

VIRGINIA:
BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
WILLARD PHILLIP McCRONE

VSB DOCKET NO.: 14-000-099309

RECEIVED

JUL 11 2014

VSB CLERK'S OFFICE

OPINION OF SUSPENSION

THIS MATTER came to be heard on Friday, June 27, 2014, before a panel of the Virginia State Bar Disciplinary Board consisting of Whitney G. Saunders, Second Vice Chair, Robert L. Hobbs, John A. C. Keith, Melissa W. Robinson and Stephen A. Wannall, Lay Member (collectively, the "Board"). Sandra W. Montgomery, a new Lay Member of the Board was also in attendance for observation purposes only. The Virginia State Bar ("VSB") was represented by Paul D. Georgiadis, Assistant Bar Counsel. The Respondent, Willard Phillip McCrone, did not appear in person or by counsel. Tracy J. Stroh, a Registered Professional Court Reporter with Chandler & Halasz, Post Office 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 Chair then polled the members of the Board Panel as to whether any of them 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 Board on the Rule to Show Cause and Order of Summary Suspension and Hearing entered on May 29, 2014, with an attached copy of the Order entered on December 11, 2013 by the Supreme Court of California approving a negotiated

discipline of suspension imposed in that jurisdiction on the Respondent, and the Clerk of the Disciplinary System's May 30, 2014 notice letter to the Respondent served in accordance with the Rules of the Supreme Court of Virginia. The Rule to Show Cause, Order of Summary Suspension, Notice, Order entered by the California Supreme Court, as well as the Order Approving Stipulation of the State Bar Court of California filed on August 12, 2013 were received into evidence collectively as State Bar Exhibit 1. In accordance with Part 6, § IV, ¶ 13-24 of the Rules of the Virginia Supreme Court, the purpose of the hearing was to provide the Respondent with an opportunity to show cause, by clear and convincing evidence, why the same discipline that was imposed upon him in the California Supreme Court should not be imposed by this Board.

The Respondent failed to file a written response to the Board's Rule to Show Cause and Order of Summary Suspension and Hearing in accordance with ¶ 13-24(B) of the Rules. Accordingly, he was precluded from submitting evidence pursuant to ¶ 13-24(F). The Respondent was not present and did not present argument. The Board accepted into evidence the Bar's Exhibit and considered the arguments of Bar Counsel. After due deliberation, the Board found that the Respondent had failed to show cause by clear and convincing evidence why the Board should not impose the same discipline imposed by the Supreme Court of California.

Accordingly, by this Memorandum Order, and in accordance with the Summary Order entered on May 29, 2014, it is ORDERED that the Respondent, Willard Phillip McCrone, is suspended from the practice of law in the Commonwealth of Virginia, effective June 27, 2014. It is further ORDERED that execution of this suspension is stayed and Willard Phillip McCrone shall be and hereby is placed on probation for one (1) year subject to the following conditions:

1. Willard Phillip McCrone is suspended from the practice of law for the first 30 days of probation:

2. Willard Phillip McCrone must comply with all other conditions of probation recommended by the Hearing Department of the California State Bar Court in its Order Approving Stipulation filed August 12, 2013;

3. At the expiration of the period of probation, if Willard Phillip McCrone has complied with all conditions of probation, the one year period of stayed suspension will be satisfied and that suspension will be terminated.

4. Willard Phillip McCrone must also take and pass the Multistate Professional Responsibility Examination within one (1) year after the effective date of this Order and shall provide satisfactory proof that such passage to the Office of the Virginia State Bar.

WHEREFORE, in accordance with Part Six, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia, it is further ORDERED that Willard Phillip McCrone shall forthwith give notice, by certified mail, return receipt requested, of the suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and for 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 clients. Respondent shall give such notice within fourteen (14) days of the effective date of the suspension, and makes such arrangements as now required herein within forty-five (45) days of the effective date of this Order. The Respondent shall also furnish proof to the Bar within sixty (60) days of the effective date of the suspension 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 the suspension, 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 shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for a hearing before a three-judge Court.

It is further ORDERED that pursuant to Part 6, § IV, ¶ 13-9E. 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 the Respondent, Willard Phillip McCrone, at his address of record with the Virginia State Bar, being 498 High Street, Monterey, CA 93940, by certified mail and by first class mail to Paul D. Georgiadis, Assistant Bar Counsel, Virginia State Bar, 1111 E. Main Street, Suite 700, Richmond, Virginia, 23219.

ENTERED this 4th day of July, 2014.

VIRGINIA STATE BAR DISCIPLINARY BOARD

By: 
Whitney G. Saunders, Second Vice Chair