

VIRGINIA :

IN THE IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

**VIRGINIA STATE BAR EX REL.
FIFTH DISTRICT, SECTION I COMMITTEE
VSB DOCKET NO. 26-051-137069**

**VIRGINIA STATE BAR EX REL.
FIFTH DISTRICT, SECTION II COMMITTEE
VSB DOCKET NO. 24-052-130843**

Complainant,

v.

**Case No. 26-10343
26- 07772**

MINJI KIM

Respondent.

AGREED DISPOSITION MEMORANDUM ORDER
FOR SIX MONTH SUSPENSION WITH TERMS

This matter came to be heard on August 4, 2026, before a Circuit Court Three-Judge panel, upon the joint request of the parties for the Court to accept the Agreed Disposition endorsed by the parties and offered to the Court as provided by the Rules of the Supreme Court of Virginia. The panel consisted of the Honorable Ray P. Lupold III, Judge of the Eleventh Judicial Circuit, Designated Chief Judge, the Honorable J. Bruce Strickland, Judge of the Fifteenth Judicial Circuit, and the Honorable Helevi H. Holland, Judge of the Fifth Judicial Circuit. Minji Kim was present, *pro se*. The Virginia State Bar appeared through its Assistant Bar Counsel, Richard W. Johnson, Jr. The Chief Judge polled the members of the panel as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each judge responded in the negative. Court Reporter Beverly Horne, Chandler & Halasz, P.O. Box 9349, Richmond,

Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent's Answer, the Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Circuit Court accepts the Agreed Disposition and the Respondent shall receive a Six-Month Suspension With Terms. The Agreed Disposition is attached to and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective September 1, 2026.

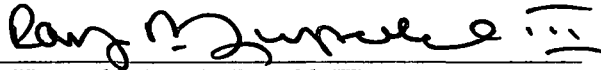
It is further **ORDERED** that Respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. Respondent must forthwith give notice by certified mail, return receipt requested, of the Suspension of their license to practice law in the Commonwealth of Virginia, to all clients for whom Respondent is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. Respondent must also make appropriate arrangements for the disposition of matters then in Respondent's care in conformity with the wishes of their clients. Respondent must give such notice immediately and in no event later than 14 days from the effective date of the Suspension, and make such arrangements as are required herein as soon as practicable and in no event later than 45 days from the effective date of the Suspension. Respondent must also furnish proof to the VSB within 60 days of the effective date of the Suspension that such notices have been timely given and such arrangements made for the disposition of matters.

The Clerk of the Disciplinary System shall assess costs pursuant to ¶13-9 E. of the Rules.

It is further **ORDERED** that a certified copy of this order be mailed, to the Respondent,

Minji Kim, 11166 Fairfax Boulevard, Suite 406., Fairfax, Virginia 22030; Richard W. Johnson, Jr., Assistant Bar Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219-0026;; and to Joanne Fronfelter, the Clerk of the Disciplinary System, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219-0026.

ENTERED THIS 31st DAY OF AUGUST, 2026

A handwritten signature in black ink, appearing to read "Ray P. Lupold, III", written over a horizontal line.

The Honorable Ray P. Lupold, III.
Chief Judge

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

**VIRGINIA STATE BAR EX REL.
FIFTH DISTRICT, SECTION I COMMITTEE
VSB DOCKET NO. 26-051-137079**

**VIRGINIA STATE BAR EX REL.
FIFTH DISTRICT, SECTION II COMMITTEE
VSB DOCKET NO. 24-052-130843**

Complainant,

v.

**Case Nos. 26-10343
 26-07772**

MINJI KIM

Respondent.

AGREED DISPOSITION
(SIX MONTH SUSPENSION WITH TERMS)

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, § IV, ¶13-6.H and Va. Code Section 54.1 – 3935, the Virginia State Bar, by Richard W. Johnson, Jr., Assistant Bar Counsel, and Minji Kim, (“Respondent”), *pro se*, hereby enter in the following Agreed Disposition arising out of the above referenced matter.

I. STIPULATIONS OF FACT

VSB DOCKET NO. 24-052-130843

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 2019. At all relevant times, Respondent was a member of the VSB.
2. Respondent represented Maeng Jong Choi (“Husband”) in a divorce matter in Fairfax Circuit Court. Susan Hicks (“Complainant”) represented Young Ae Choi (“Wife”).

