

ATTORNEY GRIEVANCE COMMISSION OF MARYLAND



38th Annual Report

July 1, 2012 thru June 30, 2013

Our Mission

The Attorney Grievance Commission of Maryland is dedicated to protecting the public and maintaining the integrity of the legal profession. The Commission, through the Office of Bar Counsel, seeks to encourage and promote the ethical practice of law and the highest standards of professionalism by members of the Bar. In carrying out their functions of evaluating complaints and enforcing ethical standards for lawyers, the Commission and Bar Counsel strive for fairness and equity.

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38th Annual Report

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The Office of Bar Counsel said good bye to public servants of the highest caliber in Fiscal Year 2013. Sterling H. Fletcher, long time investigator, known for his absolute integrity and dogged pursuit of facts, earned a well-deserved retirement. Dennis F. Biennas, a fine investigator who gave selflessly of himself, also retired during the year. Donna E. Marlowe, assistant office manager, also left the office. Her loyalty and commitment to the public good were the hallmarks of her service. John DeBone, paralegal, retired after long service to the office. He was primarily responsible for trust account reconciliations and he often assisted lawyers in meeting their financial recordkeeping obligations. He appeared as a witness in a number of disciplinary cases and was invaluable in the pursuit of financially based cases. Eric I. Dunton, Esquire, the office's first staff attorney, left for employment with the federal government. Christopher R. Castellano, our first law clerk, left for employment as an attorney in private practice. Patricia E. Johnston (PJ), an outstanding legal secretary, retired this year after a productive and fruitful career marked by the highest levels of efficiency and accuracy.

The office was pleased to welcome Lisa B. Mezrich, Esquire, as our new staff attorney. She is responsible for the oversight of conditional diversion agreements, conservatorships, allegations of unauthorized practice of law and she assists with the initial review of new complaints. Charles E. Miller, IV and Natalie A. Heinbuch, both seasoned investigators, joined the office in fiscal year 2013. While Ms. Heinbuch concentrates on general investigations, Mr. Miller, with an accounting background, is responsible for attorney trust account reconciliations and investigations. Robyna S. Hill joined the office as a paralegal and has broad responsibilities including the examination of legal advertisements and conservatorship file reviews.

The office had another busy year with 1,948 complaints filed, slightly down from FY 2012 (2,030). This fiscal year, the reduced numbers of complaints continued: total matters docketed for further investigation fell from 382 in FY 2012 to 344 in FY 2013. In FY 2011, total complaints docketed were 429; a two year reduction of approximately 20 per cent. The number of sanctioned attorneys remained almost the same as the prior fiscal year, 93 in FY 2012 and 86 in FY 2013. While disbarments declined from an all-time high in FY 2012, the 37 in FY 2013 is the second highest in Maryland history. Suspensions increased to 21 (and three interim suspensions) from 15 in the prior fiscal year.

The office continued to reach out to lawyers and law students to alert them to their ethical and professional obligations. Staff members have written a number of well-received articles and have appeared before many bar groups, government and judicial agencies as well as law school professional responsibility classes. Several of the lawyers participated in mock trials and moot court competitions as judges.

The modernization of office procedures continued during the fiscal year and a contract for the installation of an electronic case management system was executed. The office will have a new system of "paperless" document and database integration by early 2014.

DISCIPLINARY SUMMARIES
Fiscal Year 2013
(July 1, 2012 – June 30, 2013)

ALLEGANY COUNTY

(None)

ANNE ARUNDEL COUNTY

GERACE, Michael Francis – Disbarred on June 25, 2013, effective immediately, because he failed to represent his client with competence and diligence, unilaterally increased his fee, commingled funds, engaged in the unauthorized practice of law, failed to respond to lawful demands for information from Bar Counsel and upon termination of the representation, failed to protect his client's interests.

HARDING, Supriya Miriam – Disbarred by Consent on January 2, 2013, effective immediately, for failing to represent her clients with reasonable diligence and promptness, for failing to communicate with her clients concerning the status of their matters, for failing to maintain unearned fees in escrow and for failing to respond to requests for information by Bar Counsel.

PRELLER, Steven B. – Commission Reprimand for failing to safekeep his client's property, for commingling funds and for the unauthorized use of trust funds.

SCHRAMM, Clayton Henry – Disbarred by Consent on October 25, 2012, for abandoning his clients, for failing to provide diligent and competent representation, for failing to hold prepaid fees in trust and for failing to return unearned fees upon termination of representation.

BALTIMORE COUNTY

ARATI, Shakyamunire S. – Disbarred by Consent on November 14, 2012, effective thirty (30) days thereafter, for failing to represent his clients with reasonable diligence and promptness, for failing to communicate with his clients, for charging unreasonable fees, for failing to complete the representation of his clients, and upon termination of the representation, for failing to take steps to the extent reasonably practicable to protect his clients.

BENNETT, Brian Douglas – Commission Reprimand for conflicts of interest and for failure to withdraw from the case on a timely basis.

BLOCK, Steven Harold – Disbarment by Consent on October 26, 2012, for commingling personal funds in his attorney trust account, for using his attorney trust account for personal purposes, for failing to inform a client that he had mistakenly reported a judgment satisfied and misused client funds, the source of the payment of the judgment.

BURKHARDT, John K. – Indefinite Suspension by Consent on October 5, 2012, for failing to complete the representation of his client, for failing to adequately communicate with his client, for failing to return his client's file, for misrepresenting to his client the status of the case and for failing to respond to lawful requests for information by Bar Counsel.

CHAVERS, Clayborne E., Sr. – Commission Reprimand for engaging in the unauthorized practice of law on several occasions by entering his appearance in Maryland courts where he was not admitted to practice law. Mr. Chavers' law office is currently located in the District of Columbia.

GITOMER, Mark Lawrence – Disbarred by Consent on August 1, 2012, for failing to represent his clients with reasonable diligence and promptness, failing to communicate with the clients about the status of their matters, failing to maintain his unearned fees in escrow and misappropriating funds from his escrow account.

KAHL, Jeffrey David – Disbarred on January 8, 2013, effective immediately, by Per Curiam Order for misappropriating funds from his law firm and attorney trust account. Court of Appeals Opinion to follow.

LAWSON, Jeffrey – Disbarred on August 21, 2012, by Per Curiam Opinion and Order for charging an unreasonable fee, for engaging in a conflict of interest and for engaging in conduct involving dishonesty, fraud, deceit and/or misrepresentation.

LONDON, Perry Allen – Disbarred on July 10, 2012, for failure to provide competent representation and diligent representation, and for misrepresenting to his client the status of his cases.

PATTON, Richard Valentine, III – Disbarred on June 27, 2013, for failing to appear in court on multiple occasions, for lying to two (2) of his clients and Bar Counsel and for engaging in criminal conduct.

POLITZER, Milton A. – Commission Reprimand for failure to provide competent representation and to be reasonably diligent. He failed to expedite litigation and to keep his client reasonably informed about the status of the matter.

POWELL, Roger Norman – Reprimand by Consent on May 16, 2013, for assisting his client in conveying property in contravention of a court order and for preparing a declaration of trust that gave him an interest in the trust property.

PREM, Wayne T. – Disbarred by Consent on September 12, 2012, effective thirty (30) days thereafter, for engaging in a scheme in which he and Richard Paul Rieman enriched themselves at the expense of a trust.

RADEBAUGH, Daniel - Commission Reprimand for failing to provide diligent representation, for failing to communicate with his clients regarding the status of their matters and for failing to deposit retainer fees in his attorney trust account. Respondent no longer performs loan modification services for clients and has refunded attorney's fees for the loan modification services he performed for the complainants.

