

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	No. 1 DB 2019
Petitioner	:	
v.	:	Attorney Registration No. 84864
RICHARD P. KIMMINS	:	
Respondent	:	(Allegheny County)

CORRECTED ORDER

AND NOW, this 14th day of November, 2023, upon consideration of the Report and Recommendation of the Hearing Committee filed on September 18, 2023, pursuant to § 89.181 of the Disciplinary Board Rules; it is hereby

ORDERED that RICHARD P. KIMMINS, of Allegheny County shall be subjected to **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a)(5) 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
Board 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. 2645 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 1 DB 2019
v.	:	
	:	Attorney Registration No. 84864
	:	
RICHARD P. KIMMINS,	:	
Respondent	:	(Allegheny County)

PUBLIC REPRIMAND

Richard P. Kimmins, following a formal hearing before a Hearing Committee and adjudication by the full Board, by Order dated November 14, 2023, the Board directed that you receive a Public Reprimand.

It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of the Commonwealth. Yet as repugnant as this task may be, it has been found necessary that you receive this public discipline.

Attorney Kimmins, you are being reprimanded today for your misconduct in one client matter. In 2011, Linda Ireland retained you to represent her in filing a Pennsylvania Human Relations Act/EEOC complaint against her former employer for wrongful termination. You provided a fee agreement to Ms. Ireland and she paid you \$2,000. During the next several calendar years, you had limited communication with your client and did not take action on her matter. You made misrepresentations to your client as to the status of the matter and a potential settlement and provided various excuses to your client in response to her requests for information. Ms. Ireland eventually filed a claim against you with the Pennsylvania Lawyers Fund for Client Security, after

which, in response to the Fund's inquiries, you sent Ms. Ireland a full refund of her monies.

By your conduct, you violated the following Pennsylvania Rules of Professional Conduct ("RPC"):

1. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.
2. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.
3. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
4. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Attorney Kimmins, your conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board's website at www.padisiplinaryboard.org.

It is the Board's duty to reprimand you for your misconduct. Please be aware that any subsequent violations on your part can only result in further discipline and perhaps more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

S/Gaetan J. Alfano

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 on May 7, 2024.