

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
CARR LANIER KINDER, JR.

VSB NO. 09-000-077547

SUMMMARY ORDER OF IMPAIRMENT SUSPENSION

THIS MATTER came on for consideration upon the Joint Petition Alleging Impairment filed by the Virginia State Bar pursuant to Rules of Court, Part Six, Section IV, Paragraph 13(I)(6)(a).

1. Respondent was licensed to practice law in 1969. Respondent has no disciplinary record. One complaint, however, is pending before the Eighth District Committee, which arises from a representation Respondent began in 1995. The complainants allege a lack of diligence and communication (VSB Docket No. 08-080-074784).

2. Respondent's law license was suspended on March 19, 2008 for failure to fulfill his MCLE requirements. His license was again suspended on October 10, 2008 for nonpayment of dues. Respondent is not in good standing with the Virginia State Bar.

3. Respondent has a medical history of lung cancer, extended hospital stay following an automobile accident in 2008, and recent staph infection. Respondent is currently seeing a psychiatrist for sleeplessness, anxiety, and difficulty concentrating. Respondent is taking anti-depressant and anti-anxiety medication.

4. Respondent has no clientele. Respondent has not attended a CLE course since 2007 and lacks confidence in his abilities as a professional.

5. Respondent believes he is impaired from the practice of law.

6. Tommy Joe Williams visited with Respondent on January 8, 2009 and believes him to be impaired from the practice of law.

7. Respondent understands that a suspension for impairment may be terminated only upon a determination by the Disciplinary Board that the impairment no longer exists. Respondent further understands that the burden of proof is by clear and convincing evidence, and that the burden would be his in any proceeding to terminate the impairment suspension.

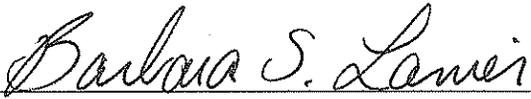
WHEREFORE, it being appropriate so to do, IT IS ORDERED that the license of Carr Lanier Kinder, Jr. to practice law in the Commonwealth of Virginia is suspended indefinitely based upon impairment and shall be terminated only upon determination by the Board that Respondent no longer suffers from such impairment.

It is further ORDERED that Tommy Joe Williams, Esquire, shall serve as Guardian *ad litem* for the Respondent; and it is further

ORDERED that the Clerk of the Disciplinary System of the Virginia State Bar shall mail copies of this Order by certified mail, return receipt requested to the Respondent, Carr Lanier Kinder, Jr., at his last address of record with the Virginia State Bar, 1602 Hamilton Terrace, SE, Roanoke, Virginia 24014, and by regular mail to P.O. Box 8834, Roanoke, Virginia 24017, and by regular mail to Tommy Joe Williams, Guardian *ad litem* for the Respondent, at Bramblewood Park, 2721 Brambleton Avenue, S.W., P.O. Box 21681, Roanoke, Virginia 24018, and hand-delivered to Kathryn R. Montgomery, Assistant Bar Counsel, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800.

ENTERED THIS 24<sup>th</sup> DAY OF March, 2009

FOR VIRGINIA STATE BAR DISCIPLINARY BOARD

  
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Barbara Sayers Lanier  
Clerk of the Disciplinary System