REINHARDT, Richard J. – Consent to Reprimand dated August 6, 2012, for failing to withdraw his appearance in a matter upon termination of representation.

RIEMAN, Richard Paul, Jr. – Disbarred by Consent on September 5, 2012, for engaging in a scheme in which he and Wayne T. Prem enriched themselves at the expense of a trust.

SNIFFEN, Kevin Edward – Disbarred by Consent on August 15, 2012, for the unauthorized use of trust funds.

BALTIMORE CITY

ALLEN, Sonja Lavita – Commission Reprimand for failing to deposit unearned fees in trust. Upon termination of representation, Respondent entered into a settlement and release of claims agreement with the client without advising the client in writing of the desirability of seeking the advice of independent counsel.

FADER, Joel Jay – Commission Reprimand for failing to adequately communicate with his client about his status as an attorney, for repeatedly failing to respond to inquiries from Bar Counsel, for engaging in the unauthorized practice of law while decertified and for failing to file his IOLTA and pro-bono reports for 2010.

FADER, Joel Jay – Disbarred on May 6, 2013, for commingling personal funds in his trust account, for the unauthorized use of trust funds, for making misrepresentations to an administrative judge, for failing to correct said misrepresentations and for failing to ensure that the conduct of a non-lawyer employee, whom he had direct supervisory authority over, was compatible with his professional obligations.

FRIEDMAN, Mark Howard – Disbarred by Consent on April 19, 2013, for misappropriating escrow funds maintained by his law firm in connection with foreclosure actions. He directed

later-paid escrow funds to be used to cover the obligations of which the previously escrowed funds should have been used.

GARDNER, Paul W., II – Disbarred on February 11, 2013, for failing to represent his clients with reasonable diligence and competence, for failing to adequately communicate with his clients, for charging unreasonable fees, for his conflict of interest, for failing to maintain accurate client matter records, for failing to accurately account for his client's fee payments, for failing to refund any of the fees collected, for engaging in conduct involving dishonesty, fraud, deceit or misrepresentation and for engaging in conduct that is prejudicial to the administration of justice.

GREEN, Charles Lamont – Indefinite Suspension by Consent on April 4, 2013, effective June 1, 2013, for failing to maintain unearned fees in his trust account, for failing to promptly return the unearned portion of a fee, for commingling funds, for the unauthorized use of trust funds, for failing to maintain accurate client matter records and for failing to respond to requests for information from Bar Counsel.

GUIDA, Sharon Louise – Disbarred by Consent on October 23, 2012, effective thirty (30) days thereafter, for signing multiple individual's names to various documents filed with the Register of Wills without authorization.

HUNT, Mark Edward - Disbarred on December 4, 2012, effective immediately, Per Curiam Order. Court of Appeals Opinion to follow.

KALIN, Howard Scott – Disbarment by consent on July 10, 2012, due to his criminal conviction for a violation of 18 USC §2422(b) in the United States District Court for Middle District of Florida on April 25, 2012.

KOBIN, Jason Ashley - Disbarred on May 2, 2013, for failing to maintain a separate trust account, for failing to hold employee withholding taxes in trust, for commingling and misuse of trust funds, for failing to keep adequate trust account records, for failing to appropriately supervise a non-lawyer employee, for failing to comply with federal and state tax obligations, for making misrepresentations to Bar Counsel and for failing to respond to lawful demands for information from Bar Counsel.

LOWERY-CLUGSTON, Noah Thomas - Disbarred by Consent on May 7, 2013, for failing to provide competent and diligent representation, for failing to adequately communicate with his clients, for abandoning his law practice, for failing to deposit and maintain unearned fees in trust until earned and for failing to respond to lawful requests for information from Bar Counsel.

MacFADYEN, Kenneth John – Reprimand by Consent on August 20, 2012, for failures associated with his supervision of lawyer and non-lawyer employees who permitted the execution and notarization of documents in Respondent's name when not personally signed by him.

NNAKA, Godson M. – Disbarred on August 21, 2012 by Per Curiam Opinion and Order, for failing to act with reasonable diligence and promptness, for failing to inform clients about the status of their cases, for knowingly failing to respond to lawful requests for information by Bar Counsel and for engaging in conduct involving misrepresentation to his clients.

SCHULMAN, Robert B. – Commission Reprimand for failing to adhere to the ERISA rules and regulations governing Simple IRA plans sponsored by the law firm, and for failing to deposit employees' contributions into their IRAs for a period up to six (6) months. All payments were ultimately made and none of the Firm's lawyers or employees suffered a loss. Appropriate remedial steps have been taken in the operation of the Firm's Simple IRA account program.

CALVERT COUNTY

(None)

CARROLL COUNTY

LOCKHART, Thomas Jackson – Commission Reprimand for his conflict of interest in preparing his client's Will, in which his client left "whatever may be left" to him. Respondent made the requested changes that included naming himself as personal representative and residuary beneficiary. Upon his client's death, he filed the Will for probate and was appointed personal representative. His client's children filed a Petition for Caveat and the dispute was resolved. Over the years, Respondent never charged or collected any fee for legal services provided to his client. He did not request any commission for serving as personal representative.

MURCHISON, Grant M. – Disbarred by Consent on June 11, 2013, effective August 10, 2013, for making misrepresentations to clients, courts, an opposing party and Bar Counsel, for failing to safekeep his clients' property and for conduct prejudicial to the administration of justice.

CECIL COUNTY

HICKEY, William F., III – Disbarred by Consent for failing to represent his clients with competence and reasonable diligence, for his conflict of interest, for failing to explain the difference between his role as a third-party neutral and his role as one who represents a client, for failing to safe keep his client's property, for failing to maintain unearned fees in escrow.

FREDERICK COUNTY

GROVE, David Matthew – Commission Reprimand for failing to provide competent representation, for failing to keep his client reasonably informed and for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

GARRETT COUNTY

KEPPLE, Cristine Ada – Indefinite Suspension on June 21, 2013, Per Curiam Order and Opinion, effective immediately (with the right to apply for reinstatement no sooner than thirty (30) days after the effective date of the Order) for knowingly concealing her state of residence from her law school in order to receive the benefit of in-state tuition at that institution.

HARFORD COUNTY

(None)

HOWARD COUNTY

BROWN, Linda Markey – Commission Reprimand for filing numerous pleadings and ancillary filings with the Court, on which she signed her client's name purported to be under oath, at the client's request, but failed to initial or otherwise clarify to the Court that they were not her client's actual signature.

KREMER, Dean Clayton – Disbarred on May 2, 2013, effective immediately, because he abandoned his law practice, ceased to communicate with his clients or work on their cases, failed to return unearned fees and failed to promptly refund a fee.

PEKLO, Gary Stewart – Commission Reprimand for having drafted a will in which he was named as personal representative and in which he was granted a significant bequest that he disbursed to himself. He later returned the monies to the estate, but sought from charitable beneficiaries of the will, an assignment to himself of funds to which the charities were entitled, representing the same amount as he was to receive under the will he drafted. He knowingly failed to disclose this information to Bar Counsel.

PENN, Brien Michael – Disbarred on April 25, 2013, effective immediately, for engaging in conduct involving dishonesty and deceit against his employer.

MONTGOMERY COUNTY

CHAPMAN, Gerald Frederick – Indefinitely Suspended on January 31, 2013, effective immediately (with the right to apply for reinstatement no sooner than ninety (90) days thereafter) for misleading clients into believing that they were obtaining representation through a law firm, when in reality, a non-lawyer directed the representation, for sharing fees with the non-lawyer, for charging an unreasonable fee, for failing to hold prepaid fees in trust and for failing to respond to a client's request for information.

