

**VIRGINIA: BEFORE THE VIRGINIA STATE BAR THE DISCIPLINARY BOARD**

IN THE MATTER OF TIMOTHY LAWRENCE COFFIELD

VSB Docket No.: 15-000-102458

**OPINION AND ORDER**

This matter came to be heard on June 26, 2015, before a panel of the Virginia State Bar Disciplinary Board (the “Board”) comprised of Michael A. Beverly, Sandra Montgomery, Melissa Robinson, Jeffrey L. Marks, and Whitney G. Saunders, Chair (presiding).

The Virginia State Bar (“the Bar”) was represented by M. Brent Saunders, Assistant Bar Counsel (“Bar Counsel”). Timothy Lawrence Coffield (the “Respondent”) was represented by Michael L. Rigsby, Esquire. Angela N. Sidener, Registered Professional Reporter of Chandler & Halasz, P.O. Box 9349, Richmond, Virginia 23227, (804-730-1222), having been duly sworn, reported the hearing.

The Chair inquired of the members of the panel whether any of them had a personal or financial interest, or any bias, which would preclude, or could be perceived to preclude, their hearing the matter fairly and impartially. Each member of the panel answered the inquiry in the negative.

The matter came before the Board upon a Rule to Show Cause and Order of Suspension and Hearing entered on the 27<sup>th</sup> day of May, 2015 and forwarded to the Respondent from the Clerk by certified mail on May 28, 2015, pursuant to Part Six, Section IV, Paragraph 13-22 A.

The Certification charged a violation of the following provision of the Rules of Professional Conduct:

RULE 13-22 A. Action upon receipt of notification from a court.

On June 2, 2015, Respondent's counsel moved to quash the order of summary suspension and dismiss the rule to show cause. On June 2, 2015, counsel for the Bar filed a response in opposition to the Respondent's motion to quash and motion to dismiss.

On June 2, 2015, a hearing was held via teleconference before the Board on the Respondent's motion to quash and motion to dismiss and the Respondent's motion was overruled and the Board ordered the interim suspension shall go into effect on June 3, 2015, pursuant to the Order of Summary Suspension and Hearing issued on May 27, 2015.

On June 26, 2015, appearing in person before the Board, Respondent's counsel conceded that under the Board's decision on June 2, 2015, the Respondent had been convicted of a crime, as that term is defined in Part 6, Section IV, Paragraph 13-1 of the Rules of the Virginia Supreme Court.

The Board, finding that the Respondent had been found guilty of a crime, as defined by the Rules of Court, Part 6, Section IV, Paragraph 13-22 A, in 2015, then proceeded to the sanctions phase of the hearing.

In the sanctions phase of the hearing the Bar offered exhibits identified as Bar's exhibits 1-6, each of which was admitted without objection. The Bar offered exhibit 7, as a set of videos of the respondent, to which the respondent

objected. The matter was argued before the Board and exhibit 7 was admitted over Respondent's objection. Melissa M. McClure testified on behalf of the Bar.

The Respondent offered exhibits 1-3, each of which was admitted without objection. The Respondent testified on his own behalf. No other witnesses were called by the Respondent to testify.

Part 6, Section IV, Paragraph 13-22(E) of the Rules of the Supreme Court of Virginia, requires that this Board, upon finding that an attorney respondent has been found guilty of a crime, shall "continue the Suspension or issue an order of Suspension against the Respondent for a stated period not in excess of five years; or issue an order of Revocation against the Respondent.

The Board heard argument of counsel, with the Respondent requesting a period of suspension terminating on the date of the show cause hearing, June 26, 2015, and the Bar requesting a one year period of suspension.

The Board was informed of the absence of any prior disciplinary record of the Respondent.

Upon the aforementioned findings and following due deliberation of both arguments presented as to the appropriate sanction to be imposed, it is therefore **ORDERED** that Respondent's license to practice law within the Commonwealth of Virginia be and hereby is suspended until January 1, 2016.

It is further **ORDERED** that as directed in the Bar's May 27, 2015, Rule to Show Cause and Order of Suspension and Hearing in this matter, a copy of which was served on Respondent by certified mail, Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules of

the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail, of the suspension of his license to practice law in the Commonwealth of Virginia to all clients for whom he is currently handling matters and to all opposing attorneys and presiding Judges in pending litigation. The Respondent shall give notice within fourteen (14) days of the effective date of the Order and make such arrangements as are required within forty-five (45) days of the effective date of the Order. The Respondent shall also furnish proof to the VSB within sixty (60) days that such notices have been timely given such arrangements made for the disposition of matters.

It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the suspension, he shall submit an affidavit to that effect to the Clerk. All issues concerning the adequacy of the notice and arrangements required by ¶13-29 shall be determined by the Board.

It is further **ORDERED** that Part Six, Section IV, ¶13-9(E) of the Rules of the Supreme Court of Virginia, the Clerk shall assess all costs against Respondent.

It is further **ORDERED** that the Clerk shall send an attested copy of this Order and Opinion to Respondent, Timothy Lawrence Coffield, by certified mail, return receipt requested, at his address of record, 5347 Gordonsville Road, Keswick, Virginia 22947, with a copy to Michael L. Rigsby, counsel for the Respondent, at Michael L. Rigsby, PC, P.O. Box 29328, Henrico, VA 23242, and hand-delivered to M. Brent Saunders, Assistant Bar Counsel, Virginia State Bar, 1111 East Main St, Suite 700, Richmond, Virginia 23219.

ENTERED THIS 21 DAY OF July, 2015

VIRGINIA STATE BAR DISCIPLINARY BOARD



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Whitney G. Saunders, 1<sup>st</sup> Vice Chair