

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

*RANDALL BERTRON CAMPBELL
Attorney at Law*

*VSB Docket Nos. 12-080-089284, 12-080-089752,
12-080-089785, 12-080-090367,
12-080-091191, 12-080-091644
and 12-080-092250*

On February 5, 2013, came Randall Bertron Campbell and presented to the Board an Affidavit Declaring Consent to Revocation of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when disciplinary charges are pending, he admits that the charges in the attached Certification document are true.

The Board having considered the said Affidavit Declaring Consent to Revocation, and Bar Counsel having no objection, the Board accepts his Consent to Revocation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said Randall Bertron Campbell be and the same hereby is revoked, and that the name of the said Randall Bertron Campbell be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 5th day of February, 2013

For the Virginia State Bar Disciplinary Board

By *Barbara S. Lanier*
Barbara Sayers Lanier, Clerk of the Disciplinary System

RECEIVED

FEB 5 2013

VIRGINIA :

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
RANDALL BERTRON CAMPBELL**

**VSB Docket Nos. 12-080-089284;12-080-089752;12-080-089785;12-080-090367;
12-080-091197;12-080-091644;12-080-092250**

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VIRGINIA STATE BAR

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Randall Bertron Campbell, after being duly sworn, states as follows:

1. That Randall Bertron Campbell was licensed to practice law in the Commonwealth of Virginia on 05/28/1981;
2. That Randall Bertron Campbell submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. That Randall Bertron Campbell's consent to revocation is freely and voluntarily rendered, that Randall Bertron Campbell is not being subjected to coercion or duress, and that Randall Bertron Campbell is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;
4. Randall Bertron Campbell is aware that there is currently pending a complaint, an investigation into, or a proceeding involving, allegations of misconduct, the docket number(s) for which is set forth above, and the specific nature of which is here set forth
 - a. That Randall Bertron Campbell abandoned his law practice;
 - b. That he was not diligent and did not communicate with his clients;
 - c. After abandoning his law practice Randall Bertron Campbell did not take adequate measures to protect his client's interests;

AW

d. Randall Bertron Campbell did not maintain the accounting records required by Rule 1.15 of the Rules of Professional Conduct; and

5. Randall Bertron Campbell acknowledges that the material facts upon which the allegations of misconduct contained in the Certification of the Eighth District Committee of the Virginia State Bar Disciplinary Board dated September 10, 2012 are predicated are true; and

6. Randall Bertron Campbell submits this Affidavit and consents to the revocation of his license to practice law in the Commonwealth of Virginia because he knows that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, he could not successfully defend them.

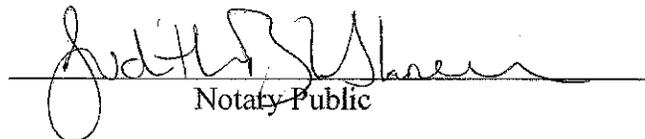
Executed and dated on 2/4/13.



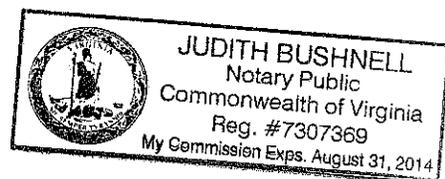
Randall Bertron Campbell
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF ROANOKE, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Randall Bertron Campbell on 2/4/13.


Notary Public

My Commission expires: August 31, 2014.



VIRGINIA :

BEFORE THE EIGHTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

SEP 10 2012

IN THE MATTERS OF
RANDALL BERTRON CAMPBELL

VS B Docket Nos. 12-080-089284;12-080-089752;12-080-089785;12-080-090367;
12-080-091197;12-080-091644;12-080-092250

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On June 26, 2012, a meeting in this matter was held before a duly convened Eighth District Subcommittee consisting of Daniel C. Summerlin, III, Esquire, Chair, Ronnie L. Clay, Esquire and H. C. Stuart Cochran, lay person.