CHRISTMAS, Patrick J. – Commission Reprimand for misconduct because he continued to negotiate transactions after his father's death, after his power of attorney expired, for failing to promptly distribute assets intended for his siblings, for failing to promptly resolve the dispute with his siblings after being contacted by counsel, for failing to promptly respond to Bar Counsel's first contact with him and for his delay, for more than a year, before finally initiating probate proceedings relating to his father's estate.

FISCHER, Morris Eli – Commission Reprimand for failing to represent his client with reasonable diligence, for filing the client's complaint late and causing the client's case to be dismissed, for his conflict of interest by failing to advise the client, in writing, of the desirability to seek advice of independent counsel in connection with his actions, and for failing to promptly refund an unearned fee.

GORDON, Lowell J. – Commission Reprimand for failing to adequately communicate with his client, failing to file a claim on behalf of his client prior to the expiration of the statute of limitations and for engaging in conduct prejudicial to the administration of justice.

GU, Yu – Commission Reprimand for failing to provide competent representation and failure to keep her client reasonably informed about the status of an immigration case.

JOHNS, Christopher M. – Disbarred by Consent on June 10, 2013, for failing to honor assignments securing the repayment of a loan to a third party with settlement proceeds in a personal injury matter. Upon receipt of the proceeds, he failed to notify the creditor that he received the funds and disbursed the funds to his client.

JOHNSON, Laurence Fleming – Commission Reprimand for failing to provide competent and diligent representation to his client and engaging in conduct that is prejudicial to the administration of justice.

LUXENBERG, Deborah Y. – Commission Reprimand for failing to make reasonable efforts to ensure the firm had in effect measures giving reasonable assurance that all lawyers in the firm conform to the Maryland Lawyers' Rules of Professional Conduct. Such failures permitted a substantial loss of trust/estate assets.

McCARTHY, Robert Michael – Commission Reprimand for failing to provide competent and diligent representation as Temporary Guardian of the property of his Ward.

McGLADE, Henry Donald, Jr. – Indefinite Suspension by Consent on May 23, 2013, for engaging in the unauthorized practice of law after his April 24, 2012 suspension and for failing to respond to requests for information from Bar Counsel.

MILTON, Gregory J. – Indefinite Suspension by Consent on January 4, 2013, effective February 4, 2013 (with the right to apply for reinstatement after ninety (90) days from February 4, 2013) for failing to represent his clients with reasonable diligence and promptness, for failing to communicate with his clients and for failing to respond to lawful requests for information by Bar Counsel.

OLER, Carren Susan – Indefinite Suspension by Consent on October 17, 2012, for failing to represent her client with reasonable diligence and promptness, for failing to communicate with her client regarding the status of her case, for failing to refund the unearned portion of her advance retainer to her client upon termination of the representation, for failing to maintain her unearned fees in escrow, and for failing to respond to requests for information by Bar Counsel.

PAGE, Alfred Amos, Jr. – Disbarred on March 5, 2013, for intentional misrepresentations of facts to his client, the Court of Appeals, and Bar Counsel as well as misappropriation of unearned client funds.

RODMAN, Yale D. – Commission Reprimand for engaging in conduct that is prejudicial to the administration of justice when, acting as counsel for plaintiff, he left voice messages for the Complainant that insulted his heritage in a mock accent and other inappropriate remarks.

ROSS, David Arthur – Disbarred on August 21, 2012, for diverting payments by a client for purported legal fees in other matters, without notice to or assent by the client, for creating an unreasonable and inflated bill for services to justify the diversion, for failure to provide his client with periodic invoices, for the unauthorized use of trust funds, for failure to maintain client funds in trust and for failure to maintain required trust account records.

SHARMA, Onkar Nath – Commission Reprimand for knowingly disobeying a court order by failing to appear at a hearing on behalf of his client.

SHURBERG, Jonathan S. – Indefinite Suspension by Consent on September 11, 2012, effective November 10, 2012 (with the right to apply for reinstatement no sooner than six (6) months after November 10, 2012) for misusing client funds, for failing to maintain trust records and for providing a false statement to Bar Counsel.

WATSON, Joe Donald, Jr. – Thirty (30) day Suspension by Consent on August 1, 2012, effective immediately, for failure to maintain his client's retainer in an attorney trust account until earned, failure to keep his client reasonably informed about the status of the matter, and upon termination of the representation, failure to issue a prompt refund of the unearned fee.

PRINCE GEORGE'S COUNTY

ALSTON, Tiffany T. – Indefinite Suspension on September 25, 2012, for failure to comply in material ways with the remedial terms of her Conditional Diversion Agreement, resulting in its revocation and the filing of public disciplinary charges.

ALSTON, Tiffany T. – While under an Indefinite Suspension imposed in a previous case decided by Opinion and Order on September 25, 2012, Respondent was Disbarred by Consent on May 2, 2013, for failing to provide competent and diligent representation, for failing to communicate with her clients, for failing to safekeep clients' property and for failing to respond to requests for information from Bar Counsel.

BELLAMY, Denise Leona – Ninety (90) day Suspension by Consent on September 11, 2012, effective thirty (30) days thereafter, for failure to provide diligent representation and upon termination of representation, for failure to refund any advance payment of fees or expenses not earned or incurred.

BROWN, Michael T. – Indefinite Suspension by Consent on December 12, 2012, effective thirty (30) days from the date thereafter, for failing to represent his client with reasonable diligence and competence. He withdrew his client's Petition for Caveat without authority, forever barring her claim.

FLECK, Conrad L. – Commission Reprimand for failing to take reasonably necessary protective action when his client was at risk of financial harm. He also failed to obtain the informed consent of his client before discussing and disclosing confidential information in a meeting with his client and her son's family.

HECHT, Ross D. – Indefinite Suspension by Consent on May 16, 2013, effective thirty (30) days from the date thereafter, (with the right to apply for reinstatement after six (6) months) for failing to represent his client with diligence and promptness, for failing to communicate with his client, for failing to safekeep property and for failing to respond to requests for information from Bar Counsel.

IJEABUONWU, Chike – Thirty (30) day Suspension by Consent on September 7, 2012, for failure to provide competent and diligent representation, failure to adequately communicate and upon termination of the representation, failure to take steps to the extent reasonably practicable to protect his client.

JONES, Cotie W. – Disbarred on August 27, 2012, by Per Curiam Opinion and Order, for misappropriation of client funds and failure to respond to lawful requests for information by Bar Counsel.

PARKER, Jewell Rocheal – Indefinite Suspension by Consent on May 16, 2013, for failing to timely pursue her client’s matter, for failing to timely issue a refund of the unearned fee, for failing to maintain trust account records, for failing to file state and federal tax returns and for failing to respond timely to requests for information from Bar Counsel.

WALKER-TURNER, John Wayne – Sixty (60) day Suspension on August 22, 2012, effective immediately, for lack of competence, failing to act with reasonable diligence, failing to appear at a trial, failing to adequately communicate and account to his client and for engaging in conduct that is prejudicial to the administration of justice.

WASHINGTON COUNTY

THOMPSON, Donald Benson, III – Disbarred by Consent for misappropriating funds belonging to the law firm that was his employer.

