

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF**

**SHARON STYLES-ANDERSON**

**VS** **VS B DOCKET NO. 16-052-104305**

**AGREED DISPOSITION MEMORANDUM ORDER**

On January 17, 2017, this matter was heard by the Virginia State Bar Disciplinary Board upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by the Rules of the Supreme Court of Virginia. The panel consisted of William H. Atwill, Jr., Chair, Sandra L. Havrilak, Bretta Marie Zimmer Lewis, T. Tony H. Pham, Nancy L. Bloom, Lay Member. The Virginia State Bar was represented by Elizabeth K. Shoenfeld, Assistant Bar Counsel. Sharon Styles-Anderson was present and was not represented by counsel. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each member responded in the negative. Court Reporter, Jennifer L. Hairfield, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

**WHEREFORE**, upon consideration of the Agreed Disposition, the Subcommittee Certification, Respondent's Disciplinary Record Certification, the Arguments of the Parties, and after due deliberation,

It is **ORDERED** that the Disciplinary Board accepts the Agreed Disposition and the Respondent shall receive a Fifteen Month Suspension, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective January 17, 2017.

It is further **ORDERED** that a certified copy of the Agreed Disposition Memorandum Order shall be mailed to Wallace E. Shipp, Bar Counsel, Office of Disciplinary Counsel, Board on Professional Responsibility, District of Columbia Court of Appeals, 515 5th Street NW, Building A, Suite 117, Washington, DC 20001.

It is further **ORDERED** that:

The Respondent must comply with the requirements of Part Six, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail of the Revocation or Suspension of his or her license to practice law in the Commonwealth of Virginia, to all clients for whom he or she is currently handling matters and to all opposing attorneys and presiding Judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his or her care in conformity with the wishes of his or her clients. The Respondent shall give such notice within 14 days of the effective date of the Revocation or Suspension, and make such arrangements as are required herein within 45

days of the effective date of the Revocation or Suspension. The Respondent shall also furnish proof to the Bar within 60 days of the effective day of the Revocation or Suspension that such notices have been timely given and such arrangements made for the disposition of matters.

It is further ORDERED that if the Respondent is not handling any client matters on the effective date of the Revocation or Suspension, he or she shall submit an affidavit to that effect within 60 days of the effective date of the Revocation or Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13-29 shall be determined by the Virginia State Bar Disciplinary Board, which may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of this subparagraph.

The Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9 E. of the Rules.

A copy teste of this Order shall be mailed, certified mail, return receipt requested, to the Respondent, Sharon Styles-Anderson, at her last address of record with the Virginia State Bar, 700 Southern Avenue S.E., Washington, DC 20032, and a copy by first class mail to the Honorable Patricia L. Harrington, Clerk, Supreme Court of Virginia, at 100 North 9<sup>th</sup> Street, Fifth Floor, Richmond, VA 23219 with a copy hand-delivered to Elizabeth K. Shoenfeld, Assistant Bar Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-0026.

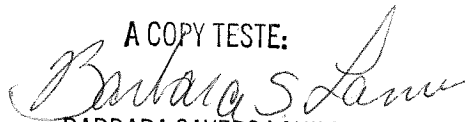
ENTERED THIS 17<sup>th</sup> DAY OF JANUARY, 2017

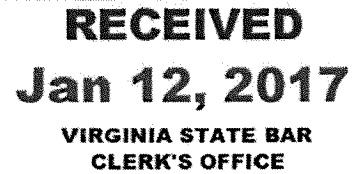
VIRGINIA STATE BAR DISCIPLINARY BOARD

**William H.  
Atwill**

Digitally signed by William H. Atwill  
DN: cn=William H. Atwill, o=Virginia  
State Bar, ou=Disciplinary Board,  
email=batwill@atandlpc.com, c=US  
Date: 2017.01.17 15:18:07 -05'00'

William H. Atwill, Jr., Chair

A COPY TESTE:  
  
BARBARA SAYERS LANIER  
CLERK OF THE DISCIPLINARY SYSTEM



VIRGINIA:

BEFORE THE DISCIPLINARY BOARD  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
SHARON STYLES-ANDERSON

VS B Docket No. 16-052-104305

AGREED DISPOSITION  
(15-MONTH SUSPENSION)

Pursuant to the Rules of the Virginia Supreme Court Rules of Court Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Elizabeth K. Shoenfeld, Assistant Bar Counsel and Sharon Styles-Anderson, Respondent, *pro se*, hereby enter into the following Agreed Disposition arising out of this matter.