3. On January 26, 2022, Complainant filed a Complaint For Divorce and Motion For *Pendente Lite* relief in Fairfax Circuit Court (“the Court”) on behalf of Wife.
4. The Court’s local rules mandate that *pendente lite* hearings are limited to 30 minutes.
5. On February 16, 2022, Respondent attended calendar control and requested the matter be set for more than thirty minutes because her client needed an interpreter. The Court denied Respondent’s request. Respondent did not note her objection to the ruling. The *pendente lite* hearing was assigned to Judge Steven Shannon (“Judge Shannon”).

March 11, 2022 Pendente Lite Hearing

6. Husband’s income was disputed at the *pendente lite* hearing. Complainant’ cross examination of Husband included the following exchange:

13	A	Correct.
14	Q	So your gross income before taxes and before
15		expenses or whatever would be \$233,000.00.
16	A	Correct.

7. During the hearing, Respondent attempted to elicit testimony from Wife regarding her income. Each party presented documentation, including tax returns, reflecting each party’s income.
8. Judge Shannon found that Husband’s gross income was \$19,464 per month, and Wife’s income was \$687 per month. Respondent disagreed with Judge Shannon’s findings.
9. Following the hearing, Complainant realized that she used an outdated version¹ of software to run the spousal support and child support guidelines and that therefore the child and spousal support obligations she had requested from the Court were incorrect.

¹ The outdated version of the child support guidelines software mandated 28% of Husband’s gross income be used to calculate his support obligations, while the current version mandates 26% of his gross income be used to calculate support, resulting in lower support obligations. This change went into effect on July 1, 2020.

Complainant drafted and submitted to Respondent a proposed *nunc pro tunc* order that reduced the support obligation of Husband. Respondent refused to endorse the order. Complainant submitted the proposed *nunc pro tunc* order to the Court without Respondent's signature, copying Respondent on her correspondence to the Court, and Judge Shannon entered the *nunc pro tunc* order on April 21, 2022.

Motion for Reconsideration

10. On March 14, 2022, Respondent filed a Motion for Reconsideration of Judge Shannon's findings at the *pendente lite* hearing. Respondent's motion alleges that Complainant "misrepresented the parties' current income by deflating [Wife's] income and grossly inflating [Husband's] income."
11. Respondent alleged that Complainant failed to include sources of income of Wife. Respondent stated in the motion:

9. All this information was available to Plaintiff's counsels before the hearing.

Regardless, Plaintiff's counsels manipulated and misrepresented both parties' current income before this Court for financial gains. This intentional deception to defraud resulting in injury amounts to FRAUD.

12. Respondent asked the court to "impose appropriate sanctions on [Complainant] for misrepresentation and fraud before this Honorable Court."
13. On April 28, 2022, Respondent filed Supplemental Exhibits to Motion for Reconsideration. In the pleading, Respondent repeated her allegations that Complainant "misrepresented both parties' current income" and the "intentional deception ...amounts to FRAUD."

Motion to Set Aside *Pendente Lite* Order *Nunc Pro Tunc*

14. Following the March 11, 2022 *pendente lite* hearing, Wife filed her tax returns.

15. On April 29, 2022, Respondent filed a Motion to Set Aside *Pendente Lite* Order *Nunc Pro Tunc* (“Motion to Set Aside”).

16. In the motion, Respondent stated, in part:

9. Plaintiff via counsel deliberately withheld this information from the Court and the Defendant’s counsel in order to significantly lower her income for *pendente lite* support calculations. This is in violation of Rules of the Supreme Court of Virginia 4:12. Just 1-2 business days after the *pendente lite* hearing, Plaintiff via her accountant e-filed her 2021 tax returns.

10. All this information was available before the hearing. Regardless, Plaintiff via counsel manipulated and misrepresented both parties’ current income before this Court for financial gains. Specifically, Plaintiff’s counsels 1) signed certificates attesting to the parties’ income and their support calculations and 2) represented these figures to the Court in violation of Va. Code § 8.01-271(B) and Va. Code § 8.01-271(C).

17. The Motion to Set Aside repeated the accusation that Complainant “perpetrated a fraud upon the court” and further accused Complainant of “fabricating” Husband’s income.

18. On May 2, 2022, upon receipt of Respondent’s motion, Complainant sent correspondence to Respondent indicating that Wife had not filed an income tax return at the time of the *pendente lite* hearing. Complainant stated she would have included the income had she possessed the W-2 from Wife. Complainant apologized to Respondent for the “inadvertent mistake.”

19. Complainant’s correspondence included updated spousal and child support guidelines that reflected Wife’s changed income. Complainant attached a proposed *nunc pro tunc* order reflecting the changes. Respondent did not respond to Complainant’s correspondence. Respondent did not endorse the order.

Motion for Sanctions for Perjury and Other Violations

20. On June 10, 2022, Respondent filed a Motion for Sanctions for Perjury and Other Violations. Respondent continued to accuse Complainant of misconduct arising out of the March 11, 2022 *pendente lite* hearing. Respondent stated that Complainant “manipulated and misrepresented both parties’ income.”
21. Respondent repeated her allegation that Complainant “deliberately misled the Court” by failing to include all of Wife’s income.

Emergency Motion for Recusal

22. On May 22, 2022, Respondent filed a Notice of Appeal² of Judge Shannon’s April 21, 2022, *pendente lite* order.
23. While the appeal was pending, Complainant filed a Rule to Show Cause based on Husband’s failure to pay support, which Judge Shannon was assigned to. A hearing on the Rule to Show Cause was set for August 19, 2022.
24. On August 12, 2022, Respondent filed a Motion for Recusal (“Recusal Motion”), requesting that Judge Shannon recuse himself from hearing the matter. Respondent’s Recusal Motion makes several allegations against Judge Shannon. The motion states, in part:

4. Due to conflict of interest and lack of impartiality, it is improper for Judge Shannon to schedule both motions before himself. Judge Shannon is interfering with the appeal process by trying to compel the Defendant to withdraw the pending appeal and to hear the Emergency Motion to Stay Pending Appeal himself.

² The propriety of this appeal was an issue in the divorce matter. Specifically, the parties debated whether Fairfax Circuit Court retained jurisdiction to modify or enforce the March 11 *pendente lite* order. The Court of Appeals found that it lacked subject matter jurisdiction because during the “pendency of the appeal the General Assembly further amended Code § 17.1 – 405 to prohibit [the Court of Appeals] from hearing interlocutory appeals in orders involving” custody. The Court of Appeals issued the published opinion on August 1, 2023.

25. Respondent challenged Judge Shannon's fairness at the March 11, 2022 *pendente lite* hearing, stating, in part:

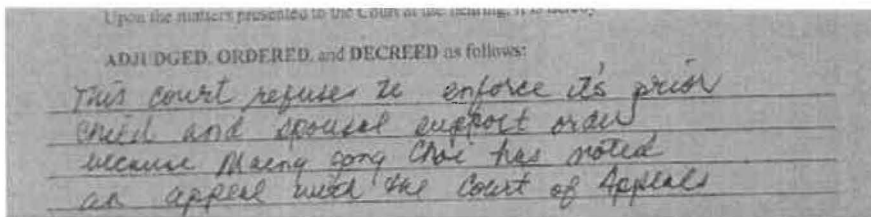
6. The transcript of the March 11, 2022 *Pendente Lite* hearing clearly shows Judge Shannon's bias and prejudice against the Defendant/his counsel and how it negatively affected the outcome of this case. Judge Shannon has already denied the Defendant a fair hearing, which seriously questions his impartiality in this proceeding.

26. Respondent alleged bias on the part of Judge Shannon, stating, in part:

9. It is clear that Judge Shannon is biased and prejudicial against the Defendant/his counsel and is now actively trying to obstruct the appeal by exercising authority he does not have. Judge Shannon should be ordered to recuse himself immediately from this proceeding.

27. On August 19, 2022, Judge Shannon presided over the Rule to Show Cause hearing. Due to the pending appeal, Judge Shannon declined to enforce the April 21, 2022 *pendente lite* order.