WICOMICO COUNTY

STROTT, George Guild, Jr. – Indefinite Suspension by Consent on August 23, 2012, effective on October 22, 2012 (with the right to apply for reinstatement no sooner than thirty (30) days after October 22, 2012) for failing to provide diligent and competent representation and for failing to honor a lien in a personal injury case.

WORCESTER COUNTY

NOVELLI, Allison Elizabeth – Disbarred by Consent on October 9, 2012, for embezzling funds that were entrusted to her from her title company.

OUT-OF-STATE

BERTOLA, Marta – Indefinite Suspension by Consent on January 9, 2013, effective immediately (with the right to apply for reinstatement sixty (60) days thereafter) for appearing in a circuit court case on behalf of her husband, for making representations in court that she was authorized to practice law and for filing a motion in the same case while decertified from the practice of law.

DECKER, Michael Kenneth – Disbarred by Consent on October 18, 2012, for failing to deposit client funds in his attorney trust account, for failing to provide his client with a full accounting of such funds and for failing to comply with a court order.

DONOVAN, William Carpenter, Jr. – Disbarred by Consent on August 17, 2012, because he embezzled fees from the law firm that employed him and because he abandoned a client's bankruptcy case.

KATZ, Gerald Isadore – Indefinite Suspension on November 19, 2012, (with the right to apply for reinstatement no sooner than his readmission to all other jurisdictions, save one, as a reciprocal action) for failing to file tax returns.

KLEINSMITH, Philip M. – Reprimand by Consent on May 24, 2013, as a reciprocal action to his March 20, 2012 Arizona reprimand.

MANCE, Robert Weston, III – Indefinite Suspension on December 3, 2012, effective immediately (with the right to reapply no sooner than his unconditional readmission to the Bar of the District of Columbia) by Per Curiam Order, as a reciprocal matter relating to Respondent's District of Columbia 6-month suspension for numerous ethics violations. The Maryland Court of Appeals Opinion dated February 25, 2013, cited reasons for the sanction.

NNAKA, Godson M. – Disbarred on August 21, 2012 by Per Curiam Opinion and Order, for failing to act with reasonable diligence and promptness, failing to inform clients about the status of their cases, for knowingly failing to respond to lawful requests for information by Bar Counsel and for engaging in conduct involving misrepresentation to his clients.

SAVAGE, William Mapp – Commission Reprimand for his participation in a situation in which his name was signed by another lawyer employed with the firm, by permitting the execution of documents in his name when not personally signed by him and for failing to sufficiently protect against such activity.

SELLERS, John William – Reprimand by Consent on August 24, 2012, for failure to provide competent representation, failure to communicate with his client and failure to obtain approval of two letter agreements without his client's informed consent before issuing the letter agreements.

STINSON, Katrice Selena – Disbarred on August 21, 2012, by Per Curiam Opinion and Order for making an agreement to charge unreasonable non-refundable engagement fees and for failure to safelykeep client's property. Upon termination of the representations, Respondent refused to refund any portion of such fees or expenses that had not been earned or incurred.

TUN, Harry – Indefinitely Suspended on August 22, 2012, as a reciprocal action to his District of Columbia suspension for overbilling and submitting false vouchers to the District of Columbia Supreme Court for legal services rendered to indigent defendants in criminal cases.

VANDERSLICE, Patrick Edward – Interim Suspension on December 6, 2012, effective immediately, as a reciprocal action to his Delaware suspension that occurred on October 12, 2012.

WEBER, Erin Marie (ANDERSON, Erin Weber) - Interim Suspension on February 15, 2013, effective immediately, as a reciprocal action to her April 27, 2012 Order of Revocation in Virginia for embezzlement.

WEIKAL, Wendy K. (aka WEIKAL, Wendy Beachat) – Disbarred by Consent on April 15, 2013, for failing to provide diligent and competent representation, for failing to communicate with her clients, for charging an unreasonable fee and for misappropriating client funds in Maryland and Pennsylvania.

TARGETED MAIL SOLICITATIONS

The Business Occupations and Professions Article of the Annotated Code of Maryland §10-605.2 requires an attorney to file with Bar Counsel copies of letters of solicitation sent to prospective clients under certain circumstances. In FY 2013, there were 1,658 targeted mail solicitations, down from 1,819 in FY 2012. This continues a downward trend, as in FY 2011, there were 2,192 such submissions. Of the submissions to Bar Counsel this year, fifty-six (56) letters required revisions. The reasons for the necessary revisions include the failure to have appropriate wording in the solicitation, the failure to include required wording on the advertising envelope, and the font size of the required wording being too small. In FY 2012, sixty-two (62) letters required revision.

ATTORNEY TRUST ACCOUNT OVERDRAFTS

Maryland Rule 16-610 permits approved financial institutions to maintain attorney trust accounts. Those approved banks must agree promptly to report overdrafts on such accounts to Bar Counsel. Upon receipt of the bank's report, Bar Counsel seeks an explanation from the attorney. This year, there were one hundred and fifty-two (152) overdraft notifications, up from one hundred and thirty-one (131) in FY 2012. Twenty-three (23) notifications were transferred to a docketed status for further investigation, down from thirty (30) in FY 2012. The reasons for docketing were:

(a) Commingling	7
(b) Internal Fraud	2
(c) Other Case Previously Docketed	4
(d) Cash Withdrawals	1
(e) Multiple Overdrafts	2
(f) Failure to Respond	5
(g) Misappropriation	2
Total	23

Thirty-one (31) overdrafts were attributed to some form of bank error that including incorrect fees, improper holds, and deposits into the wrong account.

CONSERVATORSHIPS

When an attorney is deceased, disbarred or suspended, and there is no responsible attorney to take possession of the client files of that attorney, it becomes necessary for Bar Counsel to petition the local Circuit Court to establish a conservatorship. If no attorney is available in the community to take on the task, an attorney on Bar Counsel's staff is nominated to serve as conservator. Upon approval by the Circuit Court in the county where the attorney was licensed to practice, an appointment of a conservator is ordered, the files of the attorney are marshaled and, with the aid of the paralegal staff, notices are sent to clients to determine the appropriate disposition of active files. Pursuant to court order, the destruction of unclaimed client files is permitted.

In FY 2013, five (5) conservatorships were established and members of Bar Counsel's staff were appointed as the conservator in one (1) case. Private lawyers were appointed as Conservators in the remaining four (4) cases. Two (2) conservatorships were closed during the fiscal year. There are eighteen (18) pending conservatorships at the end of FY 2013, including the five (5) which were established. Bar Counsel staff members were appointed as Conservators in nine (9) of the cases, and third parties were appointed as Conservators in the remaining nine (9) cases.

CONSERVATORSHIPS FISCAL YEAR 2013

<u>Opened July 1, 2012 through June 30, 2013</u>	<u>Third Party or AGC Appointed</u>
1. Walter Booth	3rd party
2. Robert Buettner	AGC
3. Matthew Gordon Tayback	3rd party
4. Donald Messenger	3rd party
5. Timothy Street	3rd party
<u>Closed July 1, 2012 through June 30, 2013</u>	
1. Aaron Weinrauch	AGC
2. Robert Rody	3rd party
<u>Pending:</u>	
1. Stacy Leigh Allen	3rd party
2. Charles A. Bruce, Jr.	3rd party
3. John F. Burgan	3rd party
4. Olivia Desiree Cammack	AGC
5. Ranji M. Garrett	AGC
6. Lester Feinberg	AGC
7. Lynn A. Lubitz	3rd party
8. Jeffrey J. Plum	3rd party
9. David M. Robaton	AGC
10. Vivek Sawhney	AGC
11. Monica Doherty	AGC
12. Matthew J. Salafia	AGC
13. Frank Jenkins	AGC

PEER REVIEW COMMITTEE

This fiscal year 356 lawyers and 84 non-lawyers agreed to volunteer their time to sit on Peer Review Panels that heard complaints made against attorneys.

