

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
TONJA MICHELLE ROBERTS

*Respondent*

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VS B DOCKET NO.: 10-000-081446

MEMORANDUM  
ORDER

THIS MATTER came on to be heard on November 20, 2009 before a panel of the Virginia State Bar Disciplinary Board consisting of Thomas R. Scott, Jr., Second Vice-Chair, presiding, John S. Barr, Paul M. Black, J. Casey Forrester, and Dr. Theodore Smith, lay member. The Virginia State Bar was represented by Renu Mago Brennan, Assistant Bar Counsel. The respondent, Tonja Michelle Roberts, failed to appear even though all required notices of the date and place were timely sent by the Clerk of the Disciplinary System in the manner prescribed by law, and the Clerk called for Ms. Roberts three times before the hearing began. The court reporter for the proceeding, Teresa L. McLean of Chandler & Halasz, Post Office Box 9349, Richmond, Virginia 23227, telephone: (804) 730-1222, was duly sworn by the Chair.

The Chair polled the members of the Board as to whether any of them had any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, and each member responded that there were no such conflicts.

The Bar contends the respondent failed to comply with this Board's Order of May 6, 2009 which suspended the respondent's license to practice law in the Commonwealth of Virginia for a period of one year beginning June 2, 2009 with the additional requirements of restitution, and participation with Lawyers Helping Lawyers. Specifically, on or before June 1, 2009, the respondent was to attend and participate fully in an evaluation by Lawyers Helping Lawyers (LHL) and to implement and execute all recommendations of LHL, including, but not limited to, entering into and abiding by a written contract with LHL for a period of a minimum of one year, and further including meeting with LHL and its professionals, as directed. The Bar contends that the respondent did not comply with the required term of the May 6, 2009 Order as Lawyers Helping Lawyers ended her contract with them due to her non-compliance. The Bar requested that the alternate discipline of a three-year suspension be imposed.

The Board accepted into evidence the Bar's exhibits, and considered the argument of Bar counsel. The Board finds that the respondent has failed to show compliance with this Board's Order of May 6, 2009, and has failed to prove by clear and convincing evidence that the alternative sanction should not be imposed. Accordingly, the Board orders that respondent is suspended from the practice of law in the Commonwealth of Virginia for a three-year period beginning November 20, 2009.

It is further ORDERED that respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The respondent shall forthwith give notice by certified mail, return receipt requested, of the suspension of her license to practice law in the Commonwealth of Virginia, to all clients

for whom she is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. Respondent shall also make appropriate arrangements for the disposition of matters then in her care in conformity with the wishes of her client(s). Respondent shall give such notice within 14 days of the effective date of the suspension, and make such arrangements as are required herein within 45 days of the effective date of the suspension. The respondent shall also furnish proof to the Bar within 60 days of the effective date of the suspension if such notices have been timely given and such arrangements made for the disposition of matter.

It is further ORDERED that if the respondent is not handling any client matters on the effective date of the suspension, she 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 Paragraph 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 costs shall be assessed by the Clerk of the Disciplinary System pursuant to the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-9.E.

It is further ORDERED that the Clerk of the Disciplinary System shall send a certified copy of this Order by certified mail to Tonya Michelle Roberts at her last address of record with the Virginia State Bar at Roberts Law Office, PO Box 10463, Danville, VA 24543, and a certified copy to Tonya Michelle Roberts at her alternate address of record with the Virginia State Bar at Roberts Law Office, 116 South Market

Street, Danville, Virginia 24543, and shall hand-deliver a copy to Renu Mago Brennan,  
Assistant Bar Counsel, 707 E. Main Street, Suite 1500, Richmond, VA 23219.

ENTERED this 8<sup>th</sup> day of December, 2009.

**VIRGINIA STATE BAR DISCIPLINARY BOARD**

By: Thomas R. Scott, Jr.  
Thomas R. Scott, Jr., Esquire  
Second Vice-Chair