

VIRGINIA:

BEFORE THE SEVENTH DISTRICT SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF KAREN PATRICIA WOOLLEY, ESQUIRE  
VSB Docket No. 05-070-4572

SUBCOMMITTEE DETERMINATION  
PUBLIC REPRIMAND

On the 4<sup>th</sup> day of May, 2007, a meeting in this matter was held before a duly convened a subcommittee of the Seventh District Committee consisting of Joseph W. Richmond Jr., Esq., Minor Eager, and Thomas J. Chasler, Esq., presiding.

Pursuant to Part 6, § IV, ¶ 13(G)(1)(c) of the Rules of Virginia Supreme Court, a subcommittee of the Seventh District Committee of the Virginia State Bar hereby serves upon the Respondent the following Agreed Disposition of a Public Reprimand, as set forth below:

I. FINDINGS OF FACT

1. At all times relevant hereto the Respondent, Karen Patricia Woolley, Esq. (hereinafter the Respondent), has been an attorney licensed to practice law in the Commonwealth of Virginia.

2. Respondent Woolley represented Virginia Ramirez in a divorce case in which Ms. Ramirez was the Defendant. During her representation of Ms. Ramirez, Respondent Harris filed an Answer and Crossbill to Plaintiff's Bill of Complaint for Divorce forty-six (46) days after Plaintiff properly served Ms. Ramirez, i.e., twenty-one (21) days late. Although Plaintiff's counsel answered Respondent's pleading and the parties exchanged discovery, the Court proceeded to adjudicate the divorce as a no fault matter and granted the divorce as if it were uncontested.

3. Upon Plaintiff's motion for summary judgment, the Court found that since the divorce had been pending for over a year, Respondent Woolley had had time to correct the late filing by seeking leave of the Court for an extension to file a late response. Respondent Woolley argued that a serious health problem had prevented her from filing a timely response, but the Court found this unpersuasive.

4. Respondent Woolley then paid Ms. Ramirez \$40,000.00 in exchange for a executed release from any malpractice liability stemming from her failure to timely file the Answer and Crossbill on Ms. Ramirez's behalf. However, the release stated that should Ms. Ramirez prevail on appeal, she would reimburse Respondent Woolley the \$40,000.00. This created a conflict of interest for Respondent Woolley under Rule of Professional Conduct 1.8.

5. Respondent Woolley contacted Spencer Dean Ault, Esq. for assistance with the appeal and he agreed to provide limited help to her. Mr. Ault agreed only to draft the pleadings for Respondent Woolley to file in the case. He drafted a petition for appeal and forwarded it to Respondent Woolley for her review and filing. However, Respondent Woolley did not file the petition for appeal because she contends that she did not receive the brief. On April 15, 2005, the Court of Appeals dismissed the appeal because Respondent Woolley had failed file a petition.

## II. NATURE OF MISCONDUCT

The Subcommittee finds that the following Rules of Professional Conduct/Disciplinary Rules 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 1.8 Conflict of Interest: Prohibited Transactions**

- (a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless:
  - (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing to the client in a manner which can be reasonably understood by the client;
  - (2) the client is given a reasonable opportunity to seek the advice of independent counsel in the transaction; and
  - (3) the client consents in writing thereto.
- (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.

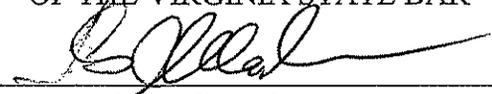
III. PUBLIC REPRIMAND

Accordingly, it is the decision of the Subcommittee that a Public Reprimand shall be imposed, and this matter shall be closed.

Pursuant to Part Six, § IV, ¶ 13(B)(8)(c)(1) of the Rules of the Supreme Court, the Clerk of the Disciplinary System shall assess costs.

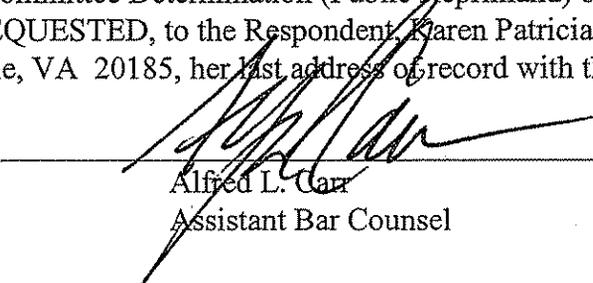


SEVENTH DISTRICT SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

By   
Chair/Chair Designate

CERTIFICATE OF SERVICE

I certify that I have this 11<sup>th</sup> day of MAY, 2007, mailed a true and correct copy of the Subcommittee Determination (Public Reprimand) by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to the Respondent, Karen Patricia Harris Woolley, Esq., at P.O. Box 253, Upperville, VA 20185, her last address of record with the Virginia State Bar.

  
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Alfred L. Carr  
Assistant Bar Counsel