There were 113 Peer Review meetings held compared with 103 held in the previous fiscal year. Twenty-seven (27) of the 113 panels reviewed more than one complaint against the attorney. A total of 166 complaints were subject to Statements of Charges. In thirty-eight percent (38%) of the complaints addressed by the peer review panels, public charges were recommended; six percent (6%) conditional diversion; five per cent (5%) reprimand; seven per cent (7%) dismissal; and four per cent (4%) dismissal with a warning. Seventeen per cent (17%) were terminated prior to the meeting because of the respondent/attorney's non-cooperation. Four per cent (4%) of the complaints were concluded by disbarment or suspension prior to the panel meeting and fourteen per cent (14%) were pending at the end of the fiscal year.

The Commission makes the final decision after receiving a recommendation from a Peer Review Panel. This fiscal year the Commission overturned thirteen (13) recommendations, all of which resulted in greater disciplinary exposure for the attorneys.

The average time to hold the panel meeting after the panel was constituted was 48 days, and the average time for receipt of the Peer Review report was 18 days after the meeting.

Baltimore County (24) and Baltimore City (19) had the largest number of Peer Review Panel meetings. Eight (8) counties had no Peer Review Panel meetings.

CONDITIONAL DIVERSION AGREEMENTS

When it is determined that misconduct by an attorney can be remediated without the need for a sanction, and the attorney and Bar Counsel agree, then a conditional diversion agreement may be executed with the approval of the Commission. The agreement may have a variety of conditions, tailored to the needs of the attorney, recognizing any harm done to the complainant. Those conditions may include one or more of the following: an apology to a complainant, attendance at educational seminars, the appointment of a practice monitor for a specified period of time, hiring an accountant to instruct on proper bookkeeping practices, psychiatric and psychological treatment, and other conditions, as well.

Such agreements usually conclude the disciplinary process. Ordinarily, the attorney has not been the subject of prior complaints. This fiscal year twenty-one (21) conditional diversion agreements were executed. Twenty-nine (29) conditional diversion agreements were administratively closed or otherwise terminated and a total of thirty-five (35) were pending at the end of the fiscal year.

UNAUTHORIZED PRACTICE OF LAW INVESTIGATIONS

There were fifty-four (54) files opened for investigation this fiscal year, down from sixty-seven (67) files in FY 2012. Of the fifty-four (54), investigation led to a finding of no unauthorized practice of law in fifteen (15) cases. Eight (8) individuals voluntarily agreed to cease the unauthorized practice. Two (2) individuals were referred to out-of-state disciplinary authorities and ten (10) were referred to a State's Attorney's Office for prosecution of the offending individual. Three (3) were referred to the U.S. Trustee's office for handling. The balance of the files, sixteen (16), remained open at the end of the fiscal year.

ACTIVITIES OF PROFESSIONAL STAFF

Glenn M. Grossman spoke at the University of Baltimore School of Law and the University of Maryland Francis King Carey School of Law on issues of ethics and disciplinary law in Maryland. He was a panelist on a number of continuing legal education programs sponsored by various bar associations. Topics he addressed included attorney's fees, ethics and risk management, billing and collections in family law cases, escrow management, issues arising in solo practice and ethical pitfalls in real property practice. He participated in a national American Bar Association webinar on the topic of conflicts of interest. Mr. Grossman was an instructor at the mandatory Court of Appeals course for new bar admittees and appeared as a panelist at two loss control seminars sponsored by CNA Insurance Company and insurance broker Rossmann-Hurt-Hoffman. He spoke on attorney misconduct for the Bench Education Committee of the Circuit Court for Baltimore City and lectured at the University of Maryland Forensic Psychiatry Fellowship seminar and participated in a mock trial for that organization.

Raymond A. Hein spoke as a guest lecturer on legal ethics and attorney discipline at Stevenson University. He presented an ethics program at the Maryland Employment Lawyers Association's legal education conference. He was a panelist at the Maryland State Bar Association (MSBA) Ethics Committee's program at the MSBA Annual Meeting in Ocean City. Mr. Hein and JaCina Stanton co-authored a featured article for *Trial Reporter*, the quarterly journal of the Maryland Association for Justice.

Lydia Lawless, a member of the Editorial Board of the *Litigator*, the publication of the Litigation Section of the Maryland State Bar Association (MSBA) had two articles published in that periodical and wrote a column for the Maryland Bar Journal. She made presentations to the Calvert County Bar Association on the topic of recent developments in disciplinary law and to the Montgomery Inn of Court on ethics and risk management. She spoke to the Maryland Association for Justice on the subject of social media and was a panelist at the MSBA Ethics Committee panel at the Annual Meeting in Ocean City. She was a coach of a mock trial team at the American University Washington College of Law.

JaCina Stanton was a guest lecturer for a professional responsibility class at the Howard University School of Law and participated as a member of the J. Franklin Bourne Bar Association Scholarship Committee Review Board.

Marianne Lee acted as a mock trial judge in the Maryland State Bar Association High School Mock Trial Case and Competition.

James Gaither had three articles published in the Maryland Bar Journal. He authored a featured article on escrow management for the Maryland Criminal Defense Attorneys' Association Newsletter. Mr. Gaither also authored an article for the *Litigator*, the publication of the Maryland State Bar Association's Litigation Section.

James Botluk was a guest moot court judge for a University of Baltimore appellate advocacy course.

THE COMMISSION

(As of June 30, 2013)

Linda H. Lamone, Esq. Chair
J. Donald Braden, Vice-Chair
Betty Smith Adams, Esq.
Jeffrey P. Ayers, Esq.
John A. Bielec, Esq.
Louise T. Keelty, Esq.
George E. Meng, Esq.
Kerry D. Staton, Esq.
C. Mayda Tsaknis, Esq.
Monique Booker, Public Member
Barry P. Gossett, Public Member
Linda Bowler Pierson, Public Member

Executive Secretary

Kendall R. Ruffatto

Administrative Assistant to Executive Secretary

Jane F. Carr

ATTORNEY STAFF MEMBERS



Bar Counsel

Glenn M. Grossman

Deputy Bar Counsel

Raymond A. Hein

Assistant Bar Counsel

James P. Botluk
Dolores O. Ridgell
Marianne J. Lee
JaCina N. Stanton
James N. Gaither
Caroll G. Donayre
Lydia E. Lawless

Staff Attorney

Lisa B. Mezrich

STAFF MEMBERS

Investigators

Marc O. Fiedler, Lead Investigator
Michael H. Peregoy
William M. Ramsey
Edwin P. Karr
Robert C. Versis
Charles E. Miller
Natalie A. Heinbuch

(Staff Members Continued:)

Paralegals

Kandace L. Harries
Robyna S. Hill

Office Manager

Debra L. Zachry

Secretaries

Sharon D. Gross
Susan G. Townshend
Debra A. Goodrick
Virginia F. Umberger
Lynne M. Kyle
Nancy M. LaRocque
Debbie L. Long