28. Judge Shannon instructed the attorneys to draft the order and present it to him for endorsement. The attorneys drafted the following language:



Upon the matters presented to the Court at the hearing, the Court:

ADJUDGED, ORDERED, and DECREED as follows:

This court refuses to enforce its prior
child and spousal support order
because Maeng song Choi has noted
an appeal with the Court of Appeals

29. Respondent left the courtroom prior to submitting the proposed order to Judge Shannon. Complainant submitted the language drafted by herself and Respondent. Judge Shannon did not agree with the language, and substituted his own language, as set forth below, and

the order was entered:

ADJUDGED, ORDERED, and DECREED as follows:

The Court has no jurisdiction to enforce or modify its pendente lite order while the matter is pending before the Court of Appeals.

30. On August 22, 2022, Complainant sent an email to Respondent attaching the entered order.

Motion for Contempt and Criminal Referral

31. On August 23, 2022, without speaking to Complainant, Respondent filed a Motion for Contempt and Criminal Referral (“Motion for Contempt”). The Motion for Contempt utilized the same underlying facts, Complainant’s alleged non-disclosure of Wife’s income and alleged misstating of Husband’s income, as the basis for continued allegations against Complainant, including new allegations of wrongdoing by Complainant..
32. The Motion for Contempt accuses Complainant of dishonesty, stating in part:

2. At the March 11, 2022 *pendente lite* hearing, the Plaintiff and her counsel committed perjury and significant misrepresentation of both parties’ income. Plaintiff via counsel fraudulently omitted her 2021 W-2 from the Amenity Day Spa, which was her largest earning in 2021. Plaintiff’s counsel, Susan Hicks, repeatedly misled the Court about the Defendant’s income by averaging Defendant’s gross receipts as if they were W-2s. As a result of Plaintiff and her counsel’s active fraud upon the Court, the Defendant was ordered to pay the combined support amount which is greater than his monthly gross income and beyond his ability to pay. Attached is the March 11, 2022 hearing transcript as Exhibit 1.

33. Respondent's allegations of dishonesty against Complainant expanded to include alleged criminal forgery of Judge Shannon's August 19 order, stating:

8. On the morning of August 22, 2022, Susan Hicks via her staff sent the Defendant's counsel an e-mail with an order Susan Hicks fraudulently made up. See Exhibit 3. The forged order reads, "[t]he Court has *my jurisdiction to enforce* or modify its pendente lite order [...]" (emphasis added). This is opposite to the trial court's ruling from the August 19, 2022 hearing. Also, the forged order doesn't contain any writing or signature by the Defendant's counsel. This would constitute a forgery, a crime involving fraud.

9. Va. Code §18.2-168 provides, "[i]f any person forge a public record, or certificate, return, or attestation, of any public officer or public employee, in relation to any matter wherein such certificate, return, or attestation may be received as legal proof, or utter, or attempt to employ as true, such forged record, certificate, return, or attestation, knowing the same to be forged, he shall be guilty of a Class 4 felony." Susan Hicks's apparent forgery of this Court's August 19, 2022 Order seems to meet this definition.

10. Va. Code §18.2-172.2 provides, "Any person who maliciously affixes a facsimile or likeness of the signature of another person to any writing without the permission of that person and with the intent to create the false impression that the writing was signed by that person is guilty of a Class 1 misdemeanor." If Susan Hicks affixed Judge Shannon's signature to her fake order to make it appear genuine, she would be in violation of Va. Code §18.2-172.2.

34. Respondent's Motion for Contempt requests that the Court make a criminal referral of Complainant.
35. Judge Brett Kassabian ("Judge Kassabian") was assigned to hear Respondent's Motion for Contempt. On September 16, 2022, following a hearing, Judge Kassabian denied Respondent's Motion for Contempt. Judge Kassabian noted that he was not awarding sanctions against Respondent because he believed he lacked jurisdiction due to the

pending appeal.

