THE FOLLOWING INFORMAL ADMONITION WAS ISSUED
BY BAR COUNSEL ON
October 29, 2007

BY FIRST-CLASS AND CERTIFIED
MAIL NO. 71603901984512228255

Romney Wright, Esquire
Law Offices of Romney Wright
2104 C Gallows Road
Vienna, VA 22192-3929

Re: *In re Romney Wright, Esquire*
D.C. Bar No. 319491
Bar Docket No. 2007-D193

Dear Ms. Wright:

This office has completed its investigation of the above-referenced matter. We find that your conduct reflected a disregard of certain ethical standards under the District of Columbia Rules of Professional Conduct (the "Rules"). We are, therefore, issuing you this Informal Admonition pursuant to D.C. Bar Rule XI, sections 3, 6, and 8.

We docketed this matter on June 6, 2007, based upon an ethical complaint filed by your former client, "N.A.", who states that in December 2003, he hired you to represent him in an immigration matter involving his application for Permanent Residence or Adjustment of Status by way of substitution in a Labor Certificate.[1] N.A. states that in September 2006, you failed to notify him that United States Citizenship and Immigration Services ("USCIS") had sent a letter of intent to deny his application dated September 7, 2006, giving him 30 days to respond. N.A. states that he moved in October 2005, and provided you with his new address. He also states that you had his current cell phone number, facsimile number, work phone number, and email address, which had not changed.

[1] A labor certificate is issued based on a petition filed by an employer with the Department of Labor asking for a determination that there are no qualified U.S. workers available and applying to fill an open position. Once there is a labor certificate, the employer can file an Immigrant Petition for Alien Worker (Form I-140). Until recently, if the immigrant named in the petition was no longer available, the employer could substitute a different immigrant in the petition. This "substitution" process is no longer allowed.

In letters dated July 13 and August 3, 2007, you respond that in September 2006, you sent N.A.the USCIS letter of intent and of your intent to withdraw from the representation via Federal Express to his last known address. You state that N.A. did not notify you that he had moved and changed his address. You state that on October 4, 2006, Federal Express returned the letter to you.

We find as follows: On December 23, 2003, N.A. hired you to represent him in an immigration matter involving his application for Permanent Residence or Adjustment of Status based on a Labor Certificate. You discussed with N.A. the submission of an approved Labor Certificate as a full-time commercial cleaner with United States Services Industries ("USSI"). In February 2004, you filed the Adjustment of Status and Employment Authorization with USCIS on behalf of N.A.

In July 2005, USSI fired N.A. and subsequently withdrew its I-140 Immigration Petition filed on behalf of N.A. because his employment with the company had been terminated. In October 2005, N.A. moved to a new address. Although you deny that N.A. provided you with his new home address, you had his email address, cell phone number, fax number, and work number on file, none of which had changed.

In a letter dated September 7, 2006, and sent to N.A. care of your office, USCIS notified N.A. of its intent to deny his Application to Register Permanent Residence or Adjust Status unless he submitted additional material. The letter stated that the rejection was based on the fact that the immigrant visa petition he had filed, which had been approved, was revoked. The letter notified N.A. that a final decision would not be made on his application for thirty (30) days, and during that time, he could submit additional evidence showing that he was eligible. You received the letter on September 13, 2006. On September 22, 2006, you sent the USCIS letter to N.A.'s former address via Federal Express, along with a letter informing him that you were withdrawing from the representation. N.A. did not receive this letter. You did not attempt to communicate with N.A. by any other means, even though you had his current cell phone number, work number, facsimile number, and email address. On October 4, 2006, the Federal Express package was returned to your office with the comment that the address was correct, but the recipient was no longer at that address. After receiving the returned correspondence, you did not make any effort to contact N.A., or to request that USCIS extend the deadline for his response.

Four months later, in February 2007, N.A. contacted USCIS and discovered that his Application for Permanent Residence had been denied. After he determined the status of his application, N.A. met with your office administrator who provided N.A. with the unopened Federal Express package and a complete copy of the client file. In May 2007, USCIS notified N.A. that his application had been denied because he had not submitted additional evidence within 30 days of the September 7, 2006 letter, and he had no right to appeal the decision.

Rule 1.4(a) provides: "A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information." You received the letter of intent to deny N.A.'s application on September 13, 2007. Even though you knew that N.A. had 30 days to submit additional information to USCIS, you delayed sending the USCIS letter for over a week. You made no other effort to notify N.A. of the USCIS letter of intent and the 30-day time limit for submitting a response, either before or after Federal Express returned the letter to you, even though you had N.A.'s current contact information, including his cell phone, work phone, facsimile number, and email address. We conclude that you violated Rule 1.4(a) by failing to ensure that N.A. had notice of the USCIS letter before the expiration of the 30-day period.

Rule 1.16(d) states, in pertinent part: "In connection with termination of representation, a lawyer shall take timely 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, surrendering papers and property to which the client is entitled . . ." On September 22, 2006, along with the USCIS letter of intent to deny N.A.'s application, you sent a letter notifying N.A. that you were withdrawing from the representation. As noted above, N.A. faced a quickly approaching deadline for responding to the USCIS letter of intent. You did not advise USCIS of your intent to withdraw, nor did you seek additional time for N.A. to retain counsel or to proceed *pro se*. You did not attempt to contact N.A. through any other method of communication to discuss your decision to withdraw from the representation. Even if N.A. had received the letter, it is unlikely that he could have hired another lawyer to prepare a response to the USCIS letter of intent in a timely manner. We conclude that you violated Rule 1.16(d) by terminating the representation at that point in the process and by failing to promptly notify N.A. of your withdrawal.

We have considered other allegations of misconduct set forth in the ethics complaint, but we do not find clear and convincing evidence of other misconduct.

In issuing this Informal Admonition, we have taken into consideration that you cooperated with our investigation, and you accept responsibility for your actions because you have indicated your intention to accept this informal admonition.

This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, sections 3, 6, and 8, and is public when issued. Please refer to the attachment to this letter of Informal Admonition for a statement of its effect and your right to have it vacated and have a formal hearing before a hearing committee.

If you would like to have a formal hearing, you must submit a written request for a hearing to the Office of Bar Counsel, with a copy to the Board on Professional Responsibility, within 14 days of the date of this letter, unless Bar Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated, and Bar Counsel will institute formal charges pursuant to D.C. Bar R. XI, § 8 (b). The case will then be assigned to a Hearing Committee, and a hearing will be scheduled by the Executive Attorney for the Board on Professional Responsibility pursuant to

D.C. Bar R. XI, § 8 (c). Such a hearing could result in a recommendation to dismiss the charges against you or a recommendation for a finding of culpability, in which case the sanction recommended by the Hearing Committee is not limited to an Informal Admonition.

Sincerely,

Wallace E. Shipp, Jr.
Bar Counsel

WES:BN:itm

Enclosure: Attachment to Letter of Informal Admonition

cc (w/o Encl.): N.A.