Receptionist

Nancy I. Sale

TEN (10) YEAR COMPARISON CHART
July 1, 2003 through June 30, 2013

	2003- 2,004	2004- 2,005	2005- 2,006	2006- 2,007	2007- 2,008	2008- 2,009	2009- 2,010	2010- 2,011	2011- 2,012	2012- 2,013	10 Year Totals
Complaints Received	1,610	1,562	1,844	1,589	1,647	1,532	1,597	1,880	1,648	1,604	16,513
Docketed Complaints Received (Prima facie misconduct indicated)	485	469	400	351	406	353	406	429	382	344	4,025
Reinstatement Petitions Received	n/a	n/a	n/a	n/a	n/a	n/a	n/a	12	7	15	34
TOTALS	2,095	2,031	2,244	1,940	2,053	1,885	2,003	2,321	2,037	1,963	20,572
Docketed Complaints Concluded	487	472	441	368	414	375	361	375	431	376	4,100
Dispositions (by number of Attorneys)											
Disbarred	22	10	10	9	11	5	15	11	23	16	132
Disbarred by Consent	6	14	12	8	10	13	13	13	22	21	132
Suspension	23	22	21	20	24	18	13	8	15	21	185
Interim Suspension	1	1	2	1	0	1	0	1	0	3	10
Public Reprimand by Court	6	3	10	3	9	6	4	6	7	5	59
Public Reprimand by Commission	22	22	16	16	12	20	31	27	26	23	215
Inactive Status	2	1	3	4	1	0	4	2	3	2	22
Dismissed by Court	6	4	4	4	7	8	11	5	5	10	64
Petitions for Reinstatement Granted	3	10	1	3	9	7	0	5	0	6	44
Petitions for Reinstatement Denied	2	0	4	5	7	7	7	7	3	5	47
Petitions for Reinstatement Withdrawn	0	0	0	0	0	0	0	0	0	1	1
Resignations	1	0	0	2	1	0	0	0	0	0	4
TOTALS	94	87	83	75	91	85	98	85	104	113	915
Number of active Attorneys admitted to practice law in Maryland 6/30/2013	31,934	32,066	32,390	33,018	33,400	34,569	34,506	35,515	36,597	37,290	

REASONS FOR DISCIPLINARY ACTION: Represents number of attorneys - excludes reinstatement, resignation, inactive status, dismissal by the court, or monitoring. Disciplinary action may have resulted from several rule violations, only the major rule violated is indicated below.	2011- 2012	2012- 2013
Competent representation, diligence, communication, neglect and abide by client's decisions	16	27
Misconduct - dishonesty, fraud, deceit, or misrepresentation	10	9
Misconduct - prejudicial to administration of justice or unauthorized practice of law	11	9
Criminal Act or Conviction	15	2
Misappropriation - theft of client's funds, estate funds, fiduciary funds or law firm funds	11	14
Excessive fee, improper division of fee or illegal fee	1	6
Incompetence (substance abuse, mental or physical illness)	0	0
Responsibility of actions by subordinate lawyer or non-legal personnel	3	3
Conflict of Interest	3	5
Failure to maintain complete records, account to client or others, maintain trust account, or safeguard funds	21	10
Commingling	1	1
Failure to respond to disciplinary agency	1	1
TOTAL	93	87

**STATISTICAL REPORT
FISCAL YEAR 2012 and 2013**

	FY 2012	FY 2013
Inquiries filed	1648	1604
Complaints filed	382	344
Reinstatement Petitions rec'd	7	15
TOTAL	2037	1963
TYPE OF MATTER:		
Atty Trust Accts (new 1/12/11)	35	21
Bankruptcy	35	20
Civil Litigation	65	64
Contract	4	5
Criminal	39	27
Employment Law	4	15
Family Law	63	45
Immigration	17	9
Injury to person,property,etc	32	42
Probate	17	15
Real Estate	19	19
Reinstatement	7	15
Other Categories	52	62
TOTAL:	389	359
TYPE OF MISCONDUCT:		
1.1 Competence	20	28
1.2 Scope of representation/allocation of authority	5	7
1.3 Diligence	80	34
1.4 Communication	48	54
1.5 Fees	15	13
1.6 Confidentiality of Info.	3	3
1.7 Conflict - General Rule	7	2
1.8 Conflict of Interest - Current Clients	8	8
1.9 Duties of Former Clients	0	1
1.10 Conflict - Imputed Disqualification	0	0
1.11 Conflict - Successive Govern & Priv. Employment.	0	0

	FY 2012	FY 2013
1.12 Conflict - Former Judge/Arbitrator/Mediator	0	0
1.13 Organization as the client	0	0
1.14 Client with Diminished Capacity	1	1
1.15 Safekeeping of property	69	44
1.16 Declining or terminating representation	7	18
1.17 Sale of Law Practice	0	0
1.18 Duties of Prospective Client	1	0
2.3 Evaluation for use by third party	0	0
2.4 Lawyer serving as third-party neutral	1	0
3.1 Meritorious claims & contentions	1	1
3.2 Expediting litigation	0	0
3.3 Candor toward the tribunal	8	5
3.4 Fairness to opposing party & counsel	0	2
3.5 Impartiality to decorum of tribunal	0	0
3.6 Trial publicity	0	0
3.7 Lawyer as Witness	0	0
3.8 Special responsibilities of prosecutor	0	0
3.9 Advocate in nonadjudicative proceedings	0	0
4.1 Truthfulness in statements to others	0	1
4.2 Communication w/persons represented by counsel	1	3
4.3 Dealing w/unrepresented person	0	0
4.4 Respect for rights of third person	1	0
5.1 Responsibilities of partner/managers/supervisory lwyr	1	0
5.2 Responsibilities of subordinate lawyer	0	1
5.3 Responsibilities re non-lwyr assistants	2	10
5.4 Professional independent of lawyers	2	0
5.5 Unauthorized practice; multi-jurisdictional	11	7
5.6 Restrictions on right to practice	0	0
5.7 Responsibilities re law related services	0	0
6.1 Pro Bono Publico Service	0	0
6.2 Accepting appointments	0	0
6.3 Membership in legal services organization	0	0
6.4 Law reform activities affecting client interest	0	0
6.5 Nonprofit & court annexed legal services programs	0	0
7.1 Communications concerning lawyer's services	1	0
7.2 Advertising	0	1
7.3 Direct contact w/prospective clients	0	0
7.4 Communication of fields of practice	0	0
7.5 Firm names & letterheads	0	1
8.1 Bar Admiss. & Disc. matters	17	20
8.2 Judicial & legal official	1	2
8.3 Reporting professional misconduct	0	0

	FY 2012	FY 2013
8.4 Misconduct		
(a) Violate or attempt to violate rules thru another	5	8
(b) Commit a criminal act	15	8
(c) Dishonesty, fraud, deceit, misrepresentation	36	34
(d) Prejudicial to administration of justice	14	22
(e) Knowingly manifest by words/conduct - bias/prejudice	1	0
(f) State or imply an ability to influence gov. agency/off.	0	0
(g) Knowingly assist judge/judicial officer in conduct that violates applicable rules of judicial conduct	0	0
8.5 Disciplinary Authority; Choice of Law	0	0
- Other (Reinstatements, Overdraft, BOP Sec. 10-306)	7	20
TOTAL:	389	359
COMPLAINTS BY LOCALE		
01 Allegany	2	3
02 Anne Arundel	35	16
03 Baltimore County	79	63
04 Baltimore City	47	53
05 Calvert	1	2
06 Caroline	1	1
07 Carroll	8	2
08 Cecil	5	2
09 Charles	2	3
10 Dorchester	1	5
11 Frederick	2	5
12 Garrett	1	0
13 Harford	13	11
14 Howard	20	25
15 Kent	0	2
16 Montgomery	67	60
17 Prince George's	48	51
18 Queen Anne	6	2
19 St. Mary's	1	2
20 Somerset	0	0
21 Talbot	2	6
22 Washington	2	3
23 Wicomico	1	5
24 Worcester	7	0
00 Out of State	38	37
TOTAL	389	359