Motion to Reconsider Kassabian Ruling

36. On October 6, 2022, Respondent filed a Motion to Reconsider Judge Kassabian's September 19, 2022, ruling. In the motion, Respondent accused Judge Kassabian of bias and partiality, stating, in various parts:

7. Judge Kassabian was unfairly biased and prejudicial against Husband and his counsel for filing an appeal of the PL order. However, Husband's appeal is legitimate and in accordance with the recent amendments to Code § 17.1-405, 2022 Va. Acts ch. 714 (effective April 27, 2022), which reads, "[a]ny interlocutory decree or order involving an equitable claim in which the decree or order (i) requires money to be paid or the possession or title of property to be changed or (ii) adjudicates the principle of a cause."

19. Also, Husband and his counsel did not make scurrilous allegations nor acted improperly. Judge Kassabian's such remarks were not grounded in facts and evidence in this case and biased and prejudicial against Husband's and his counsel's efforts to defend Husband's constitutional rights in light of the new amendments.

20. Moreover, Judge Kassabian does not seem to treat Wife's counsel and Defendant's counsel equally. He condones Ms. Hick's repeated misrepresentation as "mistakes" while allegations based on facts and evidence made by the Defendant's counsel as "scurrilous."

Complainant's Motion for Sanctions

37. On September 22, 2023, Complainant filed a Motion for Sanctions against Respondent. On October 10, 2023, Judge Tania Saylor ("Judge Saylor") presided over the hearing.
38. On November 28, 2023, Judge Saylor issued a written opinion. Judge Saylor found the following:
- a. There is no evidence to support assertions made in Respondent's Motion for

Reconsideration, Respondent's Supplemental Exhibits to Motion for

Reconsideration, Respondent's Motion to Set Aside, Respondent's Motion for Sanctions for Perjury and Other Violations, Respondent's Emergency Motion for Recusal and Respondent's Motion for Contempt and Criminal Referral, and Respondent's Motion to Reconsider Judge Kassabian's Ruling.

- b. That assertions and accusations found in the motions against Complainant, Judge Shannon, and Judge Kassabian were not grounded in fact or by existing law.
 - c. That the pleadings were filed for an improper purpose, "either to harass or needlessly increase the cost of litigation."
39. Judge Saylor's order stated that "zealous advocacy does not require unfounded personal ad hominem attacks on the integrity of one's opponents or the judiciary."

VSB DOCKET NO. 26-051-137079

40. Respondent represented landlord Eman Aish in a dispute with tenant Jasmine Gilliam ("Gilliam"). On April 16, 2023, Respondent filed a Summons for Unlawful Detainer in Fairfax General District Court ("the Court"). The Court set the first calling for May 9, 2025.
41. On April 18, 2025, Respondent filed an Emergency Motion for Immediate Possession. The certificate of service indicates that Respondent served Gilliam.
42. On May 9, 2025, Respondent and Brittany O'Connor ("O'Connor"), an attorney with Northern Virginia Legal Services, appeared. O'Connor identified herself as counsel for Gilliam but did not file a notice of appearance or any other pleading with the Court at that time.

43. On May 14, 2025, Respondent filed a Bill of Particulars in the Court's clerk's office. The certificate of service written by Respondent indicates that Respondent sent the Bill of Particulars to O'Connor via electronic mail as "Counsel for Defendant-Tenant."
44. On May 14, 2025, at 11:44 a.m. Respondent sent the following email, with the re: line stating "Re: Bill of Particulars (Aish v. Gilliam GV 25010556-00), to O'Connor:

On 05/14/2025 11:44 AM EDT Mingi Kim <[redacted]> wrote:

Good morning, Colleen,

For the above referenced matter, please find attached your service copy of the Bill of Particulars and Exhibits, which is being filed in court today. Kindly confirm receipt and email me your Answer when it is ready.

Regards,

Mingi

Mingi Kim, Esq.
Prosper Law PLLC

VA Office
11166 Fairfax Blvd, Ste. 406
Fairfax, VA 22030
(703) 593-9246 | (703) 656-4891 (fax)

MD Office

45. On May 14, 2025, at 2:54 p.m., Respondent sent another email to O'Connor:

Mingi Kim <[redacted]>

5/14/2025 2:54 PM

Re: Bill of Particulars (Aish v. Gilliam | GV 25010556-00)

To Colleen R. O'Connor <[redacted]> Copy Eman Aish <[redacted]>

Hi Colleen,

I also sent you the documents via fax today. If I do not receive confirmation of receipt from you, I will also email the documents to Ms. Gilliam and copy you on that email.

Regards,

Mingi

Mingi Kim, Esq.
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m.kim@[redacted] (e-mail)
www.prosperlawpllc.com (website)

46. On May 14, 2025, at 3:07 p.m., Respondent sent an email directly to Gilliam, with O'Connor carbon copied, referring to O'Connor as Gilliam's attorney:

From: Minji Kim <mkim@>
Sent: Wednesday, May 14, 2025 3:07 PM
To: >
Cc: Colleen R. O'Connor <>
Subject: Bill of Particulars >

Caution: This email originated from outside of LSNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

May 14, 2025

By Electronic Mail and Fax to Attorney O'Connor
And By Electronic Mail to Ms. >

Ms. >

For the above referenced matter, please find attached a copy of the Bill of Particulars and Exhibits, which were e-mailed and faxed to your attorney, Ms. Colleen O'Connor at LSNV earlier today. Your attorney is copied on this e-mail.

Kindly confirm receipt and email me your Answer (or have your attorney do so) when it is ready.

Regards,

Minji Kim, Esq.
Propper Law PLLC

47. On May 16, 2025, Respondent sent an email to O'Connor attaching a service copy of a witness subpoena.
48. On May 20, 2025, O'Connor sent an email to Respondent advising that Gilliam was not waiving service.
49. On May 19, 2025, at 4:44 p.m., O'Connor filed an Answer and Grounds of Defense on behalf of Gilliam and signed the pleading as Counsel for Gilliam.
50. On May 20, 2025, in response to O'Connor's email of that day, Respondent sent the following email to O'Connor:

From: Minji Kim <mkim@[REDACTED]>
Sent: Tuesday, May 20, 2025 5:00 PM
To: Colleen R. O'Connor <[REDACTED]>
Subject: Re: Aish v. Gilliam (GV 25010556-00)

Caution: This email originated from outside of LSNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You filed the answer and attended the hearing before a judge to set the trial date. Are you suggesting that you're no longer representing her in this matter?

Regards,

Minji

Minji Kim, Esq.
Prosper Law PLLC

51. On May 20, 2025, at 5:10 p.m., O'Connor sent an email to Respondent stating "No, I still represent Ms. Gilliam."
52. On May 20, 2025, at 5:03 p.m., Respondent sent the following email to Gilliam, carbon copying O'Connor, and again referring to O'Connor as Gilliam's attorney:

Ms. Gilliam,

As per your attorney's e-mail, please find attached your service copy of the Plaintiff Opposition to Motion in Limine and the Plaintiff's Motion for Summary Judgment. Your attorney has already received these document and is being copied in this e-mail.

53. On May 20, 2025, at 5:07 p.m., O'Connor sent an email to Respondent demanding that Respondent "stop reaching out to Ms. Gilliam."
54. On October 2, 2025, Wayne Kim, a senior attorney with Legal Services of Northern Virginia, filed a bar complaint against Respondent. On October 3, 2025 the Bar provided a copy of the bar complaint to Respondent and requested a response.
55. In her six-page response to the instant bar complaint, Respondent stated that she "had no actual knowledge" that Gilliam was represented by O'Connor or LSNV because "no formal Notice of Appearance or pleading had been filed by [O'Connor]." Respondent

omitted in her response that she believed O'Connor was present in the Court on Gilliam's behalf on May 9, 2025, at the first calling of the matter. Respondent told Virginia State Bar Investigator Ron McCall that there was no reason she did not include this fact in her response. Respondent further stated she assumed that O'Connor represented Gilliam and served O'Connor with the Bill of Particulars on May 14, 2025.

II. NATURE OF MISCONDUCT

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

VSb DOCKET NO. 24-052-130843

RULE 3.1 Meritorious Claims And Contentions

A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may nevertheless so defend the proceeding as to require that every element of the case be established.

RULE 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

(j) File a suit, initiate criminal charges, assert a position, conduct a defense, delay a trial, or take other action on behalf of the client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another.

By filing a Motion for Reconsideration, Supplemental Exhibits to Motion for Reconsideration, Motion for Sanctions for Perjury and Other Violations, Recusal Motion, Motion to Set Aside, Motion for Contempt and Criminal Referral, and a Motion to Reconsider Judge Kassabian's Ruling, all of which were frivolous and filed for the improper purpose of harassing Wife or Complainant, or to maliciously injure Wife by needlessly increasing the cost of litigation, Respondent violated Rules of Professional Conduct 3.1 and 3.4(j).

RULE 8.2 Judicial Officials

A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge or other judicial officer.

By stating in the Recusal Motion that Judge Shannon lacked impartiality, that Judge Shannon denied Husband a “fair hearing”; that Judge Shannon was “biased and prejudicial against Husband; by stating in the Motion to Reconsider Judge Kassabian’s Ruling that Judge Kassabian was “unfairly biased and prejudiced against Husband; that Judge Kassabian’s remarks were not “grounded in facts and evidence”, and by making each statement in reckless disregard to their truth, Respondent violated Rule of Professional Conduct 8.2.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

By accusing Complainant of fraud, misrepresentation and perjury based solely on testimony elicited during a hearing that was detrimental to Respondent’s client; by continuing to accuse Complainant of “intentional misrepresentation and fraud” after Complainant explained an inadvertent mistake calculating Wife’s income; by baselessly accusing Complainant of forgery after Judge Shannon changed the language of a proposed order; by repeatedly filing motions for an improper purpose; and by challenging the integrity of Judges Shannon and Kassabian, Respondent violated Rule 8.4(b) of the Rules of Professional Conduct.

VSB DOCKET NO. 26-051-137079

RULE 4.2 Communication With Persons Represented By Counsel

In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

By communicating with Gilliam via email on May 14, 2025 and May 20, 2025 about the subject of the representation, knowing that Gilliam was represented by O’Conor, and without O’Conor’s consent, Respondent violated Rule 4.2 of the Rules of Professional Conduct.

RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

(b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter[.]

By failing to disclose in her response to the instant bar complaint that O'Connor was present at the first calling of the matter when representation of Gilliam was at issue in the instant bar complaint, Respondent violated Rule 8.1(b) of the Rules of Professional Conduct.

III. PROPOSED DISPOSITION

Accordingly, bar counsel and Respondent tender to the Three Judge Panel for its approval the agreed disposition of Six-Month Suspension With Terms as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Three Judge Panel. Bar counsel and Respondent agree that the effective date for the sanction shall be September 1, 2026. The terms with which Respondent must comply are as follows:

- 1) For a period of two year(s) following the termination of Respondent's suspension, Respondent will not engage in any conduct that violates any provisions of the Virginia Rules of Professional Conduct, including any amendments thereto, and/or which violates any analogous provisions, and any amendments thereto, of the disciplinary rules of another jurisdiction in which Respondent may be admitted to practice law. The terms contained in this paragraph will be deemed to have been violated when any ruling, determination, judgment, order, or decree has been issued against Respondent by a disciplinary tribunal in Virginia or elsewhere, containing a finding that Respondent has violated one or more provisions of the Rules of Professional Conduct, *provided, however*, that the conduct upon which such finding was based occurred within the period referred to above, and provided, further, that such ruling has become final.
- 2) On or before December 1, 2026, Respondent will complete six hours of continuing legal education credits by attending courses approved by the Virginia State Bar in the subject matter of professionalism and ethics. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward his Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law. Respondent will certify his compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Bar Counsel, promptly following his attendance of each such CLE program(s).

Upon satisfactory proof that all terms and conditions have been met, this matter shall be closed.

If, however, any of the terms and conditions is not met by the deadlines imposed above, Respondent agrees that the Disciplinary Board shall impose a three year suspension pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-18.O.

The Virginia State Bar and Respondent agree that, should the Three-Judge Panel reject this Agreed Disposition, the Three-Judge Panel retains jurisdiction to hear this matter on August 10-August 12, 2026 or anytime thereafter.

If the Agreed Disposition is approved, the Clerk of the Disciplinary system shall assess costs.

Pursuant to Part 6, § IV, ¶ 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the Three-Judge Panel considering this Agreed Disposition.



Richard W. Johnson Jr.
Assistant Bar Counsel
Virginia State Bar



Minji Kim
Respondent