Pursuant to Part 6, Section IV, Paragraph 13-15.B.3 of the Rules of the Supreme Court of Virginia, the Eighth District Subcommittee of the Virginia State Bar hereby serves upon Randall Bertron Campbell ("Respondent") the following Certification:

VS B Docket No. 12-080-089284
Complainant: Washenberger

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. Derek Washenberger retained Respondent for representation in a divorce in June of 2010 and paid him a total of \$500.00.
4. Respondent went months without returning any of Mr. Washenberger's phone calls or responding to his letters.
5. Respondent failed to communicate with Mr. Washenberger because he abandoned his law practice.

6. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.

7. Respondent failed to complete the representation for which Mr. Washenberger retained him.

8. Respondent failed to respond to any written communications from the Virginia State Bar in response to Mr. Washenberger's complaints.

9. Respondent failed to comply with a Subpoena Duces Tecum that the Bar issued returnable on January 6, 2012.

10. As a result, the Virginia State Bar administratively suspended his license to practice law on February 7, 2012.

11. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.

12. Respondent was located for an interview only after the Bar's investigator was able to track him down.

13. Respondent admitted in his interview that he received a copy of Mr. Washenberger's Complaint but failed to respond to it.

14. Respondent also admitted to the Bar's investigator that he had abandoned his law practice.

15. Respondent further admitted that he did not maintain a trust account and that he deposited Mr. Washenberger's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

(a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

(a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

(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, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

VSb Docket No. 12-080-089752

Complainant: Roop

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. Deidre Lynn Roop retained Respondent for representation in a divorce in February 2010 and paid him a total of \$500.00.
4. Ms. Roop stated that Respondent sent papers for her to sign in connection with her divorce and she returned them promptly to Respondent.
5. Ms. Roop stated that the court advised that Respondent had never forwarded the correct paperwork on Ms. Roop's behalf and it would have to be done again.
6. Ms. Roop attempted to communicate on numerous occasions with Respondent to find out why her divorce was not being completed.
7. Respondent failed to communicate with Ms. Roop because he abandoned his law practice.
8. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.

9. Respondent failed to respond to any written communications from the Virginia State Bar in response to Ms. Roop's complaints.

10. Respondent failed to comply with a Subpoena Duces Tecum that the Bar issued returnable on January 6, 2012.

11. As a result, the Virginia State Bar administratively suspended his license to practice law on February 7, 2012.

12. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.

13. Respondent was located for an interview only after the Bar's investigator was able to track him down.

14. Respondent admitted in his interview that he received a copy of Ms. Roop's Complaint but failed to respond to it.

15. Respondent also admitted to the Bar's investigator that he had abandoned his law practice.

16. Respondent further admitted that he did not maintain a trust account and that he deposited Ms. Roop's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

(a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;

- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

(a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. In December of 2010, Alfred Johnson retained Respondent for representation in a divorce and paid him \$300.00.
4. Respondent told Mr. Johnson to call him in July of 2011 to follow up.
5. When Mr. Johnson called Respondent in July of 2011, Respondent told him he would file for divorce and do the necessary paperwork and take depositions on August 17, 2011.
6. Despite numerous phone calls and trips to Respondent's office, Respondent stopped communicating with Mr. Johnson.
7. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.
8. Respondent failed to complete the representation for which Mr. Johnson retained him.
9. Respondent failed to respond to any written communications from the Virginia State Bar in response to Mr. Johnson's complaints.
10. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.
11. Respondent was located for an interview only after the Bar's investigator was able to track him down.
12. Respondent admitted in his interview that he received a copy of Mr. Johnson's Complaint but failed to respond to it.
13. Respondent also admitted to the Bar's investigator that he had abandoned his law practice.
14. Respondent further admitted that he did not maintain a trust account and that he deposited Mr. Johnson's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

(a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

(a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

- (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, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

VSF Docket No. 12-080-090367

Complainant: Smith

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. In September of 2011, Janelle M. Smith retained Respondent for representation in a divorce.