	FY 2012	FY 2013
FINAL DISPOSITION		
Administratively Closed	87	57
Dismissed	94	66
Warning	60	61
Dismissed - Peer Review	11	2
Warning - Peer Review	18	7
Reprimand by Commission (public)	28	28
Public Reprimand by COA	8	5
Suspension	22	30
Disbarment	45	27
Disbarment by Consent	37	62
Inactive Status	5	2
Dismissed by Court	13	17
Resignation	0	0
Resignation Denied	3	0
Reinstatement - GRANTED	0	6
Reinstatement - DENIED	0	5
Reinstatement withdrawn by R	0	1
TOTAL	431	376
DISCIPLINE CONCLUDED - REPRESENTS # attys		
Disbarment	23	16
Disbarment by consent	22	21
Suspension	15	21
Rule 16-716 Suspension	0	0
Interim Suspension	0	3
Public Reprimand by COA	7	5
Reprimand by Commission (public)	26	23
Dismissed by Court	5	10
Inactive Status	0	0
Inactive Status by Consent	3	2
Reinstatement - GRANTED	0	6
Reinstatement - DENIED	3	5
Reinstatement withdrawn by R	0	1
Resignation	0	0
Resignation Denied	0	0
TOTAL	104	113
Condit. Diversion Agreements (non-compliance)	2	0

	FY 2012	FY 2013
PENDING COMPLAINTS - REPRESENTS # cases		
Initial Docket Stage	164	123
Peer Review	68	70
Conditional Diversion Agreements	47	39
Interim Suspension - Pending	2	4
Charges pending in Court	108	93
Charges to be filed	23	37
Deferred Docket	5	8
Pending Complaints - TOTAL	391	374
*** REPRESENTS # ATTORNEYS (in correlation with # cases above)		
Initial Docket Stage	144	129
Peer Review	44	50
Conditional Diversion Agreements	39	31
Interim Suspension - Pending	2	4
Charges pending in Court	75	68
Charges to be Filed	12	20
Deferred Docket	5	8

ATTORNEY GRIEVANCE COMMISSION OF MARYLAND
STATEMENTS OF BUDGET, RECEIPTS, EXPENDITURES AND FUND BALANCE
YEARS ENDED JUNE 30, 2013 and 2012

	2013			2012		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
RECEIPTS						
Attorney assessments	\$ 4,018,960	\$ 4,163,412	\$ 144,452	\$ 4,455,625	\$ 4,584,520	\$ 128,895
Investment income	75,000	35,048	(39,952)	75,000	45,266	(29,734)
Recovered court costs	17,000	42,513	25,513	17,000	27,580	10,580
Fees from CPF - administrator	119,538	119,790	252	116,663	116,953	290
Fees from CPF - secretarial	55,304	55,594	290	52,467	52,467	-
Fees from CPF - administrative assistant	72,649	73,389	740	69,862	69,861	(1)
Fees from CPF - office clerk	32,423	42,948	10,525	26,722	25,472	(1,250)
Total receipts	4,390,874	4,532,694	141,820	4,813,339	4,922,119	108,780
EXPENDITURES						
Salary - bar counsel	133,198	133,198	-	125,000	125,750	(750)
- deputy bar counsel	106,893	106,893	-	91,252	92,752	(1,500)
- assistant bar counsel	603,433	659,469	(56,036)	584,208	564,228	19,980
- investigators	448,325	474,426	(26,101)	407,566	412,816	(5,250)
- office mgr. & admn. assistant	135,055	133,862	1,193	122,776	124,276	(1,500)
- paralegal	127,568	72,674	54,894	115,968	83,024	32,944
- secretaries	375,180	267,689	107,491	341,068	256,396	84,672
- CPF - secretarial	34,481	34,481	-	34,481	35,231	(750)
- CPF - administrator	86,547	86,547	-	86,547	87,297	(750)
- CPF - administrative assistant	47,080	47,080	-	47,080	47,830	(750)
- CPF - clerk	24,016	31,640	(7,624)	24,016	23,305	711
- Legal secretary	49,892	49,892	-	45,355	46,105	(750)
- Executive secretary	107,578	107,578	-	97,797	98,547	(750)
FICA	141,021	133,269	7,752	131,673	121,051	10,622
Medicare	32,981	31,048	1,933	30,794	28,198	2,596
Employee benefits	711,169	717,077	(5,908)	662,536	641,765	20,771
Telephone	29,340	12,441	16,899	29,340	14,070	15,270
Photocopy	12,400	12,143	257	12,400	6,574	5,826
Postage meter	5,500	4,160	1,340	5,500	4,740	760
Office supplies	35,000	32,989	2,011	35,000	32,312	2,688
Postage	28,000	27,532	468	28,000	24,339	3,661
Insurance and bonds	16,000	11,358	4,642	16,000	11,867	4,133
Travel and mileage	66,500	56,059	10,441	66,500	54,390	12,110
Equipment maintenance	4,500	3,618	882	4,500	5,409	(909)
Dues/professional organizations	15,000	5,000	10,000	10,000	9,860	140

ATTORNEY GRIEVANCE COMMISSION OF MARYLAND
STATEMENTS OF BUDGET, RECEIPTS, EXPENDITURES AND FUND BALANCE
YEARS ENDED JUNE 30, 2013 and 2012 (Continued)

	2013			2012		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
EXPENDITURES (Continued)						
Investigator/related costs	96,000	124,209	(28,209)	96,000	51,996	44,004
Contin. Education & related cost	15,000	18,198	(3,198)	-	11,357	(11,357)
Depositions and transcripts	26,000	19,338	6,662	26,000	30,711	(4,711)
Commission expenses	15,000	8,174	6,826	15,000	10,484	4,516
Peer review committee	110,079	68,498	41,581	107,412	74,754	32,658
Audit and periodic support	18,000	17,500	500	14,500	14,875	(375)
Bank fees	400	631	(231)	800	280	520
Outside legal and software support	5,000	14,343	(9,343)	10,000	5,179	4,821
Conservatorship costs	12,500	9,691	2,809	10,000	10,079	(79)
Office furniture	25,000	954	24,046	25,000	17,646	7,354
Computer hardware and software	150,000	112,085	37,915	85,000	29,117	55,883
Peer review training seminars	10,000	-	10,000	10,000	600	9,400
Law library	13,000	20,340	(7,340)	11,000	20,171	(9,171)
Case Management System Development	300,000	357,940	(57,940)	-	-	-
Lawyer assistance program	97,128	102,784	(5,656)	97,128	98,595	(1,467)
Office supplies	2,500	2,453	47	2,000	2,039	(39)
Mailing costs	2,500	119	2,381	25,000	1,996	23,004
Equipment purchases	10,500	2,957	7,543	5,500	1,924	3,576
Equipment maintenance	4,800	3,175	1,625	4,800	3,241	1,559
Telephone	3,000	100	2,900	3,000	-	3,000
Miscellaneous	1,000	348	652	1,000	300	700
Retiree Health Insurance Credit Plan	20,000	56,620	(36,620)	-	-	-
Compensated absences	-	23,870	(23,870)	-	(6,985)	6,985
Total Expenditures	\$ 4,314,064	\$ 4,216,449	\$ 97,615	\$ 3,704,497	\$ 3,330,491	\$ 374,006
INCREASE IN UNRESTRICTED FUND BALANCE						
BEFORE COURT ORDERED TRANSFER	\$ 76,810	\$ 316,245	\$ 44,205	\$ 1,108,842	\$ 1,591,628	\$ (265,226)
Court Ordered Transfer	\$ 300,000	\$ 72,000	228,000	\$ -	\$ 5,700,000	\$ -
INCREASE (DECREASE) IN UNRESTRICTED FUND BALANCE	\$ (223,190)	\$ 244,245	\$ 44,205	\$ 1,108,842	\$ (4,108,372)	\$ (265,226)
UNRESTRICTED FUND BALANCE, BEGINNING OF YEAR		\$ 5,413,201			\$ 9,521,573	
UNRESTRICTED FUND BALANCE, END OF YEAR		\$ 5,657,446			\$ 5,413,201	

