

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

Richard Donald Trala, Jr.

VSJ Docket Nos. 11-031-087414, 12-031-089642, and 12-031-090739

Attorney at Law

On March 1, 2012, came Richard Donald Trala, Jr. and presented to the Board an Affidavit Declaring Consent to Revocation of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when disciplinary charges are pending, he admits that the charges in the attached Affidavit Declaring Consent to Revocation are true.

The Board having considered the said Affidavit Declaring Consent to Revocation, and Bar Counsel having no objection, the Board accepts his Consent to Revocation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said Richard Donald Trala, Jr. be and the same hereby is revoked, and that the name of the said Richard Donald Trala, Jr. be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 1st day of March, 2012

For the Virginia State Bar Disciplinary Board

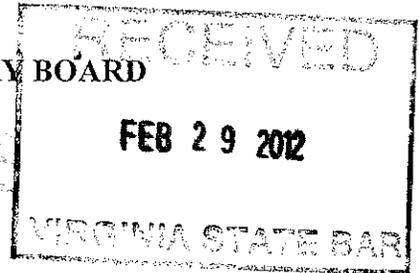
By Barbara S. Lanier
Barbara Sayers Lanier, Clerk of the Disciplinary System

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VIRGINIA:

MAR 1 2012
BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTERS OF
RICHARD DONALD TRALA, JR.



VSB Docket Nos. 12-031-089642, 12-031-090739 and 11-031-087414

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Richard Donald Trala, Jr., after being duly sworn, states as follows:

1. That Richard Donald Trala, Jr. was licensed to practice law in the Commonwealth of Virginia on September 30, 1991;
2. That Richard Donald Trala, Jr. submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. That Richard Donald Trala, Jr.'s consent to revocation is freely and voluntarily rendered, that Richard Donald Trala, Jr. is not being subjected to coercion or duress, and that Richard Donald Trala, Jr. is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;
4. Richard Donald Trala, Jr. is aware that there is currently pending a complaint, an investigation into, or a proceeding involving, allegations of misconduct, the docket numbers for which is set forth above, and the specific nature of which is here set forth:
 - a. That beginning in 2006, Trala represented Michelle Kenney in a personal injury action arising out of a car accident which occurred in November 2001. There were liability issues in the case, and multiple defendants.
 - b. Trala did not press forth with trial, and did not settle the case.
 - c. When asked about the status of the case, Trala told Kenney that it was being continued for various reasons. Kenney believed that Allstate Insurance would be sending her a check to settle her case, but Allstate never paid any personal injury claim for Kenney.
 - d. Trala paid Kenney money in small increments in 2010, stating that it was money advanced from her settlement.
 - e. That Nzinga Meekins hired Trala to represent her in a personal injury matter arising out of two automobile accidents in 2002. Meekins believes that the accidents caused permanent injuries.

- f. Trala did not fully communicate with Meekins about the status of her cases. He also failed to provide her with correct information regarding potential settlement, trial dates, and various nonsuit and dismissal orders. One of the cases has now been dismissed by Order dated September 29, 2011, despite the absence of a settlement payment for Meekins.
- g. That Trala also represented Lisa Graham in a personal injury matter. He filed suit on her behalf on April 22, 2009. Trala voluntarily nonsuited the case by order entered on April 12, 2011. He did not refile suit, and he did not inform Graham of the status of the case.
- h. The statute of limitations has now run on Graham's case, leaving her unable to seek redress against the defendant and/or the insurance companies involved.
- i. Trala gave Graham small amounts of money and told Graham that the funds were settlement advances in her case. In fact, no settlement was ever made.
- j. Trala failed to cooperate with the Bar's investigation of the matters. He avoided interviews, and failed to respond in writing to the allegations against him.

At a minimum, such conduct by Richard Donald Trala, Jr. constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

Rule 1.3 Diligence

- a) A lawyer shall act with reasonable diligence and promptness in representing a client.

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.
- (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

Rule 1.8 Conflict of Interest: Prohibited Transactions

- (e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:
 - (1) a lawyer may advance court costs and expenses of litigation, provided the client remains ultimately liable for such costs and expenses; and

(2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

5. Richard Donald Trala, Jr. acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and
6. Richard Donald Trala, Jr. submits this Affidavit and consents to the revocation of his license to practice law in the Commonwealth of Virginia because he knows that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, he could not successfully defend them.

Executed and dated on February 29, 2012.

Richard Donald Trala Jr
Richard Donald Trala, Jr.
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Henrico, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Richard Donald Trala, Jr. on February 29, 2012.

Erin Elizabeth Antill
Notary Public

My Commission expires: May 31, 2013.

