

ATTORNEY GRIEVANCE COMMISSION  
OF MARYLAND  
100 Community Place, Suite 3301  
Crownsville, MD 21032

IN THE  
COURT OF APPEALS  
OF MARYLAND

**Filed**

Petitioner,

DEC - 2 2013 \*

Misc. Docket AG

v.

Bessie M. Decker, Clerk  
Court of Appeals  
of Maryland

No. 71

LAURA ELIZABETH JORDAN  
4626 Wisconsin Ave., NW #302  
Washington, DC 20016

September Term, 2013

Respondent.

**PETITION FOR DISCIPLINARY OR REMEDIAL ACTION**

The Attorney Grievance Commission of Maryland, by Glenn M. Grossman, Bar Counsel, and Lydia E. Lawless, Assistant Bar Counsel, its attorneys, files this Petition for Disciplinary or Remedial Action against Laura Elizabeth Jordan, Respondent, and represents to the Court as follows:

1. On September 3, 2013, Bar Counsel received direction from the Attorney Grievance Commission to file this petition pursuant to Maryland Rule 16-751(a).
2. Respondent was admitted to the Bar of the District of Columbia on December 14, 1988, the Bar of the State of Virginia on October 19, 1994 and the Bar of the State of Maryland on July 27, 1998. Respondent maintains a solo practice, The Capital Law Firm, PLLC, in Washington, DC.

**Failure to File Tax Returns**

3. Respondent intentionally failed to timely file Federal and/or D.C. income tax returns for tax years 2000-2011. The period of delinquency for each tax year ranged from less than one (1) month to more than five (5) years.

4. Respondent intentionally failed to timely pay Federal and/or D.C. income tax for tax years 2000-2011. The amount owed for each tax year ranged from approximately \$4000.00 to over \$37,000.00.

**Representation of the Estate of Edward M. Dudley, Jr.**

5. On March 30, 2001, Respondent, on behalf of her client, Tanya V. Patterson, the decedent's sole heir and beneficiary, filed a Petition for Probate in Prince George's County, Maryland. Mr. Patterson was appointed personal representation and letters of administration were issued.

6. Respondent failed to communicate with Ms. Patterson as required by the Maryland Lawyers' Rules of Professional Conduct and failed to represent Ms. Patterson and the Estate with competence and diligence, including but not limited to (a) failing to resolve the Estate's issues with the IRS in a timely fashion; (b) failing to file timely administrative accounts resulting in eleven (11) show cause orders being issued by the Orphans' Court; (c) failing to timely distribute Estate assets; (d) failing to ensure the information contained in the Thirteenth Account was complete and accurate; (e) failing to monitor and maintain an accounting of the Estate's bank account; and (f) failing to take all reasonable steps to timely reimburse the Estate for the unauthorized withdrawal of \$27,510.92.

**Estate and Trust Account Management**

7. Respondent maintains her law firm bank accounts at SunTrust Bank. Respondent opened an Estate account at SunTrust, all documents related to the Estate bank account were in the sole possession of Respondent, monthly statement were mailed to Respondent's business address.

8. On June 20, 2011, Respondent withdrew \$27,510.92 from the Estate bank account. The funds were used to pay Respondent's outstanding income tax liability and other personal expenses.

9. In October 2011, Respondent filed the Thirteenth Account in the Dudley Estate. As a result of Respondent's failure to review monthly bank accounts statements and review supporting documentation necessary to file a complete and correct accounting, the information contained in the Thirteenth Account was inaccurate.

10. Respondent failed to realize that she had withdrawn \$27,510.92 from the Estate account for eleven (11) months. Upon information and belief, Respondent failed to take all reasonable steps to make the Estate whole as soon as possible.

### **Record-Keeping**

11. Upon information and belief, Respondent does not keep records as required by Maryland Rule 16-606.1

12. Petitioner represents and charges that Respondent, by her acts and omissions as described herein, engaged in professional misconduct and violated the following Maryland Lawyers' Rules of Professional Conduct, as adopted by Maryland Rule 16-812, and Title 16, Chapter 600, Rules governing Attorney Trust Accounts:

#### **Rule 1.1. Competence.**

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 1.3. Diligence.**

A lawyer shall act with reasonable diligence and promptness in representing a client.

