BEFORE THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, Petitioner	:	No. 25 DB 2020
	:	File No. C1-19-457
v.	:	
	:	Attorney Registration No. 85772
JAMES RICHARD LLOYD, III Respondent	:	(Philadelphia)

O R D E R

AND NOW, this 10th day of February, 2020, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said James Richard Lloyd, III of Philadelphia be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

Costs shall be paid by the Respondent.

BY THE BOARD:

Chair

TRUE COPY FROM RECORD
Attest:

Marcee D. Sloan, Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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OFFICE OF DISCIPLINARY COUNSEL Petitioner	:	No. 25 DB 2020
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v.	:	Attorney Registration No. 85772
JAMES RICHARD LLOYD, III Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

By Order dated February 10, 2020, the Board directed that James Richard Lloyd, III receive a public reprimand.

Respondent's conduct concerns his representation of Quran J. Herrington. In April 2019, Mr. Herrington, who was incarcerated, filed a complaint against Respondent alleging that Respondent had failed to communicate with him, and stating that Herrington had never heard of Respondent until April 2019, when Herrington received from Respondent a copy of a brief Respondent had filed on Herrington's behalf in the Pennsylvania Superior Court.

Following the filing of Herrington's complaint, Respondent was contacted in April 2019 by Disciplinary Counsel Robin Godfrey of the District I office, who informed Respondent of the nature of Herrington's complaint. In response to Ms. Godfrey's inquiry, Responded informed her that he had been appointed in June 2018 to represent Herrington, but "did not send the initial letter [informing him of such] until mid-July [2018]." Respondent provided Ms. Godfrey with copies of four letters that he stated he had sent to Herrington. The earliest letter was from Respondent to Herrington dated

July 16, 2018, addressed to Herrington through Smart Communications/PADOC, PO Box 33028, St. Petersburg, FL 33733.

Herrington never received the July 16, 2018 letter, as Respondent had never sent a July 16, 2018 letter to his client. In July 2018, the Smart Communications address was not operative within the Pennsylvania Department of Corrections as an address where communications could be sent to an inmate. This system did not begin to be operative until September 5, 2018. Therefore, on July 16, 2018, Respondent could have had no way of knowing that correspondence to an inmate could be addressed with the Smart Communications address.

Respondent created the July 16, 2018 letter after Ms. Godfrey contacted him in April 2019, in order to make it appear that Respondent had promptly contacted Herrington and had not waited ten months, from June 2018 until April 2019, to inform Herrington of the representation.

Based in part on Ms. Godfrey's receipt of the fabricated July 16, 2018 letter, which created the false impression that Respondent had promptly communicated with his client, Ms. Godfrey recommended that the complaint be dismissed, which recommendation was approved.

Respondent later admitted that he fabricated the July 16, 2018 letter.

By his conduct, Respondent violated the following Rules of Professional Conduct ("RPC"):

1. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client;
2. RPC 1.4(a)(3) and (b)– A lawyer shall keep the client reasonably informed about the status of the matter and shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation;
3. RPC 4.1(a) – In the course of representing a client a lawyer shall not knowingly make a false statement of material fact or law to a third person;
4. RPC 8.1(a) and (b) – A lawyer in connection with a disciplinary matter, shall not knowingly make a false statement of material fact or fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter;
5. RPC 8.4(b) – It is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
6. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation; and
7. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Respondent has no history of discipline since his admission to practice law in 2000.

Respondent's conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org

Board Chair