



VIRGINIA:

BEFORE THE FIFTH DISTRICT, SECTION III SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
THOMAS FRANCIS HENNESSY

VSb Docket No. 26-053-138124

SUBCOMMITTEE DETERMINATION
(PUBLIC REPRIMAND WITHOUT TERMS)

On August 26, 2026, a meeting in this matter was held before a duly convened Fifth District, Section III Subcommittee consisting of Matthew Patrick Tsun, Esq., Chair; Alisa Chunephisal, Esq., Member; and Charles R. Markham, Lay Member. During the meeting, the Subcommittee voted to approve an agreed disposition for a Public Reprimand without Terms pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-15.B.4. The agreed disposition was entered into by the Virginia State Bar, by Elizabeth K. Shoenfeld, Senior Assistant Bar Counsel, and Thomas Francis Hennessy (“Respondent”), pro se.

WHEREFORE, the Fifth District, Section III Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand without Terms:

I. FINDINGS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 1991. At all relevant times, Respondent was a member of the VSB.
2. Respondent represented A.R. from September 2009 to July 2025. The representation stemmed from A.R.’s employment with the Department of Homeland Security.

3. On October 11, 2010, A.R. emailed Respondent the following:

To Mr. Hennessy

It was a little after 10pm, I recieved a phone call from Mrs. Hennessy warning me that this is the last time I am ever going to call your cell phone and then she hung up. Then My boy firend called her right back and left her a voice messege. I am very concern with this matter. Whether this matter will effect my case since I believe I have deadline on my EEO case. And you have promised to send me an email on responding to the Agency's opposition on the Appeal

4. The next day, Respondent replied that he had “instructed my wife not to call numbers on my cell phone statement. I’m not sure what that was all about, but she has objected to clients calling me on my cell phone.”
5. On December 9, 2010, Respondent emailed his wife. He told her to “calm down and stop calling . . . my clients . . . I am not having any affairs, nor have I ever had an affair. We need to take a break from communicating for a while. This is not healthy for anyone. I’ve been told by my client that she will call the police if you harass her.”
6. Shortly after sending this email, Respondent forwarded it to A.R.
7. A.R.’s employment matters proceeded on different tracks and throughout different tribunals for several years.
8. In 2016, while A.R.’s employment matters were still pending, Respondent wrote a series of notes regarding A.R. These notes were in A.R.’s possession and she produced them to the VSB in 2026.
9. For example, on January 28, 2016, Respondent wrote, “Because I don’t want to lose [A.R.], I will leave my wife by February 1, 2017, if not before.”
10. On August 1, 2016, Respondent wrote a note, purportedly to his wife, in which he said, “I, Tom Hennessy, left you last month because I am in love with [A.R.] and I want to be with her Our marriage has been over for a long time.”
11. On November 28, 2016, Respondent wrote that A.R. “is the love of my life and I will do anything for her. I will be leaving my wife as soon as possible in the hope that one day I can be with [A.R.]”
12. In an undated note, Respondent wrote that he would not allow his wife to come to his office again or to call A.R. again.
13. On January 12, 2017, Respondent sent A.R. a legal services agreement confirming that he would represent her in her appeal of the Merit System Protection Act

decision to the MSPB Board and, if appropriate, to the Federal Circuit Court and U.S. Supreme Court. This agreement stated:

I will not permit any personal or professional relationship to interfere in any way with my commitment to provide the best possible legal representation to you, including but not limited to my relationship with my spouse, and I am absolutely committed to doing everything in my power to obtain the best possible result for you. You will have immediate access to me in person or over the telephone whenever I am available. My spouse has no authority over my commitment to represent you or over any aspect of your case. She cannot make any decision regarding my representation of you or your case.

14. A.R. signed the agreement the same day.
15. On January 17, 2017, Respondent emailed A.R. that she should disregard a no trespassing notice that his wife had sent to A.R. that day.
16. Substantial delays then occurred in A.R.'s case due to internal procedural issues with the Merit Systems Protection Board.
17. A.R. ultimately received an adverse decision from the Merit Systems Protection Board, and the appeal was docketed with the Court of Appeals for the Federal Circuit on September 22, 2023.
18. In April through August of 2024, A.R. communicated to Respondent multiple times that she wanted Respondent's wife to stay out of her case. A.R. also exchanged adversarial messages with Respondent's wife.
19. In August 2024, Respondent asked A.R. not to email him because his wife "monitors my email on her phone."
20. On May 29, 2025, A.R. sent a letter to the Court of Appeals for the Federal Circuit stating that Respondent had confessed that he had personal feelings toward her, and that she is not able to contact her attorney. She said she had not heard from Respondent and did not know what was happening on her case.
21. On June 11, 2025, Respondent moved to withdraw from A.R.'s case.
22. On July 8, 2025, the appellate court granted Respondent's motion to withdraw. The court allowed A.R. until August 18, 2025, to either have new counsel appear or file a notice of unrepresented person appearance.
23. On November 7, 2025, the Court of Appeals for the Federal Circuit dismissed A.R.'s appeal.
24. A.R. filed this bar complaint on January 21, 2026.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.7 Conflict of Interest: General Rule

- (a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

...

- (2) there is 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 a third person or by a personal interest of the lawyer.

By continuing to represent A.R. for several years despite the nature of his personal relationship with A.R. and the ongoing issues presented by the conflicts between A.R. and his wife, Respondent violated Rule 1.7(a)(2).

III. PUBLIC REPRIMAND WITHOUT TERMS

Accordingly, it is the decision of the Subcommittee to impose a Public Reprimand without Terms, and Thomas Francis Hennessy is so reprimanded. Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-9.E, the Clerk of the Disciplinary System shall assess costs.

FIFTH DISTRICT, SECTION III SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

A handwritten signature in blue ink, appearing to read 'M. Tsun', written over a horizontal line.

Matthew Patrick Tsun
Subcommittee Chair

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2026, a true and complete copy of the foregoing Subcommittee Determination was sent to Thomas Francis Hennessy, Respondent, by certified mail at the Hennessy Law Firm, PLLC, 4015 Chain Bridge Road, Suite G, Fairfax, Virginia 22030, Respondent's last address of record with the Virginia State Bar, and by email to thennessy@viriniawage.net.

A handwritten signature in dark ink, appearing to read 'Elizabeth K. Shoenfeld', written over a horizontal line.

Elizabeth K. Shoenfeld
Senior Assistant Bar Counsel