

**ATTORNEY GRIEVANCE COMMISSION
OF MARYLAND**

OFFICE OF THE EXECUTIVE SECRETARY

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MARIANNE J. LEE, ESQUIRE
EXECUTIVE SECRETARY

November 19, 2021

Marnitta Lanette King, Esquire
King Law Firm, P.A.
1401 Mercantile Lane
Suite 381
Largo, MD 20774

RE: BC Docket No. 2020-0091
Complainant: Carl M. Pitt

BC Docket No. 2020-1528
Complainant: Bar Counsel

Dear Ms. King:

The Attorney Grievance Commission, at its meeting on November 17, 2021, approved the proposed Reprimand agreed upon by you and Bar Counsel and directed that this letter of Reprimand be administered to you.

Pursuant to Maryland Rule 19-717, the Attorney Grievance Commission of Maryland hereby reprimands Marnitta Lanette King, Respondent, for engaging in professional misconduct in violation of Rules 1.1, 1.3, 1.4(a), 1.5(a), 1.15(a), 3.4(d), 8.1(b), 8.4(a) and (d) of the Maryland Attorneys' Rules of Professional Conduct and Maryland Rule 19-407.

Representation of Carl Pitt

On June 30, 2018, Carl Pitt, retained the Respondent to represent him in filing a complaint for custody and child support against Claudia Jones. The Respondent's retainer agreement required Mr. Pitt to pay a \$3,750.00 retainer fee. That same day, Mr. Pitt delivered a cashier's check in the amount of \$1,500.00 to the Respondent. The Respondent failed to deposit and maintain Mr. Pitt's funds in an attorney trust account until earned; instead, she cashed Mr. Pitt's check on or about July 3, 2018 in order to pay for court expenses. Respondent acknowledges that she should have deposited the check into her trust account.

On July 9, 2018, the Respondent filed a Complaint for Custody, Visitation, Child Support and other Relief ("Complaint") in the Circuit Court for Montgomery County. On July 11, 2018, Ms. Jones filed an Answer to the Complaint and a Counter Complaint for Custody ("Counter Complaint"). The Respondent failed to ensure that her office staff

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filed the Answer to the Counter Complaint that she drafted and failed to inform Mr. Pitt that no Answer was filed.

On August 23, 2018, the court scheduled a merits hearing to be held on February 20, 2019. The Respondent did not engage in formal discovery on behalf of Mr. Pitt, instead relying on informal discovery.

On November 7, 2018, opposing counsel filed a Motion to Compel Discovery and for Sanctions. The Respondent failed to respond to the motion and failed to inform Mr. Pitt that she failed to respond to the motion.

On November 16, 2018, the court held a Pendente Lite Hearing. During the hearing, the parties reached an agreement regarding pendente lite access to the minor child. The Respondent agreed to prepare a pendente lite order based on the agreement reached in court. The court ordered the parties to file the pendente lite order by December 10, 2018. The Respondent failed to prepare the pendente lite order.

On January 9, 2019, the court scheduled a status hearing to be held on January 25, 2019, to address the parties' failure to file the pendente lite order. The court mailed a Notice of Hearing Date to the Respondent advising her of the January 25, 2019 hearing date. The Respondent failed to inform Mr. Pitt of the January 25, 2019 hearing date.

On January 25, 2019, the court held a status hearing. Ms. Jones and her attorney were present, but the Respondent and Mr. Pitt failed to appear. On February 14, 2019, the court issued an order dismissing Mr. Pitt's complaint. The Respondent failed to file a motion to vacate the February 14, 2019 order of dismissal and failed to inform Mr. Pitt that his complaint had been dismissed. The case proceeded on Ms. Jones's counter complaint.

Attorney Trust Account Overdraft

On October 28, 2020, Bar Counsel received notice from Bank of America that the Respondent's attorney trust account had been overdrawn. On October 26, 2020, a check in the amount of \$8,000.00 was presented for payment by a client of Respondent when insufficient funds were available causing an overdraft of -\$7,966.69.

On October 28, 2020, Bar Counsel wrote to the Respondent and requested that she provide a full explanation for the overdraft as well as copies of her client ledgers, deposit slips, cancelled checks, and monthly bank statements for the period August 2020 through October 2020. The information and documentation were to be provided by November 12, 2020. The Respondent failed to respond in any manner. On November 17,

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2020, having received no response to the October 28 letter, Bar Counsel sent the Respondent another letter, via certified mail, first-class mail, and email, requesting a response to Bar Counsel's October 28 letter. Bar Counsel requested that the Respondent provide her response no later than November 27, 2020.

On November 30, 2020, the Respondent provided her response to Bar Counsel. The Respondent satisfactorily explained the cause of the overdraft but failed to include any of the financial documentation requested by Bar Counsel.

On December 1, 2020, Bar Counsel sent the Respondent an email reiterating its request for copies of her law office's financial records for the period August 2020 through October 2020. Bar Counsel requested that the Respondent provide her response no later than December 11, 2020.

On December 14, 2020, the Respondent provided copies of her attorney trust account bank statements for August 2020, September 2020, and October 2020. The Respondent also provided copies of invoices for several client matters. The Respondent failed to provide any of the other financial documentation requested by Bar Counsel. The Respondent subsequently admitted to Bar Counsel that she does not maintain client matter records pursuant to the requirements of Maryland Rule 19-407.

Based upon her conduct as described herein, Ms. King acknowledges that she violated Rules 1.1 (competence), 1.3 (diligence), 1.4(a) (communication), 1.5(a) (fees), 1.15(a) (safekeeping property), 3.4(d) (fairness to opposing party and attorney), and 8.4(a) and (d) (misconduct) of the Maryland Attorneys' Rules of Professional Conduct. Additionally, Ms. King acknowledges that she violated Maryland Rule 19-407 (attorney trust account record keeping).

The Maryland Rules provide that a reprimand constitutes discipline which is public and open to inspection. Bar Counsel will be providing a copy of this letter to the Complainant.

Sincerely,



Marianne J. Lee
Executive Counsel & Director

MJL/sg

cc: Michael W. Blow, Jr., Esquire

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