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**VIRGINIA STATE BAR
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VIRGINIA:

**BEFORE THE FOURTH DISTRICT, SECTION I SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
TARA ELIZABETH STEINNERD**

VSb Docket No. 17-041-108074

**SUBCOMMITTEE DETERMINATION
PUBLIC REPRIMAND WITH TERMS**

On November 06, 2017, a meeting was held in this matter before a duly convened Fourth District, Section I Subcommittee consisting of Robert Clark McCarthy, Sudeep Bosc, and Adam Michael Krischer. During the meeting, the Subcommittee voted to approve an agreed disposition for a Public Reprimand with Terms pursuant to Part 6, § IV, ¶ 13-15.B.4. of the Rules of the Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Laura Ann Booberg, Assistant Bar Counsel, and Tara Elizabeth Steinnerd, ("Respondent"), pro se.

WHEREFORE, the Fourth District, Section I Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand with Terms:

I. STIPULATIONS OF FACT

1. Respondent has been a member in good standing of the Virginia State Bar since April 22, 2010.
2. On May 10, 2016, Complainant retained Respondent to represent her in a child custody case. Respondent and Complainant signed a Domestic Relations Retainer Agreement that provided for the payment of hourly fees. The agreement also provided for late fees that accrued at a rate of 1.5 percent of the total monthly balance.
3. By email dated June 15, 2016, Complainant discharged Respondent effective 12:00pm on June 16, 2016. Following a hearing on June 29, 2017, Respondent formally withdrew as counsel.

4. On June 29, 2016, Complainant filed a bar complaint against Respondent, which was later dismissed.
5. By letter dated July 18, 2016, Respondent sent a written response to the bar complaint to the Virginia State Bar.
6. By invoice dated August 2, 2016, Respondent billed Complainant \$720.00 for "draft of letter to VSB Bar Counsel, compilation of exhibits for Bar Counsel."
7. On August 9, 2016, Respondent filed a Warrant in Debt in Fairfax County General District Court claiming that Complainant owed \$11,102.14, with interest at 6 percent from the date of judgment until paid, \$58.00 in costs and \$900.00 in attorney's fees. A hearing date was set for September 12, 2016.
8. On November 14, 2016 at 3:38pm, Respondent sent Complainant an email which stated, "your current account balance has increased due to having to charge the 1.5% late fee for unpaid invoices."
9. On November 14, 2016 at 6:00pm, Complainant responded with an email that read, "I have filed for bankruptcy. Please cease and desist all attempts at collection including contact via email, letter or phone. I have been made aware my attorney's office reached out to you regarding this matter, should you need to contact Mr. Hall's staff you may call his office at (703) 256-7159."
10. The same day, at 6:04pm, Respondent emailed Complainant stating, "Thank you for letting me know. I do understand that a bankruptcy places a stay on all efforts and attempts at collection, but tomorrow's hearing will not be an attempt at collection. Tomorrow's hearing will be seeking an Order of Judgment from the court, so that I may file my judgment with the Bankruptcy Court. I will not make any further attempts to collect this debt outside of the Bankruptcy proceedings, but I must continue with tomorrow's trial in order to get the necessary judgment to file with the Bankruptcy proceedings. Thanks for understanding."
11. The same day, Respondent sent Complainant another invoice dated November 14, 2016 with payment terms of "Due on Receipt." The invoice listed charges of \$1,444.07 for "Review of Letter from bankruptcy attorney; preparation for Warrant in Debt Hearing," and "Estimation of time at Warrant in Debt Hearing on November 15, 2016; travel to and from court."
12. Complainant's attorney, Richard G. Hall, certified that he sent a Suggestion of Bankruptcy to Respondent on November 11, 2016.
13. On November 15, 2016, Respondent appeared at the Warrant in Debt Hearing and the case was "placed in the stay pile."

14. On November 16, 2016, Richard G. Hall filed an Application for a Rule to Show Cause in the United States Bankruptcy Court for the Eastern District of Virginia, Alexandria Division.
15. On December 1, 2016, United States Bankruptcy Judge Robert G. Mayer issued a Show Cause Order for Respondent to appear at a hearing on December 13, 2016 and "show cause why [she] should not be held in contempt for [her] willful violation of the automatic stay imposed by 11 U.S.C. 362, and why sanctions, including an award of damages, both actual and punitive, as well as an award of attorney's fees, should not be imposed."
16. Following Respondent's failure to appear at the December 13, 2016 hearing, Judge Mayer issued an order finding Respondent in contempt for "willfully and intentionally violating the automatic stay by appearing in Fairfax General District Court on November 15, 2016 in an attempt to get a judgment against the debtor for a pre-petition claim, for sending the debtor an invoice for their pre-petition claim after notice of the bankruptcy proceeding, and for afterward sending the debtor another invoice for reviewing the Suggestion of Bankruptcy and the aforementioned appearance in the General District Court."
17. The Court further ordered that Respondent pay the sum of \$2,672.94 in attorney's fees and expenses and \$270.00 in lost time for the debtor, as well as \$2,500.00 in punitive damages for her willful and intentional violations of the automatic stay.
18. Respondent filed a Motion to Reconsider dated December 30, 2017. By Order dated January 4, 2017, the Court denied the Motion for Reconsideration. The Court refused to reconsider its previous findings and reiterated that Respondent's actions constituted a knowing and intentional violation of the automatic stay.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

(d) Knowingly disobey or advise a client to disregard a standing rule or a ruling of a tribunal made in the course of a proceeding, but the lawyer may take steps, in good faith, to test the validity of such rule or ruling.

(j) File a suit, initiate criminal charges, assert a position, conduct a defense, delay a trial, or take other action on behalf of the client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another.

RULE 4.2 Communication With Persons Represented By Counsel

In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

RULE 3.1 Meritorious Claims And Contentions

A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

III. PUBLIC REPRIMAND WITH TERMS

Accordingly, it is the decision of the Subcommittee to impose a Public Reprimand with Terms. The terms are:

1. The terms with which the Respondent will comply are as follows:
 1. That Respondent shall obtain six (6) live hours of Continuing Legal Education credits by attending courses approved by the Virginia State Bar in the subject matter of Ethics. Such credits shall not be applied toward Respondent's Mandatory Continuing Legal Education Requirement in Virginia or in any other jurisdiction in which

Respondent is licensed to practice law. Respondent shall certify her compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance Form to Assistant Bar Counsel Laura Ann Booberg, or her designee, promptly following Respondent's attendance of each such CLE program no later than twelve (12) months from the date of the Subcommittee Determination in this matter is forwarded to the respondent, as provided by the Certificate of Service herein.

- 2. That Respondent shall engage in no further conduct resulting in sanctions by the Virginia State bar for a period of one (1) year from the date that the Subcommittee Determination in this matter is forwarded to the Respondent, as provided by the Certificate of service herein.**

Upon satisfactory proof that such terms and conditions have been met, these matters shall be closed. If, however, any of the terms are not met by the time specified, the alternative sanction shall be a six (6) month suspension of Respondent's license to practice law in the Commonwealth of Virginia. In that event, pursuant to Part 6, § IV, ¶ 13-15.F, G. of the Rules of the Supreme Court of Virginia, the District Committee shall hold a hearing and Respondent shall be required to show cause why the alternative sanction of a six (6) month suspension should not be imposed. If the District Committee determines that Respondent failed to comply with the terms or failed to certify compliance within the stated time period, this matter shall be certified to the Virginia State Bar Disciplinary Board for imposition of the alternative sanction of a six (6) month suspension of Respondent's license to practice law in the Commonwealth of Virginia.

Any proceeding initiated due to failure to comply with any of these terms will be considered a new matter, and an administrative fee and costs will be assessed pursuant to ¶ 13-9.E of the Rules of the Supreme Court of Virginia.

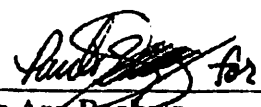
Pursuant to Part 6, § IV, ¶ 13-9.E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

FOURTH DISTRICT, SECTION I SUBCOMMITTEE
OF THE VIRGINIA STATE BAR


Adam Michael Krischer
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on December 8, 2017 a true and complete copy of the Subcommittee Determination Public Reprimand With Terms was sent by certified mail to Tara Elizabeth Steinnerd, Respondent, at Steinnerd Law PLLC, PO Box 6678, Arlington, VA 22206, Respondent's last address of record with the Virginia State Bar.


Laura Ann Booberg
Assistant Bar Counsel

VIRGINIA:

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OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
TARA ELIZABETH STEINNERD**

VSb Docket No. 17-041-108074

**AGREED DISPOSITION
PUBLIC REPRIMAND WITH TERMS**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, § IV, ¶ 13-15.B.4, the Virginia State Bar, by Laura Ann Booberg, Assistant Bar Counsel, and Tara Elizabeth Steinnerd, Respondent, *pro se*, hereby enter into the following agreed disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. Respondent has been a member in good standing of the Virginia State Bar since April 22, 2010.
2. On May 10, 2016, Complainant retained Respondent to represent her in a child custody case. Respondent and Complainant signed a Domestic Relations Retainer Agreement that provided for the payment of hourly fees. The agreement also provided for late fees that accrued at a rate of 1.5 percent of the total monthly balance.
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- (j) File a suit, initiate criminal charges, assert a position, conduct a defense, delay a trial, or take other action on behalf of the client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another.

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In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer

in the matter, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

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A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and Respondent tender to a subcommittee of the Fourth District, Section I Committee for its approval the agreed disposition of a PUBLIC REPRIMAND WITH TERMS as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Fourth District, Section I Committee. The terms with which the Respondent will comply are as follows:

- 1. That Respondent shall obtain six (6) live hours of Continuing Legal Education credits by attending courses approved by the Virginia State Bar in the subject matter of Ethics. Such credits shall not be applied toward Respondent's Mandatory Continuing Legal Education Requirement in Virginia or in any other jurisdiction in which Respondent is licensed to practice law. Respondent shall certify her compliance with the terms set forth in this paragraph by delivering a fully and properly executed**

Virginia MCLE Board Certification of Attendance Form to Assistant Bar Counsel
Laura Ann Booberg, or her designee, promptly following Respondent's attendance of
each such CLE program no later than twelve (12) months from the date that the
Subcommittee Determination in this matter is forwarded to the respondent, as
provided by the Certificate of Service herein.

- 2. That Respondent shall engage in no further conduct resulting in sanctions by the**
Virginia State bar for a period of one (1) year from the date that the Subcommittee
Determination in this matter is forwarded to the Respondent, as provided by the
Certificate of service herein.

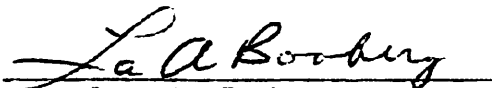
Upon satisfactory proof that such terms and conditions have been met, these matters shall
be closed. If, however, any of the terms are not met by the time specified, Respondent agrees
that the alternative sanction shall be a six (6) month suspension of Respondent's license to
practice law in the Commonwealth of Virginia. In that event, pursuant to Part 6, § IV, ¶ 13-15.F,
G. of the Rules of the Supreme Court of Virginia, the District Committee shall hold a hearing
and Respondent shall be required to show cause why the alternative sanction of a six (6) month
suspension should not be imposed. If the District Committee determines that Respondent failed
to comply with the terms or failed to certify compliance within the stated time period, this matter
shall be certified to the Virginia State Bar Disciplinary Board for imposition of the alternative
sanction of a six (6) month suspension of Respondent's license to practice law in the
Commonwealth of Virginia.

Any proceeding initiated due to failure to comply with any of these terms will be considered a new matter, and an administrative fee and costs will be assessed pursuant to ¶ 13-9.E of the Rules of the Supreme Court of Virginia.

If the agreed disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

Pursuant to Part 6, § IV, ¶ 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the subcommittee considering this agreed disposition.

THE VIRGINIA STATE BAR


Laura Ann Booberg
Assistant Bar Counsel


Tara Elizabeth Stehnerd, Esquire
Respondent