

**DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY**



In the Matter of :
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KISSINGER SIBANDA, :
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 Petitioner : **BDN:**
 : **DDN: 2025-D172**
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A Suspended Member of the Bar of the :
District of Columbia Court of Appeals :
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Bar Registration No. 1017426 :
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**DISCIPLINARY COUNSEL’S ANSWER TO
PETITIONER’S PETITION FOR REINSTATEMENT**

Disciplinary Counsel files this Answer to Petitioner’s Petition for Reinstatement pursuant to Board Rule 9.7(a) and D.C. Bar Rule XI, § 16(d). Disciplinary Counsel requests that this matter be assigned to a hearing committee and that a hearing be scheduled.

On August 21, 2025, the District of Columbia Court of Appeals ordered Petitioner suspended for 30 days with the requirement that he demonstrate fitness to practice law prior to reinstatement. *In re Sibanda*, Case No. 24-BG-0690 (D.C. August 21, 2025). The underlying disciplinary proceeding was based on Petitioner’s unauthorized disclosure of information learned from a prospective client to third parties, including the prospective client’s opposing party in a lawsuit. *Id.*

Because Petitioner’s misconduct (revealing prospective client confidences) is

“closely bound up with [Petitioner’s] role and responsibilities as an attorney” “heightened scrutiny” is applied to the other *Roundtree* factors. See *In re Joseph*, 287 A.3d 1248, 1251 (D.C. 2023), citing *In re Yum*, 187 A.3d 1289 (D.C. 2018). Petitioner bears the burden in this proceeding to demonstrate by clear and convincing evidence that he has the moral qualifications, competency, and learning in the law required for readmission, and that his resumption of the practice of law will not be detrimental to the integrity and standing of the bar, or to the administration of justice, or subversive to the public interest. D.C. Bar R. XI, § 16(d)(1); Bd. Rule 9.1(c). The particular factors to be addressed in this reinstatement proceeding (the “*Roundtree* factors”) are: (i) the nature and circumstances of the misconduct for which the attorney was disciplined; (ii) the attorney’s recognition of the seriousness of such misconduct; (iii) the attorney’s post-discipline conduct, including steps taken to remedy past wrongs and prevent future ones; (iv) the attorney’s present character; and (v) the attorney’s present qualifications and competence to practice law. Board Rule 9.1(c); see also *In re Roundtree*, 503 A.2d 1215, 1217 (D.C. 1985) (setting forth the standard adopted in the Board Rules).

Given the seriousness of the underlying conduct and Petitioner’s conduct since the imposition of sanction, Petitioner has not demonstrated eligibility for reinstatement under the *Roundtree* factors. Accordingly, Disciplinary Counsel contests the petition.

Answers to Factual Allegations in the Petition for Reinstatement

Disciplinary Counsel responds below to the material facts alleged in the Petition. Disciplinary Counsel has organized its responses according to the numbering in Petitioner's petition for reinstatement.

1. Deny. Petitioner's summary of the misconduct is incomplete.
2. Whether the standards for reinstatement have been met is a conclusion of law for the Hearing Committee to decide.
3. Admit the statements that Petitioner complied with Rule XI, Section 14(g) and stopped using his law office email. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in the remainder of this paragraph. To the extent any of the remaining statements pertain to the standards for reinstatement, those are conclusions of law for the Hearing Committee to decide.
4. Admit the statement that Petitioner completed CLE courses and provided the certificates to Disciplinary Counsel. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in the remainder of this paragraph. To the extent any of the remaining statements pertain to the standards for reinstatement, those are conclusions of law for the Hearing Committee to decide.
5. Whether the standards for reinstatement have been met is a conclusion of

law for the Hearing Committee to decide.

Answers to Factual Allegations in Petitioner's Addendum Petition for Reinstatement

Disciplinary Counsel responds below to the facts alleged in the Addendum under "Post Discipline Conduct." As to all other portions of the Addendum, whether the standards for reinstatement have been met is a conclusion of law for the Hearing Committee to decide. To the extent that factual allegations are made, Disciplinary Counsel lacks sufficient knowledge to respond to the assertions in the Addendum.

1. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.
2. Admit the statements that Petitioner complied with Rule XI, Section 14(g) and stopped using his law office email. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in the remainder of this paragraph. To the extent any of the remaining statements pertain to the standards for reinstatement, those are conclusions of law for the Hearing Committee to decide.
3. Admit.
4. Admit that Petitioner started using his Gmail account, kissinger.sibanda@gmail.com, in correspondence with Disciplinary Counsel. Disciplinary Counsel lacks sufficient knowledge to admit or deny whether Petitioner used this email account in all correspondence.

5. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.
6. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.
7. Admit.
8. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.
9. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.
10. Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements in this paragraph.

Answers to Factual Allegations in Petitioner's Second Addendum Petition for Reinstatement

To the extent that this Second Addendum alleges facts, Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements contained therein. To the extent any of the statements pertain to the standards for reinstatement, those are conclusions of law for the Hearing Committee to decide.

Answers to Factual Allegations in Petitioner's Third Addendum Petition for Reinstatement

There do not appear to be any additional factual allegations in the Third Addendum. To the extent that there are, Disciplinary Counsel lacks sufficient

knowledge to admit or deny the statements contained therein.

Answers to Factual Allegations in Petitioner's Fourth Addendum Petition for Reinstatement

To the extent that this Fourth Addendum alleges facts, Disciplinary Counsel lacks sufficient knowledge to admit or deny the statements contained therein. To the extent any of the statements pertain to the standards for reinstatement, those are conclusions of law for the Hearing Committee to decide.

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If Disciplinary Counsel is deemed not to have answered any allegation in the Petition for Reinstatement and the four addenda, Disciplinary Counsel denies each such allegation and demands strict proof. No admission of fact should be interpreted as a concession by Disciplinary Counsel that one or more of the *Roundtree* factors has been satisfied. Disciplinary Counsel reserves the right to amend and supplement this Answer, as its investigation is ongoing.

Respectfully submitted,



Dru M. Foster
Assistant Disciplinary Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing to be served on the Board of Professional Responsibility via email at casemanager@dcbpr.org and on Petitioner via e-mail at kisinger.sibanda@gmail.com on December 18, 2025.



Dru. M. Foster