

**VIRGINIA:**

**BEFORE THE FIFTH DISTRICT—SECTION II SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF JUDY RAYE MOATS, ESQUIRE  
VSB Docket No. 07-052-2720**

**SUBCOMMITTEE DETERMINATION  
PUBLIC REPRIMAND, WITHOUT TERMS**

On December 10, 2008, a meeting in this matter was held before a duly convened Fifth District--Section II Subcommittee consisting of Julia B. Judkins, Esq., Mr. Lee Wilkinson, lay person, and Heather A. Cooper, Esq., presiding, to review an Agreed Disposition reached by the parties.

Pursuant to the provisions of the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13.G., the Fifth District—Section II Subcommittee of the Virginia State Bar accepts the proposed Agreed Disposition and hereby serves upon the Respondent the following Public Reprimand, without Terms, as set forth below:

**I. FINDINGS OF FACT**

1. At all times relevant to the facts set forth herein, Judy Raye Moats, Esq. (hereafter “Respondent”), was an attorney licensed to practice law in the Commonwealth of Virginia.
2. Ms. Elizabeth H. Smith (hereafter “Complainant”) retained the Respondent in April of 2006 to represent her in a dispute with another individual regarding jointly owned real estate.
3. The Respondent communicated with the Complainant acceptably regarding her legal matter until approximately November of 2006. Thereafter, the Respondent became

unresponsive to the Complainant's telephone messages and e-mails, and otherwise failed to keep the Complainant reasonably informed regarding the status of her legal matter and to comply with the Complainant's requests for information.

4. On February 26, 2007, the Complainant sent the Respondent an e-mail, stating, among other things: "I would like to see some forward progress over the next 60 days. You have failed to return 3 phone calls and 4 emails. You finally responded to the 5<sup>th</sup> email when I asked for [opposing counsel's] phone number. I propose we file an action. I would like a response as soon as possible."

5. The Complainant terminated the Respondent's services in June of 2007, due to the Respondent's continued lack of communication. The Complainant retained successor counsel to continue the representation of her interests in the legal matter.

## **II. NATURE OF MISCONDUCT**

The Subcommittee finds that the following provision of the Rules of Professional Conduct has been violated:

### **RULE 1.4 Communication**

- (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

## **III. PUBLIC REPRIMAND, WITHOUT TERMS**

Accordingly, it is the decision of the Subcommittee to impose a PUBLIC REPRIMAND, WITHOUT TERMS on Respondent, Judy Raye Moats, Esquire, and she is so reprimanded.

**IV. COSTS**

Pursuant to Part Six, Section IV, Paragraph 13.B.8.c. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs against the Respondent.

**FIFTH DISTRICT—SECTION II SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR**

By Heather A. Cooper  
Heather A. Cooper, Esq.  
Chair

**CERTIFICATE OF SERVICE**

I hereby certify that on December 15, 2008 I caused to be mailed by Certified Mail, Return Receipt Requested, a true and complete copy of the Subcommittee Determination (Public Reprimand, Without Terms) to Judy Raye Moats, Suite 301, 4041 University Drive, Fairfax, Virginia 22030.

Seth M. Guggenheim  
SETH M. GUGGENHEIM  
Senior Assistant Bar Counsel