

VIRGINIA:

VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF CARA LYNN ROMANZO, ESQUIRE
VSB Docket # 04-052-2544

ORDER

This matter came on the 23rd day of February, 2005, to be heard on the Agreed Disposition of the Virginia State Bar and the Respondent, based upon the Certification of the Fifth District Committee Section II. The Agreed Disposition was considered by a duly convened panel of the Virginia State Bar Disciplinary Board consisting of James L. Banks, Jr., Esquire, Dr. Theodore Smith, lay member, John A. Dezio, Esquire, Bruce T. Clark, Esquire and Karen A. Gould, Esquire, presiding.

Noel D. Sengel, Esquire, representing the Bar, and the Respondent, Cara Lynn Romanzo, Esquire, presented an endorsed Agreed Disposition. The hearing was transcribed by Tracy J. Stroh, RPR, Chandler & Halasz, P. O. Box 9349, Richmond, VA 23227, (804) 730-1222.

Having considered the Certification and the Agreed Disposition, it is the decision of the Board that the Agreed Disposition be accepted, and the Virginia State Bar Disciplinary Board finds by clear and convincing evidence as follows:

1. At all times relevant hereto, the Respondent, Cara Lynn Romanzo, Esquire (hereinafter Respondent), has been an attorney licensed to practice law in the Commonwealth of Virginia.

2. From July 8 until November 15, 2002, the Respondent was employed at the law firm of Feldsman, Tucker, Leifer & Fidell, LLP. Her address of record with the Virginia State Bar was the firm's address, 5661 Columbia Pike, Suite 200, Falls Church, VA 22041. In August of 2003, the Respondent formed her own law practice, as a sole practitioner, and opened a trust account with Branch Banking and Trust (BB&T).

3. On October 22, 2003, the Respondent was administratively suspended by the Virginia State Bar for non-payment of Bar dues. She was again administratively suspended on March 30, 2004 for failure to complete the required number of mandatory continuing legal education credits. Both notices from the Bar's Membership Section were sent to the Respondent at the firm of Feldsman, Tucker, Leifer & Fidell because the Respondent had never changed her address of record with the Bar, even though she had left the firm over a year before. The Virginia State Bar's records do not reflect a change of the Respondent's address of record with the Virginia State Bar until July of 2004. The Respondent's license to practice law in the Commonwealth of Virginia was reinstated on February 2, 2005.

4. On February 13, 2004, BB&T informed the Virginia State Bar that it had sent the Respondent a Notice of Insufficient Funds. The Respondent had written three checks, two in December of 2003 and one in January of 2004, while she was administratively suspended, from her law office trust account which contained insufficient funds to cover the checks. Two of the checks were written as advances for costs to the State Corporation Commission to incorporate various entities the Respondent represented. The Respondent was engaged in the practice of law while she was suspended. When questioned about the checks, the Respondent informed Virginia State Bar Investigator James W. Henderson that when she wrote the checks, she mistakenly thought that she was writing checks from her operating account check book, when in fact she was writing checks from her trust account check book.

The Board finds by clear and convincing evidence that such conduct on the part of Cara Lynn Romanzo, Esquire constitutes a violation of the following Rule(s) of Professional Conduct:

RULE 5.5 Unauthorized Practice Of Law

- (a) A lawyer shall not:
 - (1) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.

It is hereby ORDERED *nunc pro tunc* that the Respondent shall receive a thirty-day suspension of her license to practice law, commencing on February 2, 2005, as representing an appropriate sanction if this matter were to be heard.

It is further ORDERED that pursuant to the provisions of Part Six, Section IV, Paragraph 13.M of the Rules of the Supreme Court of Virginia, as amended, that the Respondent shall forthwith give notice by certified mail, return receipt requested, of the Suspension of her license to practice law in the Commonwealth of Virginia, to all clients for whom she is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. The Attorney shall also make appropriate arrangements for the disposition of matters then in her care in conformity with the wishes of her client.

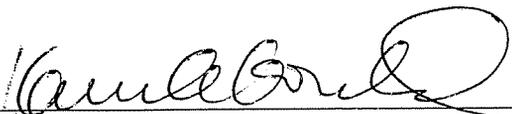
It is further ORDERED that, pursuant to Part Six, Section IV, Paragraph 13.B.8.c.1 of the Rules of the Supreme Court, the Clerk of the Disciplinary System shall assess costs.

It is further ORDERED that this matter be removed from the Board's docket and placed among the closed files, since there is no further action to be taken.

It is further ORDERED that a copy teste of this Order shall be mailed by Certified Mail, Return Receipt Requested, to the Respondent Cara Lynn Romanzo, Esquire, at 25454 Chambers Drive, Chantilly, VA 20152, her last address of record with the Virginia State Bar, and to Senior Assistant Bar Counsel Noel D. Sengel, Virginia State Bar, 100 North Pitt Street, Suite 310, Alexandria, VA 22314.

Enter this Order this 25th day of February, 2005.

VIRGINIA STATE BAR DISCIPLINARY BOARD

By: 
Karen A. Gould, Chair