

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
STEVEN ROSS BELCHER

VSJ Docket No. 09-000-076523

ORDER
(SUSPENSION)

On October 27, 2008, a five member panel of the Virginia State Bar Disciplinary Board ("Board") met telephonically to consider an Agreed Disposition of the above-referenced matter. The Agreed Disposition was considered by a duly convened panel of the Virginia State Bar Disciplinary Board consisting of Robert E. Eicher, Chair, David Schultz, Nancy C. Dickenson, John Sykes Barr and Jody D. Katz, lay member. The Virginia State Bar was represented by Kathryn R. Montgomery, Assistant Bar Counsel. The respondent, Steven Ross Belcher ("Respondent"), represented himself. The proceedings were recorded by Donna Chandler, Chandler & Halasz, P.O. Box 9349, Richmond, VA 23227, Certified Professional Reporters, telephone number 804-730-1222.

Having heard the parties' statements and arguments and having reviewed the disposition, pursuant to the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13.B.5.c., the Board hereby accepts the Agreed Disposition and accordingly finds the following by clear and convincing evidence:

I. FINDINGS OF FACT

1. At all times relevant to this matter, Respondent was an attorney licensed to practice law in the Commonwealth of Virginia, the State of Missouri, and the State of Illinois.

Respondent does not actively practice law in Virginia and his license is on associate status.

2. On or about November 27, 2006, Respondent was working as a temporary employee for a law firm Missouri. He was assigned to a wrongful death case involving an individual who died while in the custody of the sheriff's office, which was the firm's client. The client's file contained a photograph of the decedent, who was overweight and lying on an emergency room table fully unclothed. Respondent used the firm's computer system to e-mail this photograph, along with lewd and disparaging comments, to a friend at another firm who was unrelated to the case. Respondent has admitted that he sent this e-mail without justification and solely for his own personal interests.

3. Based on the above and by Respondent's agreement, on October 23, 2007, the Supreme Court of Missouri found that Respondent had violated Rules 4-1.6(a), 4-4.4, 4-8.4(a) and 4-8.4(d) of the Missouri Rules of Professional Conduct.¹ The Court suspended Respondent's license to practice law for six months. The suspension was stayed pending a six month probationary period.

¹ RULE 4-1.6: CONFIDENTIALITY OF INFORMATION

(a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by Rule 4-1.6(b).

RULE 4-4.4: RESPECT FOR RIGHTS OF THIRD PERSONS

(a) In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person or use methods of obtaining evidence that violate the legal rights of such a person.
(b) A lawyer who receives a document relating to the representation of the lawyer's client and knows or reasonably should know that the document was inadvertently sent shall promptly notify the sender.

RULE 4-8.4: MISCONDUCT

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
(d) engage in conduct that is prejudicial to the administration of justice;

4. The probation required that Respondent not violate any law or Rule of Professional Conduct during the probationary term. He was also required to file quarterly reports indicating any address changes, criminal or civil charges brought against him, disputes with clients, investigations brought against him, and swearing that he had complied with the Rules of Professional Conduct. Respondent was also ordered to take 12 hours of CLE in ethics and pass the Multistate Professional Responsibility Examination.

5. Respondent successfully completed the probation term on May 9, 2008.

6. Respondent reported his misconduct and sanction to the State of Illinois and was given reciprocal discipline on May 15, 2008.

7. Respondent self-reported his misconduct and the Missouri and Illinois sanctions to the Virginia State Bar on September 3, 2008.

8. The bar opened a reciprocal discipline case against Respondent shortly thereafter. A Rule to Show Cause was issued by the Virginia State Bar Disciplinary Board against Respondent on October 23, 2008 for a hearing on November 21, 2008. Pursuant to Part Six, Section IV, Paragraph 13. I.7.a. of the Rules of the Supreme Court of Virginia, Respondent's license to practice law within the Commonwealth of Virginia was suspended as of October 23, 2008, the date of issuance of the Rule to Show Cause.

9. Respondent does not challenge reciprocal discipline on any of the grounds provided in Part Six, Section IV, Paragraph 13. I.7.b. of the Rules of the Supreme Court of Virginia.

II. DISPOSITION

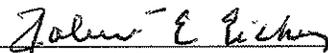
The Board hereby finds that a Suspension with time served from October 23, 2008 to October 27, 2008 is the appropriate sanction and hereby ORDERS that Respondent's

disciplinary record reflect this Suspension. The suspension of Respondent's law license ordered on October 23, 2008 is now lifted. Factors in this decision include Respondent's successful completion of the Missouri probationary term, as described above, and that the Commonwealth of Virginia has no equivalent punishment for ethical violations.

It is ORDERED that pursuant to Part 6, Section IV, Paragraph 13.B.8.c. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary system shall assess costs against the Respondent.

It is further ORDERED that a copy teste of this order shall be mailed by certified mail, return receipt requested, to the Respondent, Steven Ross Belcher, at his address of record with the bar, 42 Harmon Dr. Lebanon, IL 62254 and by regular mail to Kathryn R. Montgomery, Assistant Bar counsel, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, VA 23219.

Entered this 27th day of October, 2008.



Robert E. Eicher, Chair
Virginia State Bar Disciplinary Board