Master reviewed Respondent's handling of Ms. Brown's estate as conservator, including holding

multiple hearings with documentary evidence and testimony. Thereafter, Respondent was removed as Ms. Brown's guardian on March 23, 2015.

8. On July 6, 2016, based on Respondent's failure to obtain, maintain, and produce records adequate to document her handling of her ward's entrusted funds, combined with her failure to file required accountings, the Auditor-Master produced a combined first and second accounting for the *Estate of Elease Brown*, to the best of its ability.

9. By report of the same date, July 6, the Office of the Auditor-Master recommended to the D.C. Superior Court that Respondent be removed as Ms. Brown's conservator and pay a judgment of more than \$12,000 plus interest.

10. On July 7, 2016, the Auditor-Master's office referred Respondent to Disciplinary Counsel for investigation.

Disciplinary Counsel's Investigation

11. Disciplinary Counsel's investigation confirmed that, while responsible for conserving and protecting Ms. Brown's estate assets, Respondent spent thousands of dollars of her ward's funds from various accounts without creating or maintaining documentation that the expenditures were for her ward's benefit rather than her own. Many of the withdrawals were in cash.

12. Respondent deposited without authority checks belonging to her ward directly into Respondent's own personal Bank of America account ending in **-0311**:

A. Release Brown's **annuity check** on September 8, 2014, in the amount of \$446.72;

B. Release Brown's **annuity check** on January 8, 2015, in the amount of \$456.72; and

C. Release Brown's **annuity check** on October 2, 2015, in the amount of \$449.77.

13. During its investigation, the Auditor-Master asked Respondent what had become of a number of Release Brown's annuity checks that were unaccounted-for. Respondent never disclosed that she had deposited three of the unaccounted-for checks in Respondent's personal bank account ending in **-0311**.

14. From September 8 – October 24, 2014, and from May 9 – May 25, 2016, her ward's conservatorship account at SunTrust Bank ending in **-4313**, was overdrawn.

15. In addition to incurring overdraft fees, during Respondent's handling of her ward's entrusted funds at several banks, she also incurred ATM fees totaling to more than \$350 paid by the estate.

16. During its investigation, Disciplinary Counsel discovered that, from August – September 2014, Respondent deposited into her personal account at least three U.S. government checks belonging to another of her wards, Christopher Maillet, without authority. Each check was in the amount of \$648.90.

The Charges

17. Respondent violated the following District of Columbia Rules of Professional Conduct:

A. Rule 1.15(a), because Respondent (i) engaged in intentional or reckless misappropriation, (ii) commingling by failing to hold property of clients or third persons that is in the lawyer's possession in connection with a representation separate from the lawyer's own property, and (iii) failed to maintain complete records of entrusted funds for a period of five years after termination of the representation;

B. Rule 8.4(d), because Respondent seriously interfered with the administration of justice.

Respectfully submitted,

/s/ Hamilton P. Fox, III

Hamilton P. Fox, III
Disciplinary Counsel

Traci M. Tait

Traci M. Tait
Assistant Disciplinary Counsel

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VERIFICATION

I declare on September 8, 2022, under penalty of perjury, that I believe the foregoing facts stated in the Specification of Charges and Petition are true and correct.



Traci M. Tait
Assistant Disciplinary Counsel

**DISTRICT OF COLUMBIA COURT OF APPEALS
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In the Matter of

SONYA N. ARMFIELD, ESQUIRE

Respondent,

**A Member of the Bar of the
District of Columbia Court of Appeals
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Bar Number: 491717**

Disciplinary Docket No. 2016-D230

PETITION INSTITUTING FORMAL DISCIPLINARY PROCEEDINGS

A. This Petition (including the attached Specification of Charges which is made part of this Petition) notifies Respondent that disciplinary proceedings are hereby instituted pursuant to Rule XI, § 8(c), of the District of Columbia Court of Appeals’ Rules Governing the Bar (D.C. Bar R.).

B. Respondent is an attorney admitted to practice before the District of Columbia Court of Appeals on the date stated in the caption of the Specification of Charges.

C. A lawyer member of a Hearing Committee assigned by the Board on Professional Responsibility (Board) pursuant to D.C. Bar R. XI, § 4(e)(5), has approved the institution of these disciplinary proceedings.

D. Procedures

(1) **Referral to Hearing Committee** - When the Board receives the Petition Instituting Formal Disciplinary Proceedings, the Board shall refer it to a Hearing Committee.

(2) **Filing Answer** - Respondent must respond to the Specification of Charges by filing an answer with the Board and by serving a copy on the Office of Disciplinary Counsel within 20 days of the date of service of this Petition, unless the time is extended by the Chair of the Hearing Committee. Permission to file an answer after the 20-day period may be granted by the Chair of the Hearing Committee if the failure to file an answer was attributable to mistake, inadvertence, surprise, or excusable neglect. If a limiting date occurs on a Saturday, Sunday, or official holiday in the District of Columbia, the time for submission will be extended to the next business day. Any motion to extend the time to file an answer, and/or any other motion filed with the Board or Hearing Committee Chair, must be served on the Office of Disciplinary Counsel at the address shown on the last page of this petition.

(3) **Content of Answer** - The answer may be a denial, a statement in exculpation, or a statement in mitigation of the alleged misconduct. Any charges not answered by Respondent may be deemed established as provided in Board Rule 7.7.

(4) **Mitigation** - Respondent has the right to present evidence in mitigation to the Hearing Committee regardless of whether the substantive allegations of the Specification of Charges are admitted or denied.

(5) **Process** - Respondent is entitled to fifteen days' notice of the time and place of hearing, to be represented by counsel, to cross-examine witnesses, and to present evidence.

E. In addition to the procedures contained in D.C. Bar R. XI, the Board has promulgated Board Rules relating to procedures and the admission of evidence which are applicable to these procedures. A copy of these rules is being provided to Respondent with a copy of this Petition.

WHEREFORE, the Office of Disciplinary Counsel requests that the Board consider whether the conduct of Respondent violated the District of Columbia Rules of Professional Conduct, and, if so, that it impose/recommend appropriate discipline.

/s/ Hamilton P. Fox, III

Hamilton P. Fox, III
Disciplinary Counsel

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