**ATTORNEY GRIEVANCE COMMISSION OF MARYLAND
FISCAL YEAR 2014**

AMENDED 06-10-13

(Page 1 of 2)

RECEIPTS:	ACTUAL 2012	BUDGET 2013	REQUEST 2014	COMMENTS
#301 Attorney Assessments	4,584,520.00	4,018,960.00	3,916,500.00	\$105 AGC assessment (approx. 37,300 active MD attys 04/16/13)
#305 Investment Income (interest)	45,266.00	75,000.00	50,000.00	
#307 Ct Recovered Costs/Reinstatement Fees	27,580.00	17,000.00	25,000.00	
#309 CPF Executive Director	116,953.00	119,538.00	129,660.00	Reimbursement by CPF for salaries (#501, #502, #503, #504) & associated benefits in expense accounts #417, #418, #419
#310 CPF Secretarial	52,467.00	55,304.00	59,347.00	
#311 CPF Administrator	69,861.00	72,649.00	78,415.00	
#312 CPF Office Clerk	25,472.00	32,423.00	50,074.00	
TOTAL:	4,922,119.00	4,390,874.00	4,308,996.00	
EXPENDITURES:	ACTUAL 2012	BUDGET 2013	REQUEST 2014	COMMENTS
#411 Salary - Bar Counsel	125,000.00	133,198.00	135,196.00	
#412 Salary - Deputy Bar Counsel	92,752.00	103,073.00	104,619.00	
#412a Salary- Retroactive Salary Deputy BC	0.00	6,515.00	0.00	
#413 Salary - Assist. BC / Staff Atty.	564,228.00	603,433.00	668,469.00	
#414 Salary - Investigator	412,816.00	448,325.00	411,122.00	
#415 Salary - Offi. Mngr. & Adm. Asst.	124,276.00	135,055.00	185,819.00	
#416 Salary - Secretarial/Clerical	256,396.00	375,180.00	365,532.00	
#420 Salary - Paralegal/Law Clerk	83,024.00	127,568.00	119,012.00	
#501 Salary - CPF Secretarial	35,231.00	34,481.00	37,541.00	
#502 Salary - CPF Executive Director	87,297.00	86,547.00	94,474.00	
#503 Salary - CPF Administrator	47,830.00	47,080.00	51,360.00	
#504 Salary - CPF Office Clerk	23,305.00	24,016.00	33,580.00	
#601 Salary - Executive Secretary	98,547.00	107,578.00	109,191.00	
#602 Salary - Adm. Asst. to Exec. Sec.	46,105.00	49,892.00	50,640.00	
#417 FICA	121,051.00	141,021.00	146,727.00	Increase - based on salaries
#418 Medicare	28,198.00	32,981.00	34,315.00	Increase - based on salaries
#419 Employee Benefits	641,765.00	711,169.00	739,416.00	Increase - greater number of staff in pension plan, health benefits
#430 Temporary Contractual Staffing	0.00	0.00	25,000.00	New - temporary staffing for special projects & employee absences
#421 Telephone	14,070.00	29,340.00	20,000.00	Decrease
#422 Photocopy Expenses	6,574.00	12,400.00	15,000.00	
#423 Postage Meter Maintenance	4,740.00	5,500.00	5,500.00	
#424 Office Supplies	32,312.00	35,000.00	35,000.00	
#425 Mailing Postage	24,339.00	28,000.00	28,000.00	
				FOOTNOTE- 2014 request based on ACTUAL expenditures for 9 months in FY 2013 & the remaining 3 months are projections

AMENDED 06-10-13

EXPENDITURES Cont'd:

	ACTUAL 2012	BUDGET 2013	REQUEST 2014	
#426 Insurance and Bonds	11,867.00	16,000.00	18,000.00	Increase in premium rates
#428 Travel & Mileage	54,390.00	66,500.00	66,500.00	
#429 Equipment Maintenance	5,409.00	4,500.00	15,000.00	Increase - Case Mngmt System network infrastructure (Sydus)
#431 Profess. Dues & Organiz. Mtgs.	9,860.00	15,000.00	10,000.00	Decrease
#432 Investig. & Related Costs	51,996.00	96,000.00	96,000.00	
#433 Cont. Education & related costs	11,357.00	15,000.00	25,000.00	Increase - allow all staff to benefit educational work related training
#434 Staff Functions	0.00	0.00	10,000.00	New - MD, DC, VA disciplinary offices regional conference
#439 Transcripts - Depositions	30,711.00	26,000.00	26,000.00	
#441 Commission Expenses	10,484.00	15,000.00	15,000.00	
#444 Peer Review Expenses	74,754.00	110,079.00	110,079.00	
#447 Audit & periodic accounting support	14,875.00	18,000.00	20,000.00	Increase - rates
#448 Bank Service Fees	280.00	400.00	600.00	Increase - bank fees increased due to larger no. of transactions
#451 Outside Legal & Software support	5,179.00	5,000.00	6,000.00	Increase - hourly rate increases
#452 Conservatorship Costs	10,079.00	12,500.00	12,500.00	
#461 Office Furniture	17,646.00	25,000.00	15,000.00	Decrease
#462 Computer Hardware/Software	29,117.00	150,000.00	150,000.00	
#463 Peer Review member training	600.00	10,000.00	10,000.00	
#464 Law Library/Electronic research	20,171.00	13,000.00	17,000.00	Increase due to Accurint on-line legal research
#465 Case Management System (CMS)	0.00	300,000.00	300,000.00	
#466 Lawyer Assistance Program	98,595.00	97,128.00	102,784.00	Increase - budget provided by LAP
#605 Office Supplies - Executive Sec.	2,039.00	2,500.00	2,500.00	
#606 Mailing Costs - Executive Sec.	1,996.00	2,500.00	2,500.00	
#607 Equipment Purchase - Exec.Sec.	1,924.00	10,500.00	10,500.00	
#608 Equipment Maintenance - Exec. Sec.	3,241.00	4,800.00	4,800.00	
#609 Telephone - Executive Sec.	0.00	3,000.00	3,000.00	
#610 Misc. Exp.(outside services, etc.)	300.00	1,000.00	1,000.00	
#700 Professionalism Center	0.00	372,000.00	0.00	
#800 Retiree Health Insurance Credit Plan	0.00	0.00	5,000.00	New - Reserve funding for retiree health insurance credit plan
TOTALS:	3,336,726.00	4,668,759.00	4,470,276.00	FOOTNOTE- 2014 request based on ACTUAL expenditures for 9 months in FY 2013 & the remaining 3 months projected

Anticipated Fund Balance at 6/30/2013:	5,968,896.00
Anticipated Expenditures in Excess of Revenue in FY 2014:	-161,280.00
Anticipated Fund Balance 6/30/2014:	5,807,616.00