

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF ROBERT LORENZO KLINE, III

VSB DOCKET NO. 08-000-072725

ORDER OF REVOCATION

This matter came on to be heard on December 14, 2007, before a panel of the Virginia State Bar Disciplinary Board ("Board") consisting of Robert E. Eicher, First Vice Chair, Glenn M. Hodge, Michael S. Mulkey, Rhysa Griffith South, and W. Jefferson O'Flaherty, lay member. The Virginia State Bar ("VSB") was represented by Marian L. Beckett, Assistant Bar Counsel. The Respondent, Robert Lorenzo Kline, III, after being called in the hall outside the hearing room by the clerk, did not appear in person or by counsel. Donna T. Chandler, RPR, RMR, CCR, court reporter, P. O. Box 9349, Richmond, VA 23227, telephone number (804 730-1222) after being duly sworn, reported the hearing and transcribed the proceedings. The Chair polled the members of the Board Panel as to whether any of them had any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member, including the Chair, responded in the negative.

The matter came before the Board on a Rule to Show Cause and Order of Suspension and Hearing entered November 16, 2007 as a result of Respondent being disbarred by the State of Maryland pursuant to an order of the Court of Appeals of Maryland, effective September 25, 2007. The Respondent received proper notice of this proceeding as required by Part Six, § IV, ¶ 13 (E) and (I)(a) of the Rules of Virginia Supreme Court.

Part Six, Section IV, Paragraph 13.I.7 of the Rules of the Supreme Court, states how the Board is to proceed upon receiving notice of disbarment of a Virginia attorney in another

jurisdiction. The rule states that the Board shall impose the same discipline as was imposed in the other jurisdiction unless the Respondent proves by clear and convincing evidence one or more of the following three grounds for an alternative, or no sanction, being imposed:

- (1) That the record of the proceeding in the other jurisdiction clearly shows that such proceeding was so lacking in notice or opportunity to be heard as to constitute a denial of due process;
- (2) That the imposition by the Board of the same discipline upon the same proof would result in a grave injustice; or,
- (3) That the same conduct would not be grounds for disciplinary action or for the same discipline in Virginia.

The Respondent filed no response to the Rule to Show Cause and Order of Suspension and Hearing.

The following was received into evidence: the notice, dated November 16, 2007 from Barbara S. Lanier, Clerk of the Disciplinary System, sent by certified mail, return receipt requested to the Respondent with its enclosures, the Rule to Show Cause and Order of Suspension and Hearing entered November 16, 2007, the Order of the Court of Appeals of Maryland entered on September 25, 2007 disbarring the Respondent and the Joint Petition for Disbarment by Consent by the Attorney Grievance Commission of Maryland and the Respondent.

After receiving the evidence and hearing argument of Assistant Bar Counsel, the Board recessed to deliberate. After due deliberation the Board reconvened and the Chair announced the Board's decision that the Respondent had failed to show cause why the same discipline imposed by the State of Maryland should not be imposed by the Board.

Accordingly, it is ORDERED that the Respondent's license to practice law in the Commonwealth of Virginia be and hereby is revoked, effective December 14, 2007.

It is further ORDERED that the Respondent comply with the requirements of Part Six, § IV, ¶ 13(M) of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail, return receipt requested, of the revocation of Respondent's license to practice law in the Commonwealth of Virginia, to all clients for whom Respondent is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his client. Respondent shall give such notice within fourteen (14) days of the effective date of the revocation, and make such arrangements as are required herein within forty-five (45) days of the effective date of the revocation. The Respondent shall also furnish proof to the Bar within sixty (60) days of the effective day of the revocation that such notices have been timely given and 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 revocation, Respondent shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13 (M) shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge court.

It is further ORDERED that pursuant to Part Six, § IV, ¶ 13.B.8.c. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order to Respondent, Robert Lorenzo Kline, III, at his address of record with the Virginia State Bar, being 35 Franklin Boulevard, Reisterstown, MD 21136, by certified mail, return receipt requested, and by regular delivery to Marian.L. Beckett, Assistant Bar Counsel, Virginia State Bar, 100 North Pitt Street, Suite 310, Alexandria, Virginia 22314-3133.

ENTERED this 22nd day of January, 2008.

VIRGINIA STATE BAR DISCIPLINARY BOARD



Robert E. Eicher, First Vice Chair

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