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DISTRICT OF COLUMBIA COURT OF APPEALS

No. 22-BG-44

IN RE RACHAEL MOSHMAN, RESPONDENT.

FILED 3/24/2022
District of Columbia
Court of Appeals
Julio A. Castillo
Julio Castillo
Clerk of Court

A Member of the Bar of the District of Columbia Court of Appeals
(Bar Registration No. 980349)

On Report and Recommendation of the Board on Professional
Responsibility Hearing Committee Approving Petition for Negotiated Discipline
(DDN-211-17)

(Decided March 24, 2022)

Before BECKWITH and MCLEESE, *Associate Judges*, and STEADMAN, *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PER CURIAM: This decision is non-precedential.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, the Hearing Committee recommends the approval of negotiated attorney discipline. *See* D.C. Bar R. XI, § 12.1(c). Respondent Rachael Moshman voluntarily acknowledged that she failed to provide competent representation while serving as a court-appointed conservator in a probate matter. Specifically, Ms. Moshman admitted that she negligently misappropriated her

client's entrusted funds but reimbursed the client once the oversights were discovered. As a result, Ms. Moshman violated D.C. R. Prof. Conduct 1.1(a), 1.3(c), and 1.15(a). Ms. Moshman and Disciplinary Counsel agreed that Ms. Moshman should be suspended for seven months, with thirty days of that suspension stayed in favor of a one-year period of probation with conditions to address accounting and office-management issues.

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 this case is appropriate for negotiated discipline and that the proposed sanction is not unduly lenient. *See* D.C. Bar R. XI, § 9(h)(2). Accordingly, it is

ORDERED that Rachael Moshman is hereby suspended from the practice of law in the District of Columbia for seven months, with thirty days of that suspension stayed in favor of a one-year period of probation subject to the conditions specified in paragraph 12 of the Hearing Committee's Report and Recommendation. In brief, those conditions are as follows:

Ms. Moshman is required to take the Basic Training and Beyond two-day course offered by the District of Columbia Bar; to take two additional hours of pre-approved continuing legal education related to the maintenance of trust accounts, record keeping, and/or safekeeping client property; to provide the Office of Disciplinary Counsel with proof documenting that she met

the requirements within the first six months of the court's final order; within two months of the court's order, to consult appropriately with the D.C. Practice Management Advisory Service (PMAS) about her case-management system; to implement PMAS's recommendations when she resumes practice; and, within seven business days after the end of the period of probation, to provide Disciplinary Counsel with a written statement from PMAS certifying Ms. Moshman's compliance.

Failure to comply with the conditions imposed may result in the revocation of probation and the imposition of the remaining thirty-day suspension. For purposes of reinstatement, Ms. Moshman's suspension will not begin to run until she files an affidavit that fully complies with the requirements of D.C. Bar R. XI, § 14(g).

So ordered.