

VIRGINIA:

BEFORE THE THIRD DISTRICT SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
Andrea Celestine Long

VS B Docket No. 15-032-100987

**SUBCOMMITTEE DETERMINATION**  
**(PUBLIC REPRIMAND WITH TERMS)**

On December 19, 2014 a meeting was held in this matter before a duly convened Third District Subcommittee consisting of Alexander N. Simon, presiding chair, John J. Mable, lay member, and Paul G. Gill, member. During the meeting, the Subcommittee voted to approve an agreed disposition for a PUBLIC Reprimand 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 Renu Mago Brennan, Assistant Bar Counsel, and Andrea Celestine Long, Respondent, *pro se*.

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

**I. FINDINGS OF FACT**

1. Respondent Andrea Celestine Long (Respondent) was licensed to practice law in the Commonwealth of Virginia in 1985.
2. By letter dated October 23, 2014, the bank which maintains Respondent's trust account advised the bar of an overdraft of -\$13,692.55.
3. The overdraft did not result from Respondent's failure to properly handle client funds or manage her trust account. The overdraft occurred because the bank which issued a settlement check made payable to Respondent and her client rejected the check for payment because Respondent did not endorse the check. The check was endorsed by Respondent's client and accepted for deposit into Respondent's trust account. Upon learning of the overdraft, Respondent rectified the error. Upon satisfying herself that

all funds had cleared, Respondent reissued all affected payments. No clients suffered any loss.

4. In the course of investigating the overdraft, the Bar's investigator determined that Respondent maintains her cash disbursement journal and client subsidiary ledgers as required, however, she does not identify client names or matters in her cash receipt book.
5. During the bar's investigation, Respondent conceded to the bar investigator that she does not reconcile her trust account and that she has not reconciled her trust account for one year.

## II. NATURE OF MISCONDUCT

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

### **RULE 1.15 Safekeeping Property**

(c) Record-Keeping Requirements. A lawyer shall, at a minimum, maintain the following books and records demonstrating compliance with this Rule:

(1) Cash receipts and disbursements journals for each trust account, including entries for receipts, disbursements, and transfers, and also including, at a minimum: an identification of the client matter; the date of the transaction; the name of the payor or payee; and the manner in which trust funds were received, disbursed, or transferred from an account.

(d) Required Trust Accounting Procedures. In addition to the requirements set forth in Rule 1.15 (a) through (c), the following minimum trust accounting procedures are applicable to all trust accounts.

(3) Reconciliations.

(i) At least quarterly a reconciliation shall be made that reflects the trust account balance for each client, person or other entity.

(ii) A monthly reconciliation shall be made of the cash balance that is derived from the cash receipts journal, cash disbursements journal, the trust account checkbook balance and the trust account bank statement balance.

(iii) At least quarterly, a reconciliation shall be made that reconciles the cash balance from (d)(3)(ii) above and the subsidiary ledger balance from (d)(3)(i).

(iv) Reconciliations must be approved by a lawyer in the law firm.

### III. PUBLIC REPRIMAND WITH TERMS

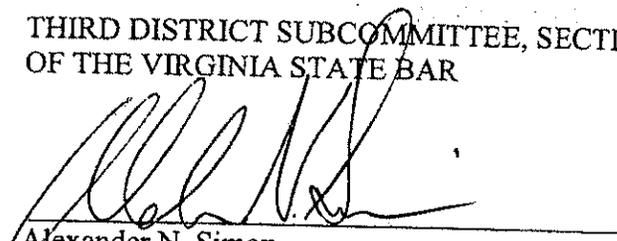
Accordingly, having approved the agreed disposition, it is the decision of the Subcommittee to impose a PUBLIC Reprimand with Terms. The terms are:

1. By January 30, 2015, and thereafter on quarterly basis until January 30, 2018, Respondent will certify to Assistant Bar Counsel Renu Brennan that she is reconciling her trust account in accordance with Rule 1.15(d)(3) and all subparts.
2. For a period of three (3) years following the date of service of the Public Reprimand with Terms, Respondent hereby authorizes a Virginia State Bar Investigator to conduct unannounced personal inspections of her trust account books, records, and bank records to ensure her compliance with all of the provisions of Rule 1.15 of the Rules of Professional Conduct and shall fully cooperate with the Virginia State Bar Investigator.

If the terms are not met by the time specified, pursuant to Part 6, § IV, ¶ 13-15.F of the Rules of the Supreme Court of Virginia, the District Committee shall hold a hearing and Respondent shall be required to show cause why a Certification for Sanction Determination pursuant to Part 6, § IV, ¶ 13-15.G of the Rules of the Supreme Court of Virginia should not be imposed. Any proceeding initiated due to failure to comply with terms will be considered a new matter, and an administrative fee and costs will be assessed.

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.

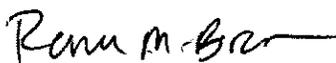
THIRD DISTRICT SUBCOMMITTEE, SECTION II  
OF THE VIRGINIA STATE BAR



Alexander N. Simon  
Subcommittee Chair

**CERTIFICATE OF MAILING**

I certify that on December 29, 2014, a true and complete copy of the Subcommittee Determination (PUBLIC Reprimand With Terms) was sent by certified mail, return receipt requested to Andrea Celestine Long, Respondent, at Andrea C. Long, Esq., P.C., The James B. Long Law Center, 1805 Monument Avenue Suite 201, Richmond, VA 23220-7001, Respondent's last address of record with the Virginia State Bar.



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Renu Mago Brennan  
Assistant Bar Counsel