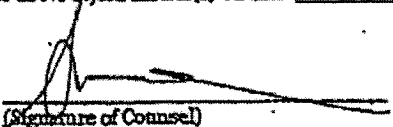
I. STIPULATIONS OF FACT

1. Respondent is not a member of the Virginia State Bar; rather, she is admitted to the District of Columbia Bar only. Because Respondent provided legal services in Virginia as set forth below, she is subject to the disciplinary authority of Virginia pursuant to Rule 8.5 of the Rules of Professional Conduct.
2. On August, 21, 2015, Rhonita and Carlos Fields, the mother and stepfather of minor M.J., retained Respondent to represent M.J. with regard to a criminal matter pending in the Juvenile and Domestic Relations Court for Fairfax County, Virginia. M.J. was accused of murder and robbery. Respondent agreed to represent M.J. because Mr. Fields was her neighbor and friend.
3. Respondent's retainer agreement contained the following provision with regard to payment:

I will require a retainer/deposit of \$5,000 to undertake this representation. This retainer . . . is non-refundable. You specifically waive any issue of a deposit of fees or removal of fees from any escrow/attorney accounts, and specifically agree to forgo the option of depositing the fee into an escrow account. By remitting the fee, you consent to an arrangement by which the fee will be treated as the property of Counsel.
4. Respondent collected at least \$5,750.00 in legal fees, at least \$5,000.00 of which were advanced legal fees, from the family of M.J. Upon information and belief, and as set forth in her agreement, Respondent did not deposit these funds into an attorney trust account.

- On September 8, 2015, Respondent appeared at M.J.'s arraignment in the Juvenile and Domestic Relations ("J&DR") Court for Fairfax County, Virginia. She was not accompanied by a Virginia-licensed attorney and she had not been admitted *pro hac vice*. During the arraignment, the presiding judge asked Respondent to formally note her appearance with the Court. Respondent signed and submitted an Appearance of Counsel as follows:

**APPEARANCE OF COUNSEL**

The Court will please note the appearance of the undersigned as Counsel for  
[REDACTED] in the above styled matter(s) on this 8<sup>th</sup> day of  
Sept, 2015.  
  
 (Signature of Counsel)

Susan Anderson, Esq.  
 Name of Counsel (please print)  
710 Northern Ave NE Wash DC 20012  
 Address (please print)  
301.370.9855  
 Telephone Number  
 Virginia State Bar No.: 412158

- The number "412158" is actually Respondent's District of Columbia Bar number. Nowhere on the Appearance of Counsel document did Respondent indicate that she was not barred in Virginia.
- After the arraignment, Respondent engaged in plea discussions with Assistant Commonwealth's Attorney John Murphy, who was unaware that Respondent was not licensed in Virginia. On September 23, 2015, Respondent traveled to Mr. Murphy's office in Fairfax, Virginia and discussed the case with him.
- On September 29, 2015, the J&DR Court for Fairfax County, Virginia held a hearing on a motion to continue M.J.'s case. Respondent appeared for this hearing by telephone, based on her representation that no one from her office could attend because "we are in a training that I forgot about out of town." No Virginia-licensed attorney participated in the hearing on M.J.'s behalf.
- On October 5, 2015, Respondent emailed Mr. Murphy and Detective Needels, the lead detective on M.J.'s case, to request a conference call at 2:00 p.m. that same day.
- The next morning, October 6, 2015, Mr. Murphy emailed Respondent and said that he had "discussed your proffer with Detective Needels" and had a proposal for resolving the matter.

