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August 23, 2019

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BY CERTIFIED MAIL

Ronald A. Colbert, Esquire
Law Office of Ronald A. Colbert
717 D Street, N.W.
Suite 310
Washington, D.C. 20004

In re Ronald A. Colbert, Esquire
D.C. Bar Membership No. 476137
Disciplinary Docket No. 2018-D176

Dear Mr. Colbert:

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.

This matter was docketed for investigation based on a complaint filed by your former client, I.P. Based on our investigation of this matter, we find that your conduct violated Rules 1.1(a), 1.3(a), 1.4(a), and 1.16(d). We find as follows:

In June 2017, I.P. filed a civil suit *pro se* in the District of Columbia Superior Court alleging that an employee of her building's property management company assaulted her and caused her to fear for her safety. Representing herself *pro se*, she asked the court to impose a restraining order. On August 17, 2017, I.P. hired you to represent her in a civil suit pending.

The next day, you attended a status hearing with I.P. You discovered that the defendant had filed a motion to dismiss and I.P.'s response was due. The court continued the status hearing until September 8, 2017, and directed you to file a response within two weeks. You failed to do so. At the September 8, 2017 hearing, the parties told the court they were engaged in settlement negotiations, and the opposing counsel agreed to extend the due date for your response until October 9, 2017. You failed to timely file your opposition to the

motion to dismiss. On October 17, 2017, the defendant filed a renewed motion to dismiss. On October 18, 2017, I.P. rejected the settlement offer and stated she wanted to move forward with the case. On October 30, 2017, you filed an opposition to the motion to dismiss and renewed motion to dismiss.

The court entered a scheduling order with a discovery request due date of January 4, 2018, and closed discovery on February 5, 2018. You did not send any discovery requests to defendant before the close of discovery. On September 27, 2017, the defendant served you with discovery requests, including interrogatories, request for production of documents, and request for admissions. Your responses were due by October 30, 2017. You did not file objections to discovery, move for an extension of time, or respond. On October 31, 2017, and again on November 14, 2017, defendant filed a motion to compel discovery. The court took no action. You told opposing counsel that you would have discovery responses before February 9, 2018, but you failed to provide the responses by that date as well.

On February 1, 2018, you filed a consent motion to extend discovery “for the sole purpose of conducting the deposition of [I.P.] on February 13, 2018.” On February 6, 2018, you texted I.P. and asked her to call you in order to prepare for the deposition. You also told texted her: “I also need you to forward the \$2,000 that I mentioned in my prior email and or text. I need a good faith payment if we’re going to go forward with a deposition.” On February 10 and 11, 2018, you sent I.P. emails asking her to pay \$2,000 for the deposition and provided her with an invoice dated August 18, 2017, which showed she owed a balance of \$200. You had not sent I.P. an invoice or sought additional payment for services rendered after August 18, 2017. I.P. asked you to provide a detailed accounting of the work provided on her case and informed you that she was not prepared for the deposition scheduled for February 13, 2018. The day before the deposition, you told I.P. that you were withdrawing from her case, you could not “guarantee” the deposition date could be changed, you would attend the deposition with her, and you would provide an accounting of your work by the end of the week. You appeared for the deposition on February 13, 2018, but your client did not. You did not send I.P. a detailed invoice until March 8, 2018, seeking attorney fees in the amount of \$4,234.61.

After you filed a motion to withdraw on February 12, 2018, you continued to represent I.P., including at mediation, which was unsuccessful. On June 4, 2018, the court ordered that counsel for all parties appear for a motion hearing on June 11, 2018. At that hearing, the court granted your motion to withdraw, and ordered you to provide I.P. with her file that day, which you did. The court did not impose sanctions based on your failure to meet deadlines or provide discovery responses and set a new scheduling order.

Your failure to timely respond to motions and your failure to conduct discovery on your client’s behalf violates 1.1(a), 1.3(a). Your demand for payment without providing an invoice, and your withdrawal the day before the scheduled deposition violated Rule 1.16(d), although your

violation was mitigated by your continued involvement in the case, including that you appeared at the deposition on February 13, 2018, even though I.P. did not, and you and attended mediation.

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, and by agreeing to accept this informal admonition, you demonstrate your willingness to accept responsibility for your misconduct. We also took into account that you received minimal fees at the outset of the representation and most of your work was uncompensated, on the other hand if you had been billing her on a regular basis you could have withdrawn from the case well before the scheduled deposition and before the discovery period was closed.

As a condition of this Informal Admonition, you agree to take the Basic Training & Beyond 2-day training offered by the DC Bar Practice Management Advisory Service. You will provide proof of completion of both days of the training within a month after completion of the course.

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 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 letter to Informal Admonition

cc: I.P.

HPF:BN:act