

STATEWIDE GRIEVANCE COMMITTEE

Sharon Russell
Complainant

:

vs.

:

Grievance Complaint #07-0413

Kweku Hanson
Respondent

:

DECISION

Pursuant to Practice Book §2-35, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, conducted a hearing at the Superior Court, 235 Church Street, New Haven, Connecticut on November 7, 2007. The hearing addressed the record of the complaint filed on April 26, 2007, and the probable cause determination filed by the Hartford Judicial District Grievance Panel for Geographical Area 13 and the town of Hartford on July 19, 2007, finding that there existed probable cause that the Respondent violated Rules 1.3, 1.4 and 8.1(2) of the Rules of Professional Conduct and Practice Book §2-32(a)(1).

Notice of the hearing was mailed to the Complainant, to the Respondent, and to the Office of the Chief Disciplinary Counsel on October 1, 2007. Pursuant to Practice Book §2-35(d), Assistant Disciplinary Counsel Patricia King pursued the matter before this reviewing committee, assisted by legal intern Stephanie Tang of the Yale Law School Lawyering Ethics Project. The Complainant appeared at the hearing and testified. Four exhibits were admitted into evidence. The Respondent, who is currently incarcerated, was transported to the courthouse pursuant to a writ of habeas corpus, but declined to appear for the hearing.

This reviewing committee finds the following facts by clear and convincing evidence:

The Complainant and her husband, Carl Russell, retained the Respondent to represent Carl Russell in an immigration matter. Mr. Russell was ordered deported by the Immigration Court in 1997. The Respondent appealed to the Board of Immigration Appeals ("BIA"), which remanded to allow the Respondent to apply for a waiver of deportation on behalf of Mr. Russell. However, the Respondent arrived late to the December 7, 2003 hearing on the application and the Immigration Court ordered Mr. Russell's removal. The Respondent filed an appeal, but it was dismissed as untimely on May 6, 2004. In June of 2004, the Respondent filed a habeas corpus petition seeking to stay the deportation. The District Court granted the stay and the Respondent obtained two extensions of time for the case to be reopened. However, the Respondent never filed a motion to reopen, and on January 20, 2006, the District Court issued a notice of impending dismissal. The Respondent was given twenty days to respond, but the Respondent continued to

take no action, and the matter was dismissed on March 3, 2006. Mr. Russell was deported to Jamaica in December of 2006.

During the course of the representation, the Russells continued to pay the Respondent, but he failed to keep them informed as to the status of the matter and failed to return telephone calls.

This reviewing committee also considered the following:

In a letter to Disciplinary Counsel dated October 4, 2007, the Respondent contested his notice of the hearing, and also argued that the grievance complaint was without merit, having repeatedly told the Russells that the matter was a lost cause. The Respondent claimed he did all he could to forestall Mr. Russell's deportation. The Complainant denied ever having been told that Mr. Russell's case was a lost cause or would result in deportation.

This reviewing committee concludes by clear and convincing evidence that the Respondent violated the Rules of Professional Conduct. The Respondent's failure to diligently pursue the Russells' matter was in violation of Rule 1.3 of the Rules of Professional Conduct. The Respondent failed to adequately communicate with the Russells, in violation of Rule 1.4 of the Rules of Professional Conduct. The Respondent's failure to answer the grievance complaint was a violation of Practice Book §2-32(a)(1) and Rule 8.1(2) of the Rules of Professional Conduct. This reviewing committee directs Disciplinary Counsel to bring a presentment against the Respondent in Superior Court, for the imposition of whatever discipline is deemed appropriate.

(8)
asc

DECISION DATE: 3/7/08

Grievance Complaint #07-0413
Decision
Page 3



Attorney Hugh Cuthbertson

Grievance Complaint #07-0413
Decision
Page 4

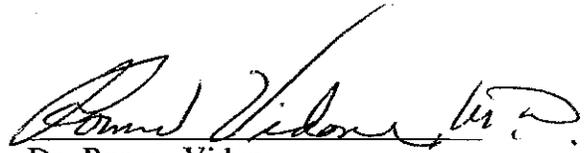


Attorney Margarita Moore

Grievance Complaint #07-0413

Decision

Page 5



Dr. Romeo Vidone