11. On October 6, 2015 at 4:38 PM, Mr. Murphy emailed Respondent to put his plea offer in writing. He proposed that if M.J. pleaded guilty to second degree murder and cooperated with law enforcement, the Commonwealth would not charge M.J. with any other crimes related to the murder and would recommend a blended sentence of placement in a juvenile correction center until M.J. turned 21, then probation.
12. Shortly after he emailed Respondent the plea offer, Mr. Murphy spoke with Respondent on the phone. Mr. Murphy asked Respondent if she was licensed in Virginia, and Respondent admitted that she was not. Mr. Murphy told Respondent she could not do anything with the Court, including appearing on a motion to continue, unless she associated with a member of the Virginia Bar. As of the evening of October 6, 2015, Mr. Murphy believed, based on Respondent's representations, that Respondent had a local counsel who would be noting his or her appearance in the case.
13. After Respondent spoke with Mr. Murphy, she called Virginia attorney Brenton Vincenzes. She told him that the Virginia attorney she previously had lined up had a "problem" and asked if Mr. Vincenzes would sponsor her admission. Mr. Vincenzes said that he did not agree to serve as Respondent's local counsel during this conversation, but Respondent said that Mr. Vincenzes did agree to serve as her local counsel. Respondent and Mr. Vincenzes exchanged email addresses.
14. That same evening at 9:33 PM, Respondent forwarded Mr. Murphy's plea offer to Mr. Vincenzes.
15. Five minutes later, Respondent emailed Mr. Murphy, copying Mr. Vincenzes, and said that Mr. Vincenzes would be handling the matter with her and that he would appear in court the next day to request a continuance.
16. Less than an hour later, Mr. Vincenzes emailed Respondent and said that he would not file an appearance of counsel in M.J.'s case. Rather, he said that he had to meet Respondent and M.J. in person before he could agree to enter his appearance on the case. He suggested another Virginia attorney, Lilith O'Connell, as possible local counsel for Respondent.
17. The following morning, October 7, 2015, Respondent called Ms. O'Connell. Respondent asked if Ms. O'Connell was available that afternoon and Ms. O'Connell said she was. Respondent told Ms. O'Connell that she would call her back and tell her what she needed.
18. According to Ms. O'Connell, Respondent did not call her back until hours later. During that second call, Respondent provided details of M.J.'s case and asked if Ms. O'Connell would serve as her local counsel for the case.
19. Ms. O'Connell and Respondent provided different accounts regarding how Ms. O'Connell responded. According to Ms. O'Connell, she told Respondent that she was not interested, and when Respondent continued to pressure her, Ms. O'Connell said that she would check with her supervisor, but that she doubted her supervisor would approve.

20. In contrast, Respondent's recollection was that Ms. O'Connell initially agreed to serve as the local counsel for M.J. and to sponsor Respondent's admission *pro hac vice*.
21. At 12:30 PM that same day, Respondent called Ms. O'Connell back and told her that she had already told Assistant Commonwealth's Attorney Murphy that Ms. O'Connell would be present at the hearing. Ms. O'Connell rushed to the courthouse and on the way there called the judge's chambers to advise that she would be late. When Ms. O'Connell arrived, she told Mr. Murphy that that she was not involved in the case and was unwilling to sponsor Respondent's admission into the case. Mr. Murphy asked Ms. O'Connell if she wanted to be appointed as counsel for M.J., and Ms. O'Connell declined.
22. Because M.J. was unrepresented for the October 7, 2015 hearing, the Court continued the case and appointed attorney Seth Howard as M.J.'s counsel and attorney John Jacob as M.J.'s guardian ad litem.
23. After the October 7, 2015 hearing, Mr. Murphy emailed Respondent:

From: [John.Murphy@fairfaxcounty.gov](mailto:John.Murphy@fairfaxcounty.gov)  
To: [ssanderson2@hotmail.com](mailto:ssanderson2@hotmail.com)  
Subject: RE: Marquez Jackson mtg next week  
Date: Wed, 7 Oct 2015 18:33:09 +0000

Please be advised that, contrary to your representations, the attorney who appeared today refused to enter her appearance in this matter. Today the Court appointed Mr. Seth Howard counsel in this case. Any offers made to you are hereby withdrawn.

