

**VIRGINIA:**

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

**IN THE MATTER OF JUDY RAYE MOATS, ESQUIRE  
VSB Docket No. 06-052-4071**

**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. The personal representative of a decedent’s estate, who qualified as such on February 13, 2004, hired the Respondent to prepare accountings for submission to the Commissioner of Accounts for the Arlington County Circuit Court, and to make appropriate disbursements related thereto.

3. In June of 2006, during the course of the representation, the personal representative complained to the Virginia State that the Respondent had failed to file the second and final accounting for the estate, to make required disbursements, and to respond either to communications from the said Court or the personal representative.

4. The Respondent failed to respond to the Virginia State Bar's written requests to the Respondent, which were intended to restore the attorney-client relationship, and to avoid her exposure to the disciplinary process.

5. After the Respondent further failed to respond to Bar Counsel's and an investigator's requests for information, the Virginia State Bar eventually compelled responses to such inquiries via issuance of a summons and subpoena *duces tecum* to the Respondent. The investigation verified that the Respondent failed to attend promptly to the matter entrusted to her and to communicate with her client.

6. The estate was eventually closed, but the personal representative was subjected to anxiety, inconvenience, and hindrance in the performance of his own duties in consequence of the Respondent's failure to perform the duties of her employment as an attorney.

## **II. NATURE OF MISCONDUCT**

The Subcommittee finds that the following provisions of the Rules of Professional Conduct have been violated:

### **RULE 1.3 Diligence**

- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.
- (b) A lawyer shall not intentionally fail to carry out a contract of employment entered into with a client for professional services, but may withdraw as permitted under Rule 1.16.

- (c) A lawyer shall not intentionally prejudice or damage a client during the course of the professional relationship, except as required or permitted under Rule 1.6 and Rule 3.3.

**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.

**RULE 8.1 Bar Admission And Disciplinary Matters**

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6[.]

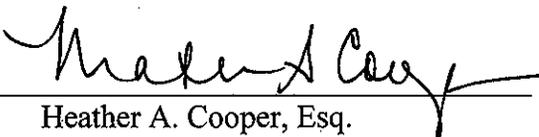
**III. PUBLIC REPRIMAND, WITHOUT TERMS**

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**

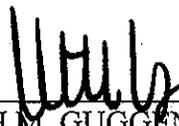
Pursuant to Part Six, Section IV, Paragraph 13.B.8.c. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs against the Respondent.

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

By   
Heather A. Cooper, 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.

  
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SETH M. GUGGENHEIM  
Senior Assistant Bar Counsel