

IN THE SUPREME COURT OF THE STATE OF DELAWARE

In the Matter of a )  
Member of the Bar of )  
the Supreme Court of ) No. 508, 2004  
the State of Delaware: ) (Board Case Nos. 45, 2003  
) and 8, 2004)  
WILLIAM M. CHASANOV, )  
)  
Respondent. )

Submitted: January 26, 2005

Decided: February 22, 2005

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

***ORDER***

This 22<sup>nd</sup> day of February 2005, it appears to the Court that:

1. On July 21, 2004, the Board on Professional Responsibility filed a Report in this disciplinary matter pursuant to Rule 9(d) of the Delaware Lawyers' Rules of Disciplinary Procedure. The Report involves a matter arising from Respondent William M. Chasanov's representation of two separate clients and sets forth its findings concerning Chasanov's violations of the Delaware Rules of Professional Conduct. In a separate Report filed on November 16, 2004, the Board recommended a two-year suspension. Chasanov has filed objections to both Reports. The Office of Disciplinary Counsel has filed a response to Chasanov's objections.

2. The first matter involved Chasanov's representation of Howard Brewster in the Family Court. After Brewster failed to make court-ordered alimony payments, the Family Court issued a Rule to Show Cause. At the hearing, Chasanov represented to the trial judge that Brewster was not in arrears because he had paid his ex-wife in full. The Board, however, found that although Brewster discharged the debt through settlement, the total amount of the debt was never actually paid.

3. Because of this misrepresentation, the Board found that Chasanov violated several disciplinary rules. In particular, the Board found that Chasanov failed to provide competent representation to his client;<sup>1</sup> failed to explain a matter to the extent reasonably necessary to permit his client to make informed decisions;<sup>2</sup> knowingly made a false statement of material fact to the Family Court;<sup>3</sup> engaged in act of dishonesty, fraud, deceit, or misrepresentation;<sup>4</sup> and engaged in conduct that was prejudicial to the administration of justice.<sup>5</sup>

4. The second matter involved Chasanov's representation of Thomas L. Henry. In that matter, Henry engaged Chasanov through a prepaid legal plan.

---

<sup>1</sup> PROF. COND. R. 1.1.

<sup>2</sup> *Id.* 1.4(b)

<sup>3</sup> *Id.* 3.3(A)(1)

<sup>4</sup> *Id.* 8.4(c).

<sup>5</sup> *Id.* 8.4(d).

Seeking to ascertain the status of an earlier civil case in which he was involved, Henry paid a \$250 retainer directly to Chasanov. After hearing nothing from Chasanov, Henry visited Chasanov's law firm on numerous occasions. Representatives of the law firm informed Henry that they had no record of his matter or the \$250 retainer. Henry then unsuccessfully requested a refund. Chasanov did not refund the retainer until after Chasanov's first hearing before the Board.

5. In connection with the Henry representation, the Board found that Chasanov violated several disciplinary rules. Specifically, the Board found that Chasanov failed to: act with reasonable diligence and promptness;<sup>6</sup> keep his client reasonably informed and to comply with his client's reasonable requests for information;<sup>7</sup> explain a matter to the extent reasonably necessary to permit his client to make informed decisions;<sup>8</sup> safeguard client funds and deliver funds to him on request;<sup>9</sup> and properly maintain his law practice books and records.<sup>10</sup>

6. The ODC initially recommended to the Board that Chasanov be suspended from practicing law for six months. The Board agreed that Chasanov

---

<sup>6</sup> *Id.* 1.3.

<sup>7</sup> *Id.* 1.4(a).

<sup>8</sup> *Id.* 1.4(b).

<sup>9</sup> *Id.* 1.15(b).

<sup>10</sup> *Id.* 1.15(d).

should be suspended, but disagreed over the suspension's length. Two panel members recommended a sanction of not less than two years and a dissenting panel member recommended a suspension of not less than six months and one day. The ODC now requests that we impose a two-year suspension as recommended by a majority of the Board, arguing that a two-year suspension is supported by the precedents of this Court.

7. With respect to the Henry matter, the Board's factual determinations regarding Chasanov's professional-conduct violations are well-founded. We note, however, that in the Brewster matter Chasanov committed to provide the Family Court with correspondence from the creditor disclosing the status of the debt. Chasanov also disclosed to the Family Court and the adverse party the creditor's contact person, which would have permitted verification of the debt's status. We find that these facts mitigate the severity of Chasanov's violations in the Brewster matter. Accordingly, the Court, having reviewed the matter on the parties' submissions, rejects the Board's recommendation of sanctions and concludes that a six-month suspension is appropriate.

NOW, THEREFORE, IT IS ORDERED that the Report of the Board on Professional Responsibility filed on July 21, 2004, is **APPROVED**. The Board's November 26, 2004, Report is **REJECTED**. The Court hereby directs that the

Respondent is suspended from practicing law in Delaware for six months, effective immediately. This matter is hereby **CLOSED**.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice