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DISTRICT OF COLUMBIA COURT OF APPEALS

No. 19-BG-107

IN RE KEVIN J. MCCANTS, RESPONDENT.

A Member of the Bar
of the District of Columbia Court of Appeals
(Bar Registration No. 493979)

On Report and Recommendation of the Board on Professional
Responsibility Hearing Committee Number Ten
Approving Petition for Negotiated Discipline

(DDN 459-12 & DDN 108-13)

(Decided: May 30, 2019)

Before GLICKMAN and BECKWITH, *Associate Judges*, and NEBEKER, *Senior Judge*.

PER CURIAM: This decision is non-precedential. Please refer to D.C. Bar R. XI, §12.1(d) regarding the appropriate citation of this opinion.

In this disciplinary matter, Hearing Committee Number Ten (the Committee) recommends approval of a petition for negotiated attorney discipline. *See* D.C. Bar R. XI, §12.1(c). The petition is based on respondent's voluntary acknowledgement that during his representation of two separate clients he violated D.C. Rules of

Professional Conduct 1.4(a), 1.4(b), 1.5(b), 1.15(a), and 1.16(d). The violations included failures to keep his clients reasonably informed, to provide them with written notice of his fees, to maintain complete records after termination of the representation, and to refund an unearned fee in a timely manner. The proposed discipline is a ninety-day suspension from the practice of law, stayed in favor of one year of unsupervised probation with conditions.

Having reviewed the Committee's recommendation in accordance with our procedures in uncontested disciplinary cases, *see* D.C. Bar R. XI, §12.1(d), we agree that this case is appropriate for negotiated discipline and that the proposed disposition is not unduly lenient or inconsistent with dispositions imposed for comparable professional misconduct. Accordingly, it is

ORDERED that respondent Kevin J. McCants is hereby suspended from the practice of law in the District of Columbia for ninety days, with the suspension being stayed in favor of one year of unsupervised probation subject to the following conditions: that respondent shall avoid future violations of the disciplinary rules of any jurisdiction in which he is licensed during his probationary period; that he shall promptly notify Disciplinary Counsel of any disciplinary complaint filed against him and, when determined, of its disposition and any other discipline imposed by a tribunal; that he shall complete a continuing legal education (CLE) course approved

by Disciplinary Counsel and provide proof of attendance at all CLE sessions and the results of all other training within thirty days of completion; and that he shall, within six months, engage the D.C. Bar's Practice Management Advisory Service to conduct a review of his law practice. Additionally, respondent agrees that in the event his probation is revoked and he is suspended from the practice of law in the District of Columbia, his reinstatement shall be conditioned on his demonstration of fitness to resume the practice of law.

So ordered.