

## **Recent CSB Decisions:**

### **April 16, 2020 Clients' Security Board Decisions:**

- Awarded \$3,500.00, \$1,500.00, and \$1,500.00, respectively, to three clients following the thefts of their unearned retainers by their former lawyers. The lawyers did not perform the services for which they were hired and did not return the unearned fees after they were suspended or disbarred. The stolen funds included a retainer paid to a lawyer to who failed to prepare an alimony modification petition shortly before the lawyer was disbarred; a retainer paid by a client trying to restore his driver's license after the client's OUI conviction; and a flat fee paid for preparing and filing a divorce petition that was never filed. Two additional claims for \$7,500.00 and \$2,500.00 were denied after the Board concluded the suspended lawyers had earned the fees.
- Dismissed a 2019 claim for \$47,904.67 when the CSB counsel provided proof that a check from a 2006 real estate closing had in fact been paid to the claimant's son. The claimant originally believed that the funds had been stolen by the claimant's lawyer or the closing attorney but agreed to withdraw the claim after recognizing his son's endorsement on the check.
- Dismissed a 2020 claim for an unearned \$1,715.00 bankruptcy fee when the suspended lawyer immediately returned his former client's fee and file after receiving notice of the CSB claim.

### **February 20, 2020 Clients' Security Board Decisions:**

- Awarded \$144,454.00 to the estate of an elderly woman who died in 2015 without receiving a personal injury settlement paid to her lawyer in 2012. The lawyer repeatedly assured the woman the money was safely held in trust, even though she stole the money shortly after receiving it. After the client's death, the personal representative (PR) for her estate discovered the theft. The PR sued the lawyer and got a judgment that the lawyer failed to pay. The PR also filed a complaint with bar counsel and notified the district attorney, resulting in the lawyer's disbarment, conviction and imprisonment for embezzlement.
- Awarded \$218,201.00 to a client whose lawyer stole the proceeds from the sales of five vacant lots between 2012 and 2016. In 2016, the lawyer pleaded guilty to federal tax fraud for failing to report as income the money he had stolen from other clients. That conduct also got him disbarred. The client applied to the CSB after getting a default judgment against the lawyer, who failed to pay it.
- Awarded \$2,240.00, \$5,190.00, and \$4,600.00 to three clients following the thefts of their funds by their respective lawyers. The stolen funds included a client's monthly \$100.00 payments to satisfy a debt, which the lawyer kept instead of sending to the

client's creditor; an illegal and excessive legal fee charged to a client for a loan modification; and an unearned fee paid to a lawyer for the defense of an operating under the influence charge.

- Denied a 2018 claim for lack of evidence. The client had sought reimbursement of an unknown amount she believed her lawyer had stolen from her personal injury settlement for a Christmas Day 1975 accident. The client had no records, and the insurer and the lawyer's bank had destroyed records dating back to 1975. The lawyer resigned as a disciplinary sanction in 1994 for other wrongdoing.