#### **Rule 1.4. Communication.**

(a) A lawyer shall:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(f), is required by these Rules;

- (2) keep the client reasonably informed about the status of the matter;
  - (3) promptly comply with reasonable requests for information; and
  - (4) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Maryland Lawyers' Rules of Professional Conduct or other law.
- (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

**Rule 1.15. Safekeeping Property.**

(a) A lawyer shall hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property. Funds shall be kept in a separate account maintained pursuant to Title 16, Chapter 600 of the Maryland Rules, and records shall be created and maintained in accordance with the Rules in that Chapter. Other property shall be identified specifically as such and appropriately safeguarded, and records of its receipt and distribution shall be created and maintained. Complete records of the account funds and of other property shall be kept by the lawyer and shall be preserved for a period of at least five years after the date the record was created.

**Rule 8.4. Misconduct.**

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Maryland Lawyers' Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;

**Rule 16-606.1. Attorney trust account record-keeping**

(a) **Creation of records.** The following records shall be created and maintained for the receipt and disbursement of funds of clients or of third persons:

(1) **Attorney trust account identification.** An identification of all attorney trust accounts maintained, including the name of the financial institution, account number, account name, date the account was opened, date the account was closed, and an agreement with the financial institution establishing each account and its interest-bearing nature.

(2) **Deposits and disbursements.** A record for each account that chronologically shows all deposits and disbursements, as follows:

(A) for each deposit, a record made at or near the time of the deposit that shows (i) the date of the deposit, (ii) the amount, (iii) the identity of the client or third person for whom the funds were deposited, and (iv) the purpose of the deposit;

(B) for each disbursement, including a disbursement made by electronic transfer, a record made at or near the time of disbursement that shows (i) the date of the disbursement, (ii) the amount, (iii) the payee, (iv) the identity of the client or third person for whom the disbursement was made (if not the payee), and (v) the purpose of the disbursement;

(C) for each disbursement made by electronic transfer, a written memorandum authorizing the transaction and identifying the attorney responsible for the transaction.

(3) Client matter records. A record for each client matter in which the attorney receives fund in trust, as follows:

(A) for each attorney trust account transaction, a record that shows (i) the date of the deposit or disbursement; (ii) the amount of the deposit or disbursement; (iii) the purpose for which the funds are intended; (iv) for a disbursement, the payee and the check number or other payment identification; and (v) the balance of funds remaining in the account in connection with the matter; and

(B) an identification of the person to whom the unused portion of a fee or expense deposit is to be returned whenever it is to be returned to a person other than the client.

(4) Record of funds of the attorney. A record that identifies the funds of the attorney held in each attorney trust account as permitted by Rule 16-607b.

(b) **Monthly reconciliation.** An attorney shall cause to be created a monthly reconciliation of all attorney trust account records, client matter records, records of funds of the attorney held in an attorney trust account as permitted by Rule 16-607 b, and the adjusted month-end financial institution statement balance. The adjusted month-end financial institution statement balance is computed by adding subsequent deposits to and subtracting subsequent disbursements from the financial institution's month-end statement balance.

(c) **Electronic records.** Whenever the records required by this Rule are created or maintained using electronic means, there must be an ability to print a paper copy of the records upon a reasonable request to do so.

(d) **Records to be maintained.** Financial institution month-end statements, any canceled checks or copies of canceled checks provided with a financial institution month-end statement, duplicate deposit slips or deposit receipts generated by the financial institution, and records created in accordance with section (a) of this Rule shall be maintained for a period of at least five years after the dated the record was created.


WHEREFORE, Petitioner requests that this Honorable Court:

A. Take such disciplinary action against the Respondent as it deems appropriate;

B. Assess against the Respondent, in the form of a money judgment, the reasonable costs of these proceedings, both arising subsequently to the filing of these charges and necessarily incurred in investigating the same prior to the filing hereof; and


C. Take such other and further action as this Court may deem appropriate under the circumstances.

Respectfully submitted,



---

Glenn M. Grossman  
Bar Counsel



---

Lydia E. Lawless  
Assistant Bar Counsel  
Attorney Grievance Commission  
of Maryland  
100 Community Place, Suite 3301  
Crownsville, MD 21032-2027  
(410) 514-7051

*Attorneys for Petitioner*