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March 5, 2018

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**BY FIRST CLASS AND CERTIFIED
MAIL NO. 9414-7266-9904-2091-4448-29**

Jeremy C. Huang, Esquire
7753 Inversham Drive
Apt. 228
Falls Church, VA 22042

Re: In re Jeremy C. Huang, Esquire
D.C. Bar Membership No. 1000849
Disciplinary Docket No. 2017-D188

Dear Mr. Huang:

The District of Columbia Office of Disciplinary Counsel ("the 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.

This matter was docketed for investigation on July 28, 2017, in light of a complaint filed by RS. Based upon our investigation of this matter, we find that your conduct violated Rules 1.1(a), 1.1(b), 1.3(a), 1.4(a), 1.4(b), 1.5(b) and 1.16(d).

RS was referred to you in or around June 21, 2016, and was seeking assistance with a tax foreclosure matter and related administrative appeals in the District of Columbia. Although you had no experience with tax matters in the District of Columbia, you talked with RS and agreed to represent her. You acknowledge that you failed to research fully the legal issues involved in the matter, including all relevant statutes of limitations. You also acknowledge that you did not communicate with RS about all of the legal options available to her or those otherwise foreclosed from her consideration.

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You believed your representation of RS to be limited in scope, and that you were only agreeing to present RS's concerns to appropriate administrative agencies to get them to reconsider the real property misclassifications that led to the tax foreclosure sale. But RS believed that you had agreed to represent her fully in the related tax matters. You state that you presented RS with a retainer agreement which she signed, but concede that the agreement did not explain the purportedly limited scope of your representation. Nor did you ever sign and return the retainer agreement to RS. Your divergent expectations about the scope of your representation led to confusion, frustration and, ultimately, an erosion of the attorney-client relationship.

You concede that, during the course of the representation, you failed to correct RS's misunderstanding of the scope of the representation on several occasions. You state that you tried to keep RS informed of the status of the related tax matters, but concede that you did not always promptly and reasonably respond to her requests for information. In addition, you failed to provide RS with information that would assist her in making informed decisions about the representation. While you claim that you told RS about the tax appeal agency's informal finding that it could take no action because RS had not filed a first level appeal, you acknowledge that you did not follow up with the taxing agency for its final conclusions, nor did you discuss with RS further options to protect her rights.

You acknowledge that you failed to inform RS that you would not be attending a June 21, 2017, status hearing in the pending tax foreclosure matter. You acknowledge that you did not appear at the June 21, 2017, hearing. RS appeared without counsel, and the court scheduled another status conference for October 11, 2017. At the October 11th status conference, RS had obtained counsel who requested and obtained a continued stay in the matter.

You considered your attorney-client relationship to have been terminated when RS threatened to file a disciplinary complaint against you. You expected the company that had referred RS to you to find other representation for her. You concede that you did not inform RS that you no longer represented her. Nor did you offer to give RS the small case file you had compiled. When RS requested her files, you did not provide them to her promptly. You state that you were concerned about talking with her directly because of her pending disciplinary complaint but did not seek assistance or legal or ethical guidance about how to handle her request.

Based upon our investigation of this matter, we find that your conduct violated Rules 1.1(a), 1.1(b), 1.3(a), 1.4(a), 1.4(b), 1.5(b) and 1.16(d).

Rules 1.1(a) and (b) of the D.C. Rules provide, respectively, that a lawyer "shall provide competent representation to a client" and "shall serve a client with skill and care commensurate with that generally afforded to clients by other lawyers in similar matters." In preparing to

represent RS you only checked agency websites, the D.C. Code, and agency appeal procedures. You did nothing further to prepare to handle the matter: you did not conduct further legal research; nor did you consult with a D.C. property tax legal practitioner. You did not determine the options reasonably available to RS to preserve her legal rights and the respective statutes of limitation. We find that your failure to do so violated Rules 1.1(a) and (b).

Rule 1.3(a) of the D.C. Rules provides that a lawyer “shall represent a client zealously and diligently within the bounds of the law.” We find that you violated this Rule when you failed to appear at the June 21, 2017, hearing, failed to take or recommend action on the agency’s verbal and/or interim conclusions that they would not address RS’s appeal, and failed even to assess whether action would be advisable.

Rule 1.4(a) of the D.C. Rules provides that a lawyer “shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.” We find that you failed to keep RS reasonably informed about the status of the administrative matters, failed to comply with some of her requests for information, and failed to inform her that you would not attend the June 21st hearing. By these omissions, you violated Rule 1.4(a).

Rule 1.4(b) of the D.C. Rules provides that a lawyer “shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.” We find that you failed to communicate clearly to RS that the scope of your representation was limited, and thus deprived her of the ability to make informed decisions regarding your continued representation of her. This conduct violated Rule 1.4(b).

Rule 1.5(b) of the D.C. Rules provides that, “when a lawyer has not regularly represented the client, the basis or rate of the fee, *the scope of the lawyer’s representation*, and the expenses for which the client will be responsible shall be communicated to the client, in writing, before or within a reasonable time after commencing representation.” (Emphasis added.) We find that you violated this Rule when you failed to set forth any agreed upon limitations of your representation in the retainer agreement, and when you failed to sign and provide RS with a copy of the agreement.

Rule 1.16(d) of the D.C. Rules provides in relevant part, “In connection with any termination of representation, a lawyer shall take timely steps to the extent reasonably practicable to protect a client’s interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee or expense that has not been earned or incurred.” You did not provide RS with notice that your attorney-client relationship was over; nor did you provide her

with the case file. We find this conduct violated Rule 1.16(d). "The client is owed an immediate return of his file no matter how meager." In re Thai, 987 A.2d 428, 430 (D.C. 2009) (citations and internal quotations omitted).

Disciplinary Counsel has determined that an informal admonition is the appropriate sanction given several mitigating factors, including: that you have cooperated in the Office's investigation; that you acknowledge your misconduct; your lack of prior discipline over a period of nine (9) years of practice; and that your conduct did not involve dishonesty, fraud, deceit or misrepresentation. We have also considered that, by agreeing to accept this informal admonition, you demonstrate your willingness to accept responsibility for your misconduct, and that by agreeing to the conditions outlined below, you will take steps to ensure that your future conduct comports with your professional responsibilities.

1. You will take the "Basic Training & Beyond" two-part course offered by the D.C. Bar Practice Management Advisory Service (PMAS) within two months of the date of this informal admonition, and you must provide this Office with proof of attendance within 10 days of attendance.

2. You will attend two hours of Continuing Legal Education (CLE) courses in D.C. legal ethics and/or professional responsibility within six months of the date of this informal admonition,¹ and you must provide this Office with proof of attendance within 10 days of attendance.

3. If, within the next year, you agree to represent a client in a matter that involves an area of practice with which you are unfamiliar, you will make good faith efforts to timely seek training, or seek assistance or guidance from practitioners more experienced in that practice area. If such experienced practitioners are outside of your law firm, you will be mindful of your obligations under Rule 1.6 of the D.C. Rules, and consult using hypotheticals as appropriate rather than revealing client confidences and secrets.

Finally, we have taken into account that your former client, RS, has obtained successor counsel. By this letter, we reserve the right to rescind this Informal Admonition and file disciplinary charges against you, should you fail to honor your agreement to engage in the activities set forth above.

This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8, and is public when issued. Please refer to the attachment to this letter of Informal Admonition

¹ The CLE courses must be taken in-person and be pre-approved by this Office.

In re Jeremy C. Huang, Esquire
Disciplinary Docket No. 2017-D188
Page 5

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 to the Office of Disciplinary Counsel, with a copy to the Board on Professional Responsibility, within 14 days of the date of this letter, unless Disciplinary Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated, and Disciplinary Counsel will institute formal charges pursuant to D.C. Bar Rule XI, § 8(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 Rule XI, § 8(d). 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,

Hamilton P. Fox, III
Disciplinary Counsel

Enclosure: Attachment to Letter of Informal Admonition

HPF:JUD:eaf