24. After receiving Mr. Murphy's email, Respondent called Mr. Howard. She told Mr. Howard that Ms. O'Connell was supposed to sponsor her admission and that Respondent had already been involved in plea negotiations with the prosecutor. Mr. Howard agreed to meet Respondent and M.J. the next day.
25. On October 8, 2015, Mr. Howard met with M.J. and then met separately with Respondent. According to Mr. Howard, Respondent again said that Ms. O'Connell was going to sponsor her appearance, despite the fact that Ms. O'Connell had previously declined to do so. Mr. Howard told Respondent that she needed to have a motion to sponsor her appearance filed as soon as possible. Respondent asked Mr. Howard to sponsor her appearance, but he refused.
26. On October 14, 2015, Mr. Howard appeared for a hearing regarding the transfer of M.J.'s case to Circuit Court. Respondent was present in the courthouse but did not enter the courtroom when the case was called.
27. On October 21, 2015, the Court entered an order substituting Virginia attorney Robert Whitestone, who was retained by M.J.'s family, for Mr. Howard.
28. During the more than seven weeks that Respondent purported to represent M.J., Respondent never disclosed to the court that she was not a Virginia attorney. In fact, Respondent affirmatively misrepresented her status as a non-Virginia attorney when she filed her Appearance of Counsel.

29. Respondent did not disclose to Assistant Commonwealth's Attorney Murphy, in writing or otherwise, that she was not a Virginia attorney until October 6, 2015. By that time, Respondent had already made two court appearances and attempted to negotiate a plea deal.
30. Respondent never found a Virginia-licensed attorney who agreed to serve as her local counsel, and therefore, a motion seeking Respondent's admission *pro hac vice* was never filed.
31. After Respondent was discharged of her duties, Mr. and Mrs. Fields retained District of Columbia attorney Jonathan Love for the purpose of getting their money back from Respondent.
32. On October 15, 2015, Respondent wrote Mr. Love a check for \$6,250<sup>1</sup> from her personal checking account. On October 26, 2015, Mr. Love was notified that the check was returned for insufficient funds. By the time he learned that Respondent's check bounced, Mr. Love had already written a check to M.J.'s family for the recovered funds.
33. When Mr. Love contacted Respondent about the returned check, Respondent said that she no longer had Mr. and Mrs. Fields' money. She agreed to initiate a payment plan. Although Respondent repaid Mr. Love in full, it took her several months to do so.
34. After the Virginia State Bar concluded its investigation, Respondent provided additional information reflecting that in October 2015, she contacted additional Virginia lawyers to request that they serve as local counsel and sponsor her admission *pro hac vice*. These other attorneys were unable to assist with the representation.

## II. NATURE OF MISCONDUCT

Such conduct by the Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

### RULE 1.3     Diligence

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

### RULE 1.15     Safekeeping Property

- (a) Depositing Funds.

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<sup>1</sup> The \$6,250 represented the \$5,750 that Mr. and Mrs. Fields had paid Respondent to represent M.J. plus an additional \$500 for Mr. Love's attorney's fees.

(1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts; all other property held on behalf of a client should be placed in a safe deposit box or other place of safekeeping as soon as practicable.

(b) Specific Duties. A lawyer shall:

(2) identify and label securities and properties of a client, or those held by a lawyer as a fiduciary, promptly upon receipt;

(3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;

(4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive; and

(5) not disburse funds or use property of a client or third party without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

#### RULE 1.16 Declining Or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(1) the representation will result in violation of the Rules of Professional Conduct or other law;

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

#### RULE 5.5 Unauthorized Practice Of Law; Multijurisdictional Practice of Law

(c) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

(d) Foreign Lawyers:

(2) A Foreign Lawyer shall not, except as authorized by these Rules or other law:



(ii) hold out to the public or otherwise represent that the Foreign Lawyer is admitted to practice law in Virginia.

(3) A Foreign Lawyer shall inform the client and interested third parties in writing:

- (i) that the lawyer is not admitted to practice law in Virginia;
- (ii) the jurisdiction(s) in which the lawyer is licensed to practice; and
- (iii) the lawyer's office address in the foreign jurisdiction.

**RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law . . . .

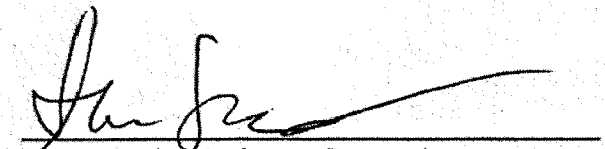
**III. PROPOSED DISPOSITION**

Accordingly, Assistant Bar Counsel and Respondent tender to the Disciplinary Board for its approval the agreed disposition of a 15-month suspension from the practice of law in Virginia as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

THE VIRGINIA STATE BAR

By:   
Elizabeth K. Shoenfeld, Assistant Bar Counsel



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Sharon Styles-Anderson, Respondent