4. Ms. Smith forwarded to Respondent some paperwork and a check for \$400.00 to initiate divorce proceedings.

5. Ms. Smith called numerous times and sent numerous emails to Respondent for a status report about her case.

6. Despite Ms. Smith's attempt to contact him, Respondent stopped communicating with Ms. Smith.

7. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.

8. Ms. Smith learned that Respondent never filed her divorce because she confirmed that fact with the clerk's office of the court where the divorce should have been filed.

9. Respondent failed to complete the representation for which Ms. Smith retained him.

10. Respondent failed to respond to any written communications from the Virginia State Bar in response to Ms. Smith's complaints.

11. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.

12. Respondent was located for an interview only after the Bar's investigator was able to track him down.

13. Respondent also admitted to the Bar's investigator that he had abandoned his law practice.

14. Respondent further admitted that he did not maintain a trust account and that he deposited Ms. Smith's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

(a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

(a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

(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, refunding any

advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

VS B Docket No. 12-080-091197

Complainant: Sink

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. In May of 2011, Lillian R. Sink retained Respondent to represent her in divorce proceedings.
4. Ms. Sink paid Respondent \$350.00 for the representation.
5. Shortly thereafter, Ms. Sink sent the Respondent some paperwork to complete the divorce.
6. Despite numerous attempts to contact him about the status of her case, Respondent stopped communicating with Ms. Sink until January of 2012.
7. Respondent wrote to Ms. Sink asking her to come to his office on January 14, 2012, but did not specify a time.
8. Ms. Sink went to Respondent's office on January 14, 2012 and found the door locked.

9. A woman who identified herself as Bridget came out of the office and told Ms. Sink that she was Respondent's notary.
10. Bridget told Ms. Sink that the Respondent was not there.
11. Ms. Sink told Bridget that she no longer needed Respondent's services and demanded an immediate refund of her \$350.00.
12. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.
13. Respondent did not perform the work for which Ms. Sink paid him to do.
14. Respondent failed to respond to any written communications from the Virginia State Bar in response to Ms. Sink's complaints.
15. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.
16. Respondent was located for an interview only after the Bar's investigator was able to track him down.
17. Respondent also admitted to the Bar's investigator that he had abandoned his law practice and that he was aware that Ms. Sink had probably filed a complaint against him.
18. Respondent further admitted that he did not maintain a trust account and that he deposited Ms. Sink's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

- (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

- (a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

- (a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

- (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, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

VSB Docket No. 12-080-091644

Complainant: Twine

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. Barbara Twine retained Respondent to prepare a separation agreement.
4. Ms. Twine paid Respondent \$150.00 for the representation.
5. Ms. Twine subsequently requested that Respondent provide her with the document for which she had paid.
6. Respondent failed to respond to Ms. Twine's numerous requests for her separation agreement.
7. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.
8. Respondent failed to respond to any written communications from the Virginia State Bar in response to Ms. Twine's complaints.
9. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.
10. Respondent was located for an interview only after the Bar's investigator was able to track him down.

11. Respondent admitted in his interview with the Bar's investigator that he had abandoned his law practice.

12. Respondent further stated to the Bar's investigator that he would provide Ms. Twine with a copy of the separation agreement that she needed and that he would provide a copy of it to the Bar.

13. Upon information and belief, Respondent has not provided Ms. Twine with a copy of the separation agreement.

14. To the extent that Respondent has provided Ms. Twine a copy of the separation agreement, he has not provided a copy to the Bar.

15. Respondent further admitted that he did not maintain a trust account and that he deposited Ms. Twine's fee directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

(a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;

- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

- (a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:
 - (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
 - (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

