



OFFICE OF DISCIPLINARY COUNSEL

September 5, 2019

**BY FIRST-CLASS AND CERTIFIED
MAIL NO. 9414-7266-9904-2144-5128-19**

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In re: Christopher E. Brown
D.C. Bar Membership No. 458897
Disciplinary Docket No. 2018-D081

Dear Mr. Brown:

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"), specifically Rules 1.1(a) and 1.1(b). We are, therefore, issuing you this Informal Admonition.

Relevant facts

We docketed this matter based upon a complaint from your former client K LW who filed an employment discrimination case as a *pro se* plaintiff against the Secretary of the United States Navy in the U.S. District Court for the District of Columbia, on September 26, 2007. On March 31, 2008, the court dismissed the case without prejudice for failure to prosecute because she had not filed proper proof of service in the case. K LW states that she specifically hired you to obtain proper service and provide proof of service to the court. You agreed to do this and entered your appearance and filed a motion to reinstate the case on April 25, 2008. On May 12, 2008, the court granted your motion to reinstate and stated that the plaintiff must file proof of service of the complaint and summons on the defendant on or before May 20, 2008. On May 16, 2008, you served the Secretary of the Navy and filed an affidavit of service with the court even though the court had previously stated in the record that serving only the Secretary of the Navy was insufficient. On May 20, 2008, the court dismissed the case with prejudice for failure to file proper proof of service. We note that the court had clearly stated in its order on January 28, 2008, that service in a case against an officer of the federal government requires service of not only the defendant, but also the U.S. Attorney for the appropriate district – in this case, the District of Columbia, and the U.S. Attorney General.

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Rule 1.1(a)

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

Rule 1.1(b)

A lawyer shall serve a client with skill and care commensurate with that generally afforded to clients by other lawyers in similar matters.

Your conduct violated both Rule 1.1(a) and Rule 1.1(b). Despite the fact that you knew, or should have known, your client K LW had not been able to effect proper service, and that the court had specified precisely how proper service could be obtained, you failed to adhere to the court's order or even attempt to follow its instructions when given the express opportunity to do so. We find that your representation therefore lacked the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

Conclusion

In issuing this informal admonition, we have taken into consideration that you have accepted responsibility for your actions; and have agreed to take 6 hours of Continuing Legal Education courses in professional ethics offered by the D.C. Bar and pre-approved by Disciplinary Counsel, within one year of the date of this Informal Admonition. You must present proof of attendance of the CLE within 15 days of attendance. In the event that you do not complete the 6 hours of pre-approved CLE within one year, this Informal Admonition will be considered null and void and Disciplinary Counsel may initiate disciplinary proceedings against you.

This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8, and is public when issued. An Informal Admonition is the most lenient form of public discipline available. 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 Disciplinary Counsel, with a copy to the Board on Professional Responsibility, 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(b) and (c). This 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(c). Such a hearing could result in a recommendation to dismiss the charge(s) against you or a recommendation for a finding

In re Christopher E. Brown, Esquire
Disciplinary Docket No. 2018-D081
Page 3

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

HPF:CRS:itm