

June 13, 2017

LETTER OF REPRIMAND



Chara L. Allen, Esq.
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Re: Grievance No. OBC 16-1032 (Grievant Ranya Thompson)

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

Dear Ms. Allen:

www.nvbar.org

On November 18, 2015, Ranya Thompson (“Thompson”) retained you to file a Complaint for custody of her infant child. Thompson paid you an initial retainer of \$3,000. You negotiated the retainer without depositing it into an IOTLA Trust Account as required by Supreme Court Rule (“SCR”) 78.5 and Rule of Professional Conduct (“RPC”) 1.15.

Thompson executed your Retainer Agreement, which stated that Thompson would be billed for your time expended on her matter, and that you would “generally forward to Client monthly statements . . .”. During the course of your representation of Thompson, you did not provide Thompson with billing statements.

You prepared a Complaint in or about December 2015, and entrusted a process service to file and serve the Complaint. You then *assumed*, but did not verify by review of court records or otherwise, that the Complaint had been filed. Further, the process service was not responsive to your efforts to confirm filing and service of the Complaint.

Between November 2015 and May 2016, Thompson repeatedly contacted you to determine the status of her case and the status of service of the Complaint. You did not advise Thompson that the Complaint had not been filed. Instead you advised Thompson that efforts were being made to locate and serve the child’s father in spite of the fact you had been unable to communicate with the process service.

The Complaint for Child Custody was not filed by you until June 6, 2016.

On July 14, 2016, Thompson terminated your representation and hired a new attorney. Thompson requested that you provide a Substitution of Attorney to her new attorney, and provide Thompson with an itemized bill, a copy of Thompson's file, and a refund of Thompson's unexpended retainer money. You provided the Substitution of Attorney and a copy of the July 7, 2016, Affidavit of Service of the Complaint, but did not provide the file, the requested billing statement, or a refund of unexpended retainer.

REPRIMAND

Based upon the foregoing, you are hereby REPRIMANDED for your conduct related to representation of Thompson, which conduct violated Nevada Rules of Professional Conduct ("RPC") as follows:

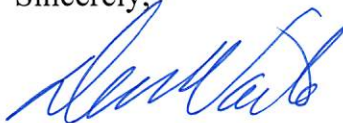
RPC 1.3 (Diligence) for failing to diligently file and serve the Complaint for Child Custody, which you had been retained by Thompson to file;

RPC 1.15 (Safekeeping Property) for failing to deposit Thompson's \$3,000 retainer into an IOLTA trust account for the benefit of her representation, and failing to promptly refund unearned fees when they were requested by Thompson.

Thompson was harmed as a consequence of your lack of diligence and failure to safekeep her retainer funds because she was deprived of prompt resolution of a child custody conflict, and was forced to retain alternate counsel eight months after your retention, all without the benefit of the funds provided to you to obtain legal services.

Finally, in accordance with Nevada Supreme Court Rule 120 you are assessed costs in the amount of \$1,500, plus the actual costs of this disciplinary proceeding to be documented by the State Bar in a Memorandum of Costs to be served on you within thirty days of the date of this Letter of Reprimand.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan R. Waite", is written over the word "Sincerely,".

DAN R. WAITE, ESQ., PANEL CHAIR
Southern Nevada Disciplinary Board