

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 77 DB 2023
Petitioner :
: File Nos. C4-21-518 & C4-22-842
v. :
: Attorney Registration No. 321416
CHRISTOPHER JOHN MARTINI :
Respondent : (Elk County)

ORDER

AND NOW, this 25th day of May, 2023, 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 CHRISTOPHER JOHN MARTINI 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:



Board Chair

TRUE COPY FROM RECORD
Attest:



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

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CHRISTOPHER JOHN MARTINI,	:	
Respondent	:	(Elk County)

PUBLIC REPRIMAND

Christopher John Martini, you appear before the Disciplinary Board for the imposition of a Public Reprimand ordered by the Board on May 25, 2023. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of the Commonwealth. Yet as repugnant as this task may be, it has been determined necessary that you receive this public discipline.

Attorney Martini, the record demonstrates that you are being reprimanded for your misconduct in two separate matters. In the first matter, in April of 2021, you were court-appointed to represent BM in her criminal matter. Prior to the appointment, you had never met your client and had no relationship with her. Between April 28, 2021 and June 25, 2021, you communicated with your client via the Snapchat social media platform. The Snapchat messages included sexually explicit language initiated by you and occurred during your representation of BM. Family members of BM discovered the messages on BM's cell phone and contacted you regarding the inappropriate nature of the relationship. However, despite the conflict of interest due to your personal interest in your client, you did not seek to withdraw from BM's case until you received a DB-7 Request from the Office of Disciplinary Counsel.

In the second matter, you entered into a fee agreement with William Brown to

represent him in a criminal appellate matter. Per the fee agreement, your representation included the filing of a post-sentence motion and appeal to the Pennsylvania Superior Court. You timely filed the post-sentence motion, which the trial court denied. Thereafter, you filed a Notice of Appeal to the Superior Court and a Concise Statement of Matters Complained of on Appeal. Ultimately, you failed to timely file a brief, resulting in the dismissal of the appeal. The Superior Court's Order dismissing the appeal specifically noted that the appeal had been dismissed on two occasions and reinstated following applications filed by you, and that you had been apprised that no more extensions would be granted and failure to file the "late brief" would result in the appeal being dismissed. The Superior Court's Order further directed the Superior Court Prothonotary to refer you to the Disciplinary Board. You failed to advise your client that his appeal had been dismissed as a result of your failure to file a brief on his behalf. Upon being advised through another source that you had not filed a brief, Mr. Brown requested a refund, and you eventually reimbursed Mr. Brown the full amount that he paid by two separate payments.

By your conduct, you violated the following Rules of Professional Conduct ("RPC"):

1. RPC 1.1 – A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation necessary for the representation.
2. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.

3. RPC 1.4(a)(2) – A lawyer shall reasonably consult with the client about the means by which the client’s objectives are to be accomplished.
4. RPC 1.4(a)(3) – A lawyer shall keep the client reasonably informed about the status of the matter.
5. RPC 1.7(a)(2) – A lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if there is a significant risk that the representation of one or more clients will be materially limited by the lawyer’s responsibilities to another client, a former client or third person or by a personal interest of the lawyer.
6. RPC 1.16(a)(1) – A lawyer shall not represent a client, or where representation has commenced, shall withdraw from the representation of a client if the representation will result in a violation of the Rules of Professional Conduct or other law.
7. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client’s interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.
8. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Attorney Martini, your 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.

It is the Board’s duty to reprimand you for your misconduct. We note that you

have no record of discipline since your admission to the bar of Pennsylvania in 2015. Please be aware that any subsequent violations on your part can only result in further discipline and more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

S/Joshua C. Bloom

Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania on July 20, 2023.