

VIRGINIA:

BEFORE THE SECOND DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
WALTER WARE MORRISON

VS B Docket No. 10-021-081857

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

On July 6, 2011, a meeting in this matter was held before a duly convened Second District Subcommittee consisting of Mary M. Kellam, Chair, Thomas A. Shumaker, Member, and Nancy L. Bloom, Lay Member, who unanimously approved the imposition of a Public Reprimand With Terms.

Pursuant to Part 6, Section IV, Paragraph 13-15.E. of the Rules of the Virginia Supreme Court, the Second District Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand with Terms:

I. FINDINGS OF FACT

1. At all times relevant hereto, Respondent was an attorney licensed to practice law in the Commonwealth of Virginia.
2. Sandra L. Alban ("Alban"), hired Respondent in April 2005 to pursue claims for injuries she allegedly sustained in a motor vehicle accident that occurred on February 16, 2005 in West Point, Virginia.
3. In July 2006, Respondent issued on behalf of Alban demand letters to the liability insurance carrier and medical expense insurance carrier.
4. On February 16, 2007, Respondent filed a lawsuit on behalf of Alban in the King William County Circuit Court. On Respondent's motion, the lawsuit was non-suited by order entered on February 27, 2008. Respondent re-filed the suit on August 20, 2008. In late 2009, Respondent associated other counsel who eventually secured a settlement of Alban's claims.
5. Although there were several telephone communications between Alban and Respondent's staff throughout the representation, Respondent personally discussed with Alban the status of her case on only one occasion following his initial consultation with Alban in April 2005.
6. Respondent did not provide Alban copies of the two demand letters sent in July 2006 or the lawsuit filed in February 2007 or notify her of the nonsuit of the lawsuit.

II. NATURE OF MISCONDUCT

Such conduct by Walter Ware Morrison constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

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 WITH TERMS

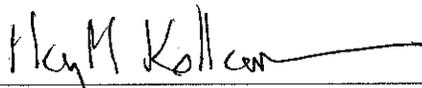
Accordingly, it is the decision of the subcommittee to accept the Agreed Disposition of a Public Reprimand with Terms. The terms and conditions, compliance with which will be a predicate for the disposition of a Public Reprimand with Terms of this complaint, are:

On or before August 1, 2011, Respondent shall provide to M. Brent Saunders, the Assistant Bar Counsel assigned to this case, written certification that he has created and implemented a written office policy mandating regular and informative communications to clients of information affecting their cases, including but not limited to (a) the mailing to clients of copies of all pleadings and court orders upon receipt (if the document is generated by another) or upon mailing (if the document is generated by Respondent), and (b) meeting with clients in person or by telephone to discuss progress on the matter being handled for the client and to respond to status inquiries. Respondent shall obtain written acknowledgment from all of his staff indicating receipt and understanding of this written office policy.

Upon satisfactory proof that such terms and conditions have been met, this matter shall be closed. If the terms and conditions are not met by the specified date, the alternative disposition shall be the suspension of Respondent's license to practice law in the Commonwealth of Virginia for a period of thirty (30) days.

Pursuant to Part Six, Section IV, Paragraph 13-9.E. of the Rules of Court, the Clerk of the Disciplinary System shall assess costs.

SECOND DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By 

Mary M. Kellam
Chair

CERTIFICATE OF SERVICE

I certify that on the 16th day of JULY, 2011, I mailed by certified mail a true and correct copy of the Subcommittee Determination (Public Reprimand with Terms) to Walter Ware Morrison, Esquire, Respondent, at Suite 100, 2628 Barrett Street, Virginia Beach, VA 23452, Respondent's last address of record with the Virginia State Bar.



M. Brent Saunders
Assistant Bar Counsel