

VIRGINIA:

BEFORE THE THIRD DISTRICT COMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
RUTH ARLEATHIA NORRELL

VSB Docket No. 08-032-072392

DISTRICT COMMITTEE DETERMINATION  
(PUBLIC DISMISSAL *DE MINIMIS*)

On April 9, 2010, a hearing in this matter was held before a duly convened Third District Committee panel consisting of John B. Wake, Jr., Lay Member; Cliona M. B. Robb, Esq.; Alana M. Ritenour, Esq.; Martin D. Wegbreit, Esq.; and Esther J. Windmueller, Esq., Secretary, presiding.

Respondent appeared in person, *pro se*. Harry M. Hirsch, Deputy Bar Counsel, appeared as counsel for the Virginia State Bar.

Pursuant to Part 6, Section IV, Paragraph 13-16.X.1. of the Rules of the Virginia Supreme Court, the Third District Committee of the Virginia State Bar hereby serves upon the Respondent the following Public Dismissal *De Minimis*:

I. FINDINGS OF FACT

1. Respondent Ruth Arleathia Norrell [Norrell] was licensed to practice law in the Commonwealth of Virginia on October 2, 1985. From August 4, 1993 until January 27, 2009, Norrell was an associate member of the Virginia State Bar.
2. An associate member of the Virginia State Bar is not authorized to practice law in the Commonwealth of Virginia.
3. Ms. Anderson, a member of Norrell's church, was involved in a motor vehicle accident. Anderson was familiar with Norrell's legal background and approached Norrell about the accident.
4. Norrell agreed to assist Anderson in gathering records, comprehending content, and compiling medical reports and bills for submission to an insurance company to obtain a "pro se settlement."

5. Anderson also asked Norrell for assistance in understanding the negotiation process and Norrell agreed to answer Anderson's questions.
6. According to Norrell, she received several telephone calls from representatives of the insurance company and her response to the calls always was, "I was providing assistance."
7. According to Complainant Edward L. Rothgeb [Rothgeb], a special investigator with Allstate Insurance Company, Norrell spoke with a claims representative on August 1, 2007 and August 16, 2007. On both occasions, Norrell was asked for a letter of representation.
8. On or about August 27, 2007, Norrell sent a facsimile transmission to an employee or representative of Allstate Insurance Company. The transmitted documents included a cover sheet and a second page. Both the cover sheet and second page contained the following letterhead:

Ruth S. Norrell, RN, JD  
Attorney and Counsellor at Law  
(address)

9. The second page also contained the following language:

I, [Anderson], appoint Ruth S. Norrell as my representative in connection with my claim involving Allstate Insurance Company.

She may, entirely in my place, make any request or give any notice; give or draw out evidence or information; get information; and receive any notice in connection with my pending claim or asserted rights.

Additionally, she may negotiate a settlement on my behalf and initiate any other legal action on my behalf.

The second page was signed by both Anderson and Norrell.

10. At a point in time, Rothgeb called Norrell and told her he wanted to meet with Anderson to interview her and take a taped statement. A date was set and Norrell came to the appointment by herself. Rothgeb asked where Anderson was and she told Rothgeb she could provide information concerning Anderson. Rothgeb indicated that was unacceptable and the meeting ended.
11. Thereafter, Rothgeb filed his bar complaint on October 9, 2007.
12. During the bar investigation of this matter, Norrell was asked by Bar Investigator Oren M. Powell what she told Anderson about the second page. Norrell stated to the bar

investigator she explained to Anderson the form authorized Norrell to obtain records on Anderson's behalf to help Anderson get the information needed to finalize her claim to the insurance company.

13. Norrell acknowledged to Investigator Powell that the letterhead and authorization in the facsimile transmission would convey the impression she was an attorney authorized to represent Anderson. Norrell indicated she should not have used the form and made a mistake in doing so.
14. At a later point in time, Norrell referred Anderson to a practicing attorney for representation.
15. The communication which Norrell had with employees and/or representatives of Allstate Insurance Company, and particularly the August 27, 2007, facsimile transmission, amounted to Norrell holding herself out to another as qualified or authorized to practice law in the Commonwealth of Virginia, which constitutes the practice of law in Virginia. See Rules of Court, Part Six, Section I, Unauthorized Practice Rules and Considerations, Practice of Law in the Commonwealth of Virginia.
16. Practicing law while not properly licensed to do so is a class one misdemeanor in violation of Virginia Code Section 54.1-3904 of the Code of Virginia 1950, as amended.
17. Norrell's actions constituted the unauthorized practice of law.

## II. NATURE OF MISCONDUCT

Such conduct by Ruth Arleathia Norrell constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

### RULE 5.5 Unauthorized Practice of Law

(a) A lawyer shall not:

- (1) practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction;

The Virginia State Bar had also alleged that Ms. Norrell had violated Rule 8.4(b). That alleged violation is dismissed.

## III. DISMISSAL DE MINIMIS

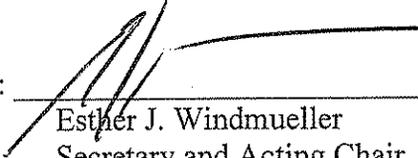
Accordingly, it is the decision of the Third District Committee that Respondent receive a Dismissal *De Minimis* pursuant to Paragraph 13-16.X.1. of the Rules of Court. The committee found that Ms. Norrell changed her Virginia State Bar membership status to "active" effective

January 27, 2009, which amounted to the taking by Ms. Norrell of reasonable precautions against a recurrence of the Misconduct.

Pursuant to Paragraph 13-9.E., the Clerk of the Disciplinary System shall assess costs.

THIRD DISTRICT COMMITTEE  
OF THE VIRGINIA STATE BAR

By: \_\_\_\_\_

  
Esther J. Windmueller  
Secretary and Acting Chair

CERTIFICATE OF MAILING

I certify that on April 20, 2010, I caused to be mailed by Certified Mail, Return Receipt Requested, a true and complete copy of the District Determination Public Dismissal *De Minimis* to Ruth Arleathia Norrell, Respondent, *pro se*, at 8907 Providence Ridge Terrace, Richmond, VA 23234, her last address of record with the Virginia State Bar.

  
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