

DISTRICT OF COLUMBIA COURT OF APPEALS

In re M. Adriana Koeck, a/k/a Adriana Sanford

178 A.3d 463 (D.C. 2018) · No. 14-BS-1462 · Decided February 8, 2018

SUMMARY

The District of Columbia Court of Appeals imposed a sixty-day suspension with a fitness requirement on M. Adriana Koeck for violating D.C. Rule of Professional Conduct 1.6(a) by disclosing confidential information. The court adopted the Board on Professional Responsibility's uncontested findings and recommendation, noting that the respondent did not participate in the disciplinary proceedings or file exceptions. The suspension would begin when the respondent filed an affidavit complying with D.C. Bar Rule XI, § 14(g).

CASE DETAILS

COURT	District of Columbia Court of Appeals
WRITING FOR THE COURT	Per Curiam; Fisher; Beckwith; Easterly
JURISDICTION	District of Columbia
DECIDED	February 8, 2018
DOCKET	14-BS-1462
DISPOSITION	other
PROCEDURAL POSTURE	The District of Columbia Court of Appeals reviewed the Board on Professional Responsibility's uncontested report and recommendation concerning attorney discipline. No exceptions were filed.
STANDARD OF REVIEW	When no exceptions are filed to the Board's report and recommendation, the court applies an especially deferential standard of review and ordinarily enters the discipline recommended by the Board absent reason to depart from it.
PRECEDENTIAL VALUE	published

TOPICS

[appellate procedure](#) [standard of review](#) [remedies](#)

PRACTICE AREAS

[legal ethics and attorney discipline](#) [professional responsibility](#) [appellate procedure](#)

QUESTIONS PRESENTED

1. Whether the court should accept the Board's uncontested determination that Koeck violated D.C. Rule of Professional Conduct 1.6(a).
2. Whether a sixty-day suspension with a fitness requirement was an appropriate sanction.
3. Whether the suspension period should be conditioned on filing an affidavit satisfying D.C. Bar Rule XI, § 14(g).

HOLDINGS

1. When no exceptions are filed to the Board's report and recommendation, the court will enter an order imposing the discipline recommended by the Board upon expiration of the period for filing exceptions, absent a reason to depart from the Board's determination.
2. The court accepted the uncontested finding that Koeck violated Rule 1.6(a) by disclosing confidential information of a prior client to a newspaper reporter and providing no defense for the disclosure.
3. A sixty-day suspension with reinstatement conditioned on a showing of fitness was reasonable under the circumstances.

KEY QUOTATIONS

“if no exceptions are filed to the Board’s report, the [c]ourt will enter an order imposing the discipline recommended by the Board upon the expiration of the time permitted for filing exceptions.” (at 2)

“When . . . there are no exceptions to the Board’s report and recommendation, our deferential standard of review becomes even more deferential.” (at 2)

FACTUAL BACKGROUND

Koeck disclosed confidences and secrets of a former employer to a newspaper reporter. She also made separate disclosures to the United States Attorney's Office for the Northern District of Illinois, the government of Brazil, and the Securities and Exchange Commission, and did not respond to Disciplinary Counsel's request for information. She did not participate in the disciplinary proceedings or object to the recommended discipline.

PROCEDURAL HISTORY

An Ad Hoc Hearing Committee found that M. Adriana Koeck violated D.C. Rule of Professional Conduct 1.6(a) by disclosing confidential information of a former employer and recommended a thirty-day suspension with a fitness requirement. The Board on Professional Responsibility adopted the findings, determined that there were four violations, and recommended a sixty-day suspension with a fitness requirement. Koeck did not participate in the proceedings or file exceptions, and the Court imposed the Board's recommended discipline.

DISPOSITION

other

CASES CITED

- In re Viehe, 762 A.2d 542, 543 (D.C. 2000)
- In re Burton, 472 A.2d 831, 846 (D.C. 1984)
- In re Martin, 67 A.3d 1032, 1053 (D.C. 2013)
- In re Cater, 887 A.2d 1, 6 (D.C. 2005)

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