

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 123 DB 2018
Petitioner	:	
	:	File No. C3-17-824
v.	:	
	:	Attorney Registration No. 201104
TAMI LEA FEES	:	
Respondent	:	(Clearfield County)

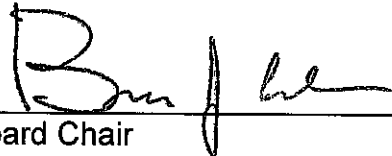
ORDER

AND NOW, this 8th day of August, 2018, 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 TAMI LEA FEES be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a)(5) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

Costs shall be paid by the Respondent.

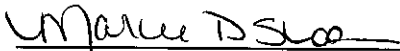
BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD

Attest:



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

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL	:	No. 123 DB 2018
Petitioner	:	
	:	File No. C3-18-824
v.	:	
	:	Attorney Registration No. 201104
TAMI LEA FEES	:	
Respondent	:	(Clearfield County)

PUBLIC REPRIMAND

Tami Lea Fees, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Ms. Fees, you are being reprimanded today for your neglect of and improper conduct during a custody matter and your failure to cooperate with Office of Disciplinary Counsel's investigation. The record indicates that at all times relevant, and at least prior to July 2015, you represented Dawn-Marie Kellerman with respect to her custody matter in the Centre County Court of Common Pleas. Despite Ms. Kellerman's retention of your services and your direct involvement in this matter, you failed to enter your appearance on your client's behalf until October 10, 2016, following the issuance of an Order dated September 8, 2016, directing you to do so.

On or about July 20, 2015, you represented your client at a hearing held on a Petition to Modify Custody Order filed by Matthew Pursell, the opposing party in the matter. At some point during the hearing, you approached Judge Bradley Lunsford with

your client's cell phone to show him text messages allegedly exchanged between your client and Mr. Pursell. In response to a request by Mr. Pursell's counsel to view what was being offered, you stated that a copy would be provided. Mr. Pursell's counsel requested copies of the text messages on July 23, September 23, and October 12, 2015, but you failed to provide a copy.

By Order dated October 2, 2015, Mr. Pursell's Petition to Modify Custody Order was denied and on October 20, 2015, Mr. Pursell appealed the Court's decision. By Order of April 19, 2016, the Superior Court vacated the October 2, 2015 Order and remanded the case for further findings.

By Order dated June 23, 2016, a custody hearing was scheduled for October 11, 2016 and a prehearing conference was set for September 30, 2016. The parties were directed to file a Custody Pre-Hearing Statement no later than five days before the pre-hearing conference, exchange witness lists and exhibits no later than 15 days prior to the hearing, and provide the Court with a list of all persons over the age of 18 living at their residence no later than 15 days prior to the hearing.

You failed to comply with the June 23, 2016 Order in that you did not file a Custody Pre-Hearing Statement, exchange a witness list or exhibits, or provide the court with the required list of persons.

On or about July 28, 2016, Mr. Pursell filed a Petition for Civil Contempt based on Ms. Kellerman's failure to timely undergo a required mental health evaluation and provide a copy of the report to the Court. By Order dated August 3, 2016, a hearing was scheduled for September 8, 2016 on the Petition for Civil Contempt. Neither you nor your client appeared and your client was thereafter found in contempt and ordered to pay attorney's fees. In the Court's September 8, 2016 Order, you were directed to enter your

appearance. As noted earlier, although you were actively involved in this case for an extended period of time, as of the date of the August 3, 2016 Order scheduling the contempt hearing, you still had not entered your appearance in this matter, and it is possible that you had not received notice of the contempt hearing.

By DB-7 Letter dated February 8, 2018, Office of Disciplinary Counsel requested that you timely respond to inquiries regarding this matter. Although you responded to some of the allegations, you failed to address numerous other factual allegations, despite ODC's repeated requests.

Your conduct in this matter has violated the following Rules of Professional Conduct and Pennsylvania Rule of Disciplinary Enforcement:

1. RPC 3.2 - In that you failed to comply with the court's June 23, 2016 pre-hearing Order, requiring the filing of a Pre-Hearing Statement and the exchange of witness lists and exhibits, and failed to enter your appearance as your client's counsel, which may have prevented you from receiving notifications from the court;
2. RPC 3.4(a) and 4.4(a) – In that you presented your client's cell phone at a hearing for the court's review of her text message communications without provided opposing counsel with an advanced or simultaneous copy of the communications and failed thereafter to provide opposing counsel with a copy, despite opposing counsel's numerous requests.
3. RPC 8.1(b) and Pa.R.D.E. 203(b)(7) – In that you knowingly failed to respond to a lawful demand for information from Office of Disciplinary Counsel.

We note that you were admitted to practice law in the Commonwealth in 2005 and have a prior record of discipline consisting of Informal Admonitions imposed in 2013 and 2015.

Ms. Fees, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org.



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, at Pittsburgh, Pennsylvania, on October 24, 2018.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in her presence and in the presence of the designated panel of The Disciplinary Board at the Allegheny County Court of Common Pleas, 437 Grant Street, 17th Floor, Courtroom 2, Pittsburgh, Pennsylvania, on October 24, 2018.



Tami Lea Fees