

COURT OF APPEALS OF MARYLAND

Attorney Grievance Commission of Maryland v. Jude Ambe

Attorney Grievance Commission of Maryland v. Jude Ambe · No. Misc. Docket AG No. 21, September Term, 2018 · Decided October 21, 2019

SUMMARY

The Maryland Court of Appeals held that Jude Ambe violated multiple Maryland Attorneys' Rules of Professional Conduct while representing an immigration client. The violations included failure to appear at hearings, inadequate preparation and communication, neglect, misrepresentations, unreasonable fees, and improper handling of client funds. Considering the violations and aggravating factors, the Court ordered disbarment.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	Barbera, C.J.; McDonald, J.; Watts, J.; Hotten, J.; Getty, J.; Booth, J.; Adkins, J.; Sally D. Adkins, Senior Judge, specially assigned
JURISDICTION	Maryland
DECIDED	October 21, 2019
DOCKET	Misc. Docket AG No. 21, September Term, 2018
DISPOSITION	other
PROCEDURAL POSTURE	The Attorney Grievance Commission of Maryland petitioned the Court of Appeals for disciplinary or remedial action against Respondent Jude Ambe. Following an evidentiary hearing before a designated hearing judge, the Court independently reviewed the record, adopted most of the hearing judge's findings and conclusions, and determined the appropriate sanction.
STANDARD OF REVIEW	The Court of Appeals conducts an independent review of the record. It will not disturb the hearing judge's factual findings unless they are clearly erroneous or successfully excepted to, and it reviews conclusions of law without deference.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Attorney Grievance Commission of Maryland v. Jude Ambe

TOPICS

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asylum

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PRACTICE AREAS

legal ethics and professional responsibility

attorney discipline

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QUESTIONS PRESENTED

1. Whether the hearing judge's factual findings and conclusions of law concerning Ambe's alleged professional misconduct were clearly erroneous or otherwise should be overturned.
2. Whether Ambe violated the Maryland Attorneys' Rules of Professional Conduct governing competence, scope of representation, diligence, communication, fees, safekeeping property, termination of representation, candor toward a tribunal, disciplinary matters, and professional misconduct.
3. Whether aggravating and mitigating factors affected the appropriate disciplinary sanction.
4. Whether disbarment was the appropriate sanction for Ambe's misconduct.

HOLDINGS

1. The Court independently reviews the record; factual findings are left undisturbed unless clearly erroneous or successfully excepted to, while conclusions of law are reviewed without deference.
2. Ambe violated MARPC 19-301.1, 19-301.2(a), 19-301.3, 19-301.4(a) and (b), 19-301.5(a), 19-301.15(a) and (c), 19-301.16(a) and (d), 19-303.3(a), 19-308.1(a), and 19-308.4(a), (c), and (d).
3. The Court found multiple aggravating factors, including prior disciplinary offenses, dishonest or selfish motive, multiple offenses, deceptive statements, refusal to acknowledge wrongdoing, vulnerability of the client, substantial experience, and indifference to restitution, and found no mitigating factors that warranted reducing the sanction.
4. Disbarment was the appropriate sanction for Ambe's numerous professional-conduct violations, dishonesty, neglect and abandonment of a vulnerable client, mishandling of funds, and failure to maintain records, considered together with the aggravating factors and absence of mitigation.

KEY QUOTATIONS

“Considering the numerous violations of the MARPC, in conjunction with the aggravating factors and lack of mitigating factors discussed above, we disbar Respondent.” (at 29)

“Sanctions are imposed to protect the public, not to punish the lawyer.” (at 28)

FACTUAL BACKGROUND

Jude Ambe, a New York-admitted immigration attorney who was not admitted to the Maryland Bar, represented Hans Yondo Ngale, a detained Cameroonian asylum applicant, in removal, asylum, bond, and appeal matters. Ambe failed to adequately prepare Ngale's asylum application and testimony, failed to appear at scheduled merits and bond hearings while traveling abroad, and failed to communicate material case developments. Ambe also failed to maintain client funds in an attorney trust account, failed to keep required records, withheld Ngale's

case file and unearned funds after termination, and made materially inconsistent statements to the Immigration Court and Bar Counsel.

PROCEDURAL HISTORY

Bar Counsel filed a disciplinary petition on September 20, 2018, alleging violations of multiple Maryland Attorneys' Rules of Professional Conduct. The Court transmitted the matter to the Circuit Court for Montgomery County and designated Judge James A. Bonifant to conduct an evidentiary hearing and issue proposed findings of fact and conclusions of law. After a February 2019 hearing, the Court reviewed Respondent's exceptions, accepted most of the hearing judge's findings, found numerous rule violations and aggravating factors, and ordered disbarment and payment of costs.

DISPOSITION

other

CASES CITED

- Attorney Grievance Comm'n v. McLaughlin, 456 Md. 172, 190 (2017)
- Attorney Grievance Comm'n v. Kremer, 432 Md. 325, 334 (2013)
- Attorney Grievance Comm'n v. McDonald, 437 Md. 1, 16 (2014)
- Attorney Grievance Comm'n v. Bellamy, 453 Md. 377, 393, 397 (2017)
- Attorney Grievance Comm'n v. Chanthunya, 446 Md. 576, 601 (2016)
- Attorney Grievance Comm'n v. White, 448 Md. 33, 58 (2016)
- Attorney Grievance Comm'n v. Hamilton, 444 Md. 163, 178, 180, 182, 189 (2015)
- Attorney Grievance Comm'n v. Shapiro, 441 Md. 367, 380 (2015)
- Attorney Grievance Comm'n v. Edwards, 462 Md. 642, 698 (2019)
- Attorney Grievance Comm'n v. Brown, 426 Md. 298, 320 (2012)
- Attorney Grievance Comm'n v. Reinhardt, 391 Md. 209, 218, 220 (2006)
- Attorney Grievance Comm'n v. Byrd, 408 Md. 449, 478 (2009)
- Attorney Grievance Comm'n v. Mooney, 359 Md. 56, 94 (2000)
- Attorney Grievance Comm'n v. Smith, 457 Md. 159, 216-17 (2018)
- Attorney Grievance Comm'n v. Framm, 449 Md. 620, 652-53 (2016)
- Attorney Grievance Comm'n v. Sanderson, 465 Md. 1, 52-53 (2019)
- Attorney Grievance Comm'n v. Lang & Falusi, 461 Md. 1, 44, 52 (2018)
- Attorney Grievance Comm'n v. Ross, 428 Md. 50, 78-79 (2012)
- Attorney Grievance Comm'n v. Davis, 375 Md. 131, 153 (2003)
- Attorney Grievance Comm'n v. Steinberg, 395 Md. 337, 365 (2006)
- Attorney Grievance Comm'n v. Moore, 447 Md. 253, 269 (2016)
- Attorney Grievance Comm'n v. Patterson, 421 Md. 708, 735-36 (2011)

- Attorney Grievance Comm'n v. Smith, 442 Md. 14, 34 (2015)
- Attorney Grievance Comm'n v. Butler, 456 Md. 227, 238 (2017)
- Attorney Grievance Comm'n v. Joseph, 422 Md. 670, 695, 699 (2011)
- Attorney Grievance Comm'n v. Ward, 394 Md. 1, 32 (2006)
- Attorney Grievance Comm'n v. Robbins, 463 Md. 411, 462-63 (2019)
- Attorney Grievance Comm'n v. Dore, 433 Md. 685, 708 (2013)
- Attorney Grievance Comm'n v. Barnett, 440 Md. 254, 267 (2014)
- Attorney Grievance Comm'n v. Worsham, 441 Md. 105, 129-30 (2014)
- Attorney Grievance Comm'n v. Landeo, 446 Md. 294, 352-53 (2016)
- Attorney Grievance Comm'n v. Thomas, 440 Md. 523, 558 (2014)
- Attorney Grievance Comm'n v. Aita, 458 Md. 101, 130, 138-39 (2018)
- Attorney Grievance Comm'n v. Walker-Turner, 428 Md. 214, 232 (2012)
- Attorney Grievance Comm'n v. Steinhorn, 462 Md. 184, 202 (2018)
- Attorney Grievance Comm'n v. Thompson, 462 Md. 112, 131, 134 (2018)
- Attorney Grievance Comm'n v. Lefkowitz, 463 Md. 165, 178-79 (2019)
- Attorney Grievance Comm'n v. Sperling, 434 Md. 658, 676-77 (2013)
- Attorney Grievance Comm'n v. Steinhorn, 462 Md. 184, 202 (2018)
- Attorney Grievance Comm'n v. Phillips, 451 Md. 653, 677 (2017)
- Attorney Grievance Comm'n v. Pennington, 387 Md. 565, 596 (2005)
- Attorney Grievance Comm'n v. Stein, 373 Md. 531, 537 (2003)
- Attorney Grievance Comm'n v. Peters-Hamlin, 447 Md. 520, 547-49 (2016)
- Attorney Grievance Comm'n v. Vanderlinde, 364 Md. 376, 414 (2001)
- Attorney Grievance Comm'n v. Mitchell, 445 Md. 241, 263 (2015)
- Attorney Grievance Comm'n v. Ambe, 425 Md. 98 (2012)
- In re Ambe, 951 N.Y.S.2d 242 (N.Y. App. Div. 2012)