



## OFFICE OF BAR COUNSEL

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October 13, 2010

**BY CERTIFIED MAIL**

Brigitte L. Adams, Esquire  
Suite 208  
2800 Wisconsin Ave. N.W.  
Washington, D.C. 20007

***In re Brigitte L. Adams, Esquire***  
**D.C. Bar Membership No. 426034**  
**Bar Docket No. 2009-D111**

Dear Ms. Adams:

This office has completed its investigation of the above-referenced matter. We find that your conduct reflected a disregard of certain ethical standards under the District of Columbia Rules of Professional Conduct (the "Rules"). We are therefore, issuing you this Informal Admonition pursuant to D. C. Bar Rule XI, §§ 3, 6, and 8.

We find that on March 11, 2008, you were appointed to represent Mr. Theodore Ware on appeal of his criminal matter in the District of Columbia Court of Appeals. Although Mr. Ware wrote to you shortly after the Court's notice of your appointment and informed you of his imminent transfer to the D.C. jail from the federal facility where he was located, you wrote to him at his former location and, therefore, he did not receive any of your initial letters. Your file shows that you received Mr. Ware's letter. Mr. Ware did not receive any mail or communications from you until after you already had filed the brief in his case, although he and his family tried to reach you by telephone. If, as you state, you did not receive the messages that they had called, it is imperative that you put into place a system to obtain messages from clients and their families.

Further, after the Court issued its opinion on January 13, 2009, you delayed writing to Mr. Ware and informing him of the decision until February 20,

2009, more than a month later, and past the time to file a motion for rehearing or rehearing *en banc*.

We find that your failure to communicate with Mr. Ware violated Rule 1.4(a) and Rule 1.4(b). These Rules require that an attorney provide both information and explanations to a client about the representation. Because none of your letters reached Mr. Ware and because you did not ascertain his location before sending your letters or attempt to communicate with Mr. Ware by other means, you did not fulfill your obligations under Rule 1.4.

We also find that because you did not communicate with Mr. Ware, you did not consult with him about the issues he wished to raise on appeal or issues that may have been appropriate for post-conviction trial motions. Rules 1.1(a) and 1.1(b) state, respectively: "A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation," and "A lawyer must serve a client with skill and care commensurate with that generally afforded to clients by other lawyers in similar matters."

We find that you violated these Rules by your failure to consider information that was not in the appellate record but which may have been appropriate for appellate or trial review. Mr. Ware was aware of such information but you failed to learn of it during the representation because you had not met with or communicated with Mr. Ware before you filed the appellate brief. Further, your failure to provide the appellate decision to Mr. Ware, in a timely fashion also violates these Rules.

Rule 1.3(a) states: "A lawyer shall represent a client zealously and diligently within the bounds of the law." Rule 1.3(c) states: "A lawyer shall act with reasonable promptness in representing a client." You violated these Rules based upon the same facts discussed above.

In deciding to issue this letter of Informal Admonition rather than institute formal disciplinary charges against you, we have taken into consideration that you cooperated with our investigation, you have no record of prior disciplinary violations, and you believed that your letters were reaching your client.

If you would like to have a formal hearing, you must submit a written request for a hearing within 14 days of the date of this letter to the Office of Bar Counsel, with a copy to the Board on Professional Responsibility, unless Bar Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated and Bar Counsel will institute formal charges pursuant to D.C. Bar R. XI, §§ 8(b) and (c). The case will then be assigned to a Hearing Committee and a hearing will be scheduled by the Executive Attorney for the Board on Professional Responsibility pursuant to D.C. Bar R. XI, § 8(c). Such a hearing could result in a recommendation to dismiss the charges against you or a recommendation for a finding of

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culpability, in which case the sanction recommended by the Hearing Committee is not limited to an Informal Admonition.

Sincerely,

Wallace E. Shipp, Jr.  
Bar Counsel

Enclosure: Attachment letter to Informal Admonition

cc: Mr. Theodore M. Ware

WES/EAH/jnb