



# OFFICE OF BAR COUNSEL

July 23, 2013

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**BY FIRST-CLASS AND CERTIFIED**  
**MAIL NO. 7196 9008 9111 6094 1846**

Melodie V. Shuler, Esquire  
Post Office Box 4502  
Baltimore, MD 21212

Re: *In re Melodie V. Shuler, Esquire*  
(D.C. Bar Registration No. 488686)  
Bar Docket No. 2012-D315

Dear Ms. Shuler:

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 you violated Rules 1.6(a) by disclosing confidences and secrets of your former client ("JI") in your motion to withdraw from her case; Rule 8.4(d) by failing to appear at court hearings; and Rule 1.16(a) by your failure to move to withdraw from JI's case in a timely manner.

Rule 1.6 prohibits an attorney from revealing a confidence or secret of the lawyer's client; using a confidence or secret of the lawyer's client to the disadvantage of the client; and using a confidence or secret of the lawyer's client for the advantage of the lawyer. You violated all three provisions of Rule 1.6 by disclosing confidential information about your client in the motion to withdraw which included disparaging remarks about her, her failure to pay your retainer and her actions towards you and others.

Rule 1.16(a) requires an attorney to withdraw from the representation of a client if the attorney is discharged. You state that you were aware that JI had terminated your services by at least July 2012 but you did not move to withdraw from the representation until the end of October 2012. Because the matter was before the court and you were the attorney of record, the court rules require that you obtain the court's permission before withdrawing from the case. You did not seek the court's permission on a timely basis.

Rule 8.4(d) prohibits an attorney from engaging in conduct that seriously interferes with the administration of justice. Failing to attend a court hearing violates this rule. On October 5, 2012, the court issued an order to show cause why you did not appear for a court-ordered mediation and required you to address this issue in writing. You failed to respond to this order. Therefore, on October 12, 2012, the court ordered you to appear on October 26, 2012 for a hearing. On October 25, 2012, you filed a motion to withdraw and on October 26, 2012, you appeared at the court hearing. To resolve issues raised at the hearing, the court set another date for a hearing on November 8, 2012. You appeared late at the November 8, 2012 hearing. Because you were late, not properly dressed and unprepared to address the issues of concern to the court, the court scheduled another hearing for December 14, 2012.

On December 14, 2012, you did not appear but another attorney appeared on your behalf. Because the court wished you to appear in person, the court scheduled another hearing for January 25, 2013. Again, you did not appear but another attorney appeared on your behalf and stated that you were ill. The court set another hearing date for March 15, 2013. You appeared, discussed your previous failures to appear with the court and the many issues and pressures which you claim have affected your ability to respond to the court's orders. The court discharged the order to show cause and did not fine you for your failure to appear at the mediation. Your failure to appear before the court personally when required by court order to do so and your failure to respond in writing to the court order violates Rule 8.4(d).

This office has considered whether your conduct violates other Rules of Professional Conduct. While other Rules may be implicated, we believe that the specific Rules cited in this letter are sufficient to cover your conduct. In deciding to issue this letter of Informal Admonition rather than institute formal disciplinary charges against you, we have taken into consideration that you took this matter seriously, you cooperated with this investigation, the client was not prejudiced by your conduct and you have accepted responsibility for your misconduct including by accepting this Informal Admonition. We also have considered the financial, emotional, and other issues that you discussed with the court and which you claimed to have been experiencing at the time of this misconduct. While these issues do not excuse your behavior, they provide a context for how you responded to a client who you considered difficult.

This letter constitutes an Informal Admonition for your violation of Rules 1.1(a) and (b), and 1.4 (b), pursuant to D.C. Bar R. XI, §§ 3, 6, and 8 and is public when issued. Please refer to the Attachment to this letter of Informal Admonition for a statement of its effect and your right to have it vacated and have a formal hearing before a Hearing Committee.

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

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formal charges pursuant to D.C. Bar R. XI, § 8 (b). 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 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 to Letter of Informal Admonition

cc: J. I. (w/o enclosure)

WES/EAH/jnb