- (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, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).
- (e) All original, client-furnished documents and any originals of legal instruments or official documents which are in the lawyer's possession (wills, corporate minutes, etc.) are the property of the client and, therefore, upon termination of the representation, those items shall be returned within a reasonable time to the client or the client's new counsel upon request, whether or not the client has paid the fees and costs owed the lawyer. If the lawyer wants to keep a copy of such original documents, the lawyer must incur the cost of duplication. Also upon termination, the client, upon request, must also be provided within a reasonable time copies of the following documents from the lawyer's file, whether or not the client has paid the fees and costs owed the lawyer: lawyer/client and lawyer/third-party communications; the lawyer's copies of client-furnished documents (unless the originals have been returned to the client pursuant to this paragraph); transcripts, pleadings and discovery responses; working and final

drafts of legal instruments, official documents, investigative reports, legal memoranda, and other attorney work product documents prepared or collected for the client in the course of the representation; research materials; and bills previously submitted to the client. Although the lawyer may bill and seek to collect from the client the costs associated with making a copy of these materials, the lawyer may not use the client's refusal to pay for such materials as a basis to refuse the client's request. The lawyer, however, is not required under this Rule to provide the client copies of billing records and documents intended only for internal use, such as memoranda prepared by the lawyer discussing conflicts of interest, staffing considerations, or difficulties arising from the lawyer/client relationship. The lawyer has met his or her obligation under this paragraph by furnishing these items one time at client request upon termination; provision of multiple copies is not required. The lawyer has not met his or her obligation under this paragraph by the mere provision of copies of documents on an item-by-item basis during the course of the representation.

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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

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.

VSB Docket No. 12-080-092250

Complainant: Leonard

I. FINDINGS OF FACT

1. At all times relevant, Respondent was admitted to the practice of law in Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on May 28, 1981.
3. In October of 2011, Amanda Leonard Duncan and her mother Theresa retained Respondent for representation in Amanda's divorce and petition for name change.

4. Theresa Leonard paid Respondent \$400.
5. Neither Theresa nor Amanda heard anything from Respondent until December 26, 2011, when Respondent sent a letter explaining that he had a family emergency and offered a refund of fees or that he would continue with the divorce.
6. Amanda elected to continue with the representation.
7. Amanda shortly thereafter forwarded paperwork for the divorce to Respondent.
8. Neither Amanda nor Theresa heard from the Respondent again.
9. Respondent stopped communicating with the Leonards.
10. Respondent closed down his physical office, disconnected his telephone and left no forwarding address.
11. Respondent failed to complete the representation for which Ms. Leonard retained him.
12. After abandoning his law practice, Respondent did not leave a forwarding address of record with the Virginia State Bar.
13. Respondent admitted in his interview related to other cases against him that he had abandoned his law practice.
14. Respondent further admitted in those interviews that he did not maintain a trust account Ms. Leonard's fee would have been directly into his operating account before it had been earned.

II. NATURE OF MISCONDUCT

Such conduct by Randall Bertron Campbell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

- (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

RULE 1.5 Fees

- (a) A lawyer's fee shall be reasonable. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- (8) whether the fee is fixed or contingent.

RULE 1.15 Safekeeping Property

(a) All funds received or held by a lawyer or law firm on behalf of a client, other than reimbursement of advances for costs and expenses, shall be deposited in one or more identifiable escrow accounts maintained at a financial institution in the state in which the law office is situated and no funds belonging to the lawyer or law firm shall be deposited therein except as follows:

- (1) funds reasonably sufficient to pay service or other charges or fees imposed by the financial institution may be deposited therein; or
- (2) funds belonging in part to a client and in part presently or potentially to the lawyer or law firm must be deposited therein, and the portion belonging to the lawyer or law firm must be withdrawn promptly after it is due unless the right of the lawyer or law firm to receive it is disputed by the client, in which event the disputed portion shall not be withdrawn until the dispute is finally resolved.

RULE 1.16 Declining Or Terminating Representation

(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, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

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.

III. CERTIFICATION

Accordingly, it is the decision of the subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

**EIGHTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

By _____



Daniel C. Summerlin, III, Esquire
Chair

CERTIFICATE OF SERVICE

I certify that on this 10th day of September, 2012, I mailed by certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Randall Bertron Campbell, Esquire, Respondent, *pro se*, at Suite 105, 2727 Electric Road, Roanoke, VA 24018, the Respondent's last address of record with the Virginia State Bar and to P.O. Box 20496, Roanoke, Virginia 24018.



Paulo E. Franco, Jr.
Assistant Bar Counsel