

VIRGINIA: BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
RICHARD JOSEPH KWASNY

VSB Docket No. 16-000-105306

MEMORANDUM ORDER OF SUSPENSION

This matter came on to be heard on Friday, May 20, 2016, before a duly convened panel of the Virginia State Bar Disciplinary Board consisting of Whitney G. Saunders (Chair), Pleasant S. Brodnax III, J. Casey Forrester, Melissa W. Robinson and Stephen A. Wannall (Lay Member). The Virginia State Bar (the "Bar") was represented by Kathleen M. Uston, Assistant Bar Counsel. The Respondent, Richard Joseph Kwasny, failed to appear in person or by counsel.

Angela N. Sidener, court reporter, Chandler & Halasz; P.O. Box 9349; Richmond, Virginia 23227, (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

The Chair opened the hearing by calling the case in the hearing room and causing the Assistant Clerk to call Respondent's name three times in the adjacent hall. The Respondent did not answer or appear.

The Chair then polled the members of the Board panel to ascertain whether any member was conscious of 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 responded in the negative.

The matter came before the Disciplinary Board upon the Rule to Show Cause and Order of Summary Suspension and Hearing entered on April 21, 2016 (the "Rule to Show Cause") to which was appended the order of the Supreme Court of Pennsylvania suspending for a period of five years the Respondent's license to practice law in the State of Pennsylvania. Also before the Board was the certified Notice Letter from the Clerk of

the Disciplinary System to the Respondent dated April 21, 2016 which was served in accordance with the Rules of the Supreme Court of Virginia.

Board Exhibit 1 (consisting of the certified Notice, Rule to Show Cause and Order of Summary Suspension and Hearing, with attachments) was admitted into evidence without objection. Board Exhibit 2 (consisting of pleadings from the Court of Appeals of Maryland and Supreme Court of New Jersey imposing reciprocal discipline on the Respondent as a result of the Order of the Supreme Court of Pennsylvania) was made part of the record of the proceeding but was not considered as evidence by the Board, due to the lack of sufficient Notice to Respondent in accordance with the Rules of the Supreme Court of Virginia.

After admission of all Exhibits into the record, the Bar presented a proposed Consent Order to the Board upon the Joint Motion of the Bar and the Respondent pursuant which the Respondent's license to practice in the Commonwealth of Virginia would be suspended for a period of five years, effective April 21, 2016. Upon consideration thereof, the Board found acceptable the Joint Motion and entered the Consent Order at the conclusion of the proceedings on May 20, 2016. By this Memorandum Order, we confirm the Consent Order.

Accordingly, it is further ORDERED that, pursuant to Part Six, § IV, ¶13-29 of the Rules of the Supreme Court of Virginia, Respondent, Richard Joseph Kwasny, shall forthwith give notice by certified mail, return receipt requested, of the revocation 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 also make appropriate arrangements for the disposition of matters then in his care in conformity with the directions of his clients. Respondent shall give such notice within fourteen (14) days of the effective date of this Order and shall further make such arrangements as required herein within forty-five (45) days of the effective date of this Order. The Respondent shall also furnish proof to the Virginia State

Bar within sixty (60) days of the effective date of this Order that such notices have been timely given and such arrangements made for the disposition of matters.

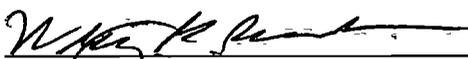
It is further ORDERED that if Respondent is not handling any client matters on the effective date of this revocation, he shall submit an Affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by ¶13-29 of the Rules shall be determined by the Virginia State Bar Disciplinary Board.

It is further ORDERED that, pursuant to Part 6, §IV, ¶13-9.E of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs against the Respondent.

Finally, it is further ORDERED that the Clerk of the Disciplinary System shall send a certified copy of this Order by Certified Mail, Return Receipt Requested, to Respondent at his last address of record with the Virginia State Bar, that is, to Richard Joseph Kwasny, 1039 South Kimbles Road, Yardley, PA 19067, and hand deliver a copy to Kathleen M. Uston, Assistant Bar Counsel, Virginia State Bar; 1111 East Main Street, Suite 700; Richmond, Virginia 23219-0026.

ENTERED this 8th day of June, 2016.

VIRGINIA STATE BAR DISCIPLINARY BOARD

by 
Whitney G. Saunders, Chair