

DISCIPLINARY PROCEEDINGS

Respondent's Name	Address of Record	Action	Effective Date
CIRCUIT COURTS			
*John Wesley Bonney	Norfolk, VA	Revocation	February 26, 2014
William Stephen Coleman	Mechanicsville, VA	Suspension w/Terms—6 months	April 30, 2014
Benjamin Thomas Reed	Norfolk, VA	Suspension w/Terms—2 years	March 31, 2014
DISCIPLINARY BOARD			
James Pearce Brice Jr.	Virginia Beach, VA	Suspension—30 Days	February 28, 2014
David Peter Buehler	New Orleans, LA	Suspension—6 Months	December 13, 2013
Dale Eugene Duncan	McLean, VA	Revocation	February 21, 2014
Jane Karen Eshagpoor	Richmond, VA	Suspension—90 Days	May 16, 2014
Diane Baily Fenton	Virginia Beach, VA	Suspension—120 Days	May 1, 2014
David Raymond Flynn	Virginia Beach, VA	Revocation	May 1, 2014
*John F. Kane	Norfolk, VA	Suspension—1 year and 1 Day	March 28, 2014
Douglas Edward Mataconis	Warrenton, VA	Suspension—9 Months	March 14, 2014
William Magruder McKee	Norfolk, VA	Suspension—6 Months	February 21, 2014
Marcus Noah Perdue III	Covington, VA	Revocation	April 25, 2014
Duane Timothy Phillips	Linwood, NJ	Suspension—3 Months	April 25, 2014
Jorge Antonio Rodriguez	Mundelein, IL	Suspension—30 Days	April 25, 2014
Jason Christopher Roper	Mars, PA	Suspension—6 Months	February 17, 2015
Michael Bruce Stone	Las Vegas, NV	Suspension w/Terms—2 years	January 6, 2014
		All but 90 days stayed upon compliance with terms.	
Douglas Paul Wachholz	Reno, NV	Revocation	May 1, 2014
DISTRICT COMMITTEES			
Vivien J. Cockburn	Washington, DC	Public Admonition	May 19, 2014
Robert Monroe Cooper Jr.	Manassas, VA	Public Reprimand	February 19, 2014
Lorie Ellen O'Donnell	Leesburg, VA	Public Reprimand	February 21, 2014
Douglass Hayden Fisher	Richmond, VA	Public Reprimand w/Terms	January 30, 2014
Richard Scott Gordon	Newport News, VA	Public Reprimand	May 1, 2014
Phillip Stone Griffin II	Winchester, VA	Public Reprimand	April 18, 2014
Brent Alan Jackson	Richmond, VA	Public Reprimand w/Terms	April 23, 2014
Vaughan Christopher Jones	Richmond, VA	Public Reprimand	February 10, 2014
Robert Adam May Jr.	Burke, VA	Public Reprimand	March 26, 2014
Darryl Arthur Parker	Richmond, VA	Public Admonition w/Terms	March 27, 2014
John Douglas Primeau	Manassas, VA	Public Reprimand w/Terms	March 24, 2014
William L. Stables Jr.	Harrisonburg, VA	Public Reprimand	April 1, 2014

*Respondent has noted an appeal with the Supreme Court of Virginia.

SUSPENSION—FAILURE TO PAY DISCIPLINARY COSTS

Respondent's Name	Address of Record	Effective Date	Lifted
William Scott Bradbury	Falls Church, VA	May 22, 2014	***
David Peter Buehler	New Orleans, LA	May 28, 2014	***
Sara Elizabeth Chase	Henrico, VA	February 11, 2014 February 26, 2014	*** ***
Kyle Mars Courtinall	Fairfax, VA	March 7, 2014	***
Reuben Voll Greene	Richmond, VA	January 4, 2014	***
Clive Allen O'Leary	Fredericksburg, VA	April 30, 2014	***
David Garrett Mullins	Virginia Beach, VA	February 18, 2014	***

SUSPENSION—FAILURE TO COMPLY WITH SUBPOENA

Respondent's Name	Address of Record	Effective Date	Lifted
David Richards Dubose	Richmond, VA	March 24, 2014	March 27, 2014
William Shawn McDaniel	Bristol, VA	March 11, 2014	***

DISCIPLINARY SUMMARIES

The following are summaries of disciplinary actions for violations of the Virginia Rules of Professional Conduct (RPC) (Rules of the Virginia Supreme Court Part 6, § II, eff. Jan. 1, 2000) or another of the Supreme Court Rules.

Copies of disciplinary orders are available at the Web link provided with each summary or by contacting the Virginia State Bar Clerk's Office at (804) 775-0539 or clerk@vsb.org. VSB docket numbers are provided.

CIRCUIT COURT**John Wesley Bonney**

Norfolk, Virginia
12-021-086444, 12-021-091597

*On April 30, 2014, Mr. Bonney filed an appeal with the Supreme Court of Virginia.

On February 26, 2014, a three-judge panel of the Circuit Court of the City of Norfolk revoked John Wesley Bonney's license to practice law for violating professional rules that govern competence, safekeeping property, candor toward the tribunal, and misconduct. RPC 1.1, 1.15(a), 3.3(a)(1), 8.4(c)

<http://www.vsb.org/docs/Bonney-060414.pdf>

William Stephen Coleman

Mechanicsville, Virginia
12-060-091523

Effective April 30, 2014, a three-judge panel of the Circuit Court of the City of Richmond suspended William Stephen Coleman's license to practice law for six months with terms for violating professional rules that govern safekeeping property. This was an agreed disposition of misconduct charges. RPC 1.15(a)(3)(i,ii), (b)(3), 1.15(b)(5), (c)(1), (c)(2)(i,ii), (c)(3,4), (d)(2), (d)(3)(i-iv), (d)(4)

<http://www.vsb.org/docs/Coleman-060414.pdf>

Benjamin Thomas Reed

Norfolk, Virginia
13-021-093607

Effective March 31, 2014, the Circuit Court of the City of Norfolk suspended Benjamin Thomas Reed's license to practice law for two years with terms for violating professional rules that govern safekeeping property and misconduct. RPC 1.15(a)(1)(3)(c)(1-3)(d)(3), 8.4(b,c)

<http://www.vsb.org/docs/Reed-060414.pdf>

DISCIPLINARY BOARD**James Pearce Brice Jr.**

Virginia Beach, Virginia
13-022-093126

Effective February 28, 2014, the Virginia State Bar Disciplinary Board suspended James Pearce Brice Jr.'s license to practice law for thirty days for violating professional rules that govern safekeeping property and bar admission and disciplinary matters. This was an agreed disposition of misconduct charges. RPC 1.15(a)(3)(i,ii), (b)(3)(5), (c)(1)(2)(i,ii), (d)(3)(i-iv)(4); 8.1(a),(c)

<http://www.vsb.org/docs/Brice-040114.pdf>

DISCIPLINARY BOARD

David Peter Buehler

New Orleans, Louisiana
12-021-090634

On December 13, 2013, the Virginia State Bar Disciplinary Board suspended David Peter Buehler's license to practice law for six months for violating professional rules that govern diligence, meritorious claims and contentions, candor toward the tribunal, fairness to opposing party and counsel, respect for rights of third persons, and misconduct. RPC 1.3(a), 3.1, 3.3(a)(1), 3.4(g), 4.4, 8.4(c)

<http://www.vsb.org