



VIRGINIA:

BEFORE THE FIRST DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
JAMES LAWRENCE GRANDFIELD

VS B Docket No. 16-010-105219

SUBCOMMITTEE DETERMINATION
(PUBLIC ADMONITION WITH TERMS)

On September 13, 2016, a meeting was held in this matter before a duly convened First District Subcommittee consisting of Polly Chong, Esquire, Chair, Veronica Elaine Meade, Esquire, and Capt. Walter P. Nullet, Lay Member. During the meeting, the Subcommittee voted to approve an agreed disposition for a PUBLIC Admonition with Terms pursuant to Part 6, § IV, ¶ 13-15.B.4. of the Rules of the Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Christine Corey, Assistant Bar Counsel, and James Lawrence Grandfield, (“Respondent”), pro se.

WHEREFORE, the First District Subcommittee of the Virginia State Bar hereby serves upon Respondent the following PUBLIC Admonition with Terms:

I. FINDINGS OF FACT

1) At all relevant times, Respondent was licensed to practice law in the Commonwealth of Virginia.

2) Respondent is an attorney with the Suffolk Office of the Public Defender and in May 2014, he was appointed to represent Shalika C. White on an appeal from convictions for forgery, uttering, and obtaining money by false pretenses. Ms. White was sentenced on these charges on May 22, 2014.

3) The Virginia Court of Appeals received Respondent’s Notice of Appeal on July 21, 2014, and the record was received by the Court of Appeals on August 22, 2014. Respondent sent

the Petition for Appeal to the Court of Appeals on September 30, 2014, and it was received by the Court of Appeals on October 1, 2014.

4) The Petition for Appeal was denied by order entered December 31, 2014.

5) Ms. White alleged in her Complaint to the Virginia State Bar (VSB) that Respondent did not notify her that her appeal was denied, he did not return phone calls from her or her family, and he did not file further appeals in her case. Ms. White further stated that she could not exhaust her right to appeal and she did not find out her appeal to the Virginia Court of Appeals was denied by order dated December 31, 2014 until January 2016, when she wrote to the Court of Appeals herself.

6) In his response to the VSB, and in a letter he wrote to Ms. White, the Respondent admitted that he did not inform Ms. White that her appeal had been denied and he did not file any further appeals on behalf of Ms. White.

7) Respondent, in a March 18, 2016 letter to the Complainant, advised her that she still had an available remedy via habeas corpus should she have still desired to pursue her matter to the Supreme Court of Virginia. Complainant did not choose to pursue relief via that remedy.

8) During the course of the VSB investigation, Respondent realized that he provided an incorrect e-mail address to the Court of Appeals. In correspondence to the bar, Respondent stated that while he was not trying to provide an excuse, he does not believe that he ever received the order denying the appeal because he provided the wrong e-mail address to the Court of Appeals.

9) Ms. White advised the VSB investigator that she wrote to Respondent in February 2015 to ask about the status of her appeal, but Respondent did not respond to her. She waited about two more months and wrote to him again, but he did not respond to her letter. Respondent produced an e-mail from Ms. White's father to Respondent dated February 17, 2015, in which her father asked about his daughter's appeal and told Respondent that Ms. White did not want Respondent to forget about her. The e-mail also indicates that Ms. White's father left a voicemail on Respondent's phone on February 17, 2015. Ms. White's father told the investigator

that he also called Respondent in September and November 2014, but only spoke with Respondent in November 2014, when Respondent told him the appeal was still pending.

10) The VSB investigator interviewed Ms. White's sister who advised the investigator that she called Respondent 4-5 times and either left a voicemail or spoke with Respondent's secretary who told her that she would let Respondent know about the call. Ms. White's sister said Respondent never returned any of her calls.

11) In correspondence to the VSB, Respondent stated that as a result of this case, he has implemented an independent tickler system to check the status of cases.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

Failure to act with Diligence in violation of RPC 1.3

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

Failure to Communicate in violation of RPC 1.4

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

III. PUBLIC ADMONITION WITH TERMS

Accordingly, it is the decision of the Subcommittee to impose a PUBLIC Admonition with Terms. The terms are:

1. Respondent shall attend 8hours of Continuing Legal Education credits in the areas of appellate practice and/or criminal law ethics by **May 1, 2017**. However, at least four (4) of the credit hours shall be in the area of appellate practice. These Continuing Legal Education credits shall not apply towards Respondent's annual Continuing Legal Education credits requirement. Respondent shall certify his completion of this requirement

to Assistant Bar Counsel Christine M. Corey or her designee by May 15, 2017.

Upon satisfactory proof that the Terms have been met, this matter shall be closed. If, however, it appears that Respondent has not complied with the Terms, then pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-15.F, Assistant Bar Counsel shall serve notice requiring Respondent to show cause why the alternative disposition of a Certification for Sanction Determination should not be imposed. The burden of proof shall be on Respondent to show compliance with the Terms by clear and convincing evidence. As set forth at Paragraph 13-15.F, if Respondent has failed to comply with the Terms, including written certification of compliance, within the stated time period, as determined by the Subcommittee, the alternative disposition for a Certification for Sanction Determination shall be imposed. In accordance with the Agreed Disposition for a Public Admonition with Terms, any proceeding to address compliance with these Terms will be heard by the District Committee.

In accordance with the Agreed Disposition for a Public Admonition with Terms, this **ORDER** is **FINAL** and **NON-APPEALABLE**.

It is further **ORDERED** that costs shall be assessed by the Clerk of the Disciplinary System pursuant to the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-9.E.

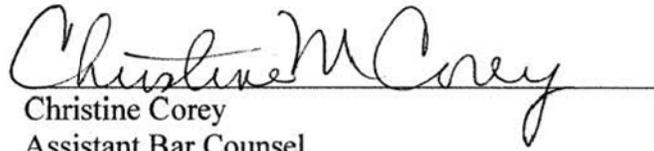
FIRST DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR



Polly Chong, Esquire
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on November 17, 2016 a true and complete copy of the Subcommittee Determination (PUBLIC Admonition With Terms) was sent by certified mail to James Lawrence Grandfield, Respondent, at Office of the Public Defender, Suite 100, 707 Gittings Street, Suffolk, VA 23434, Respondent's last address of record with the Virginia State Bar.


Christine Corey
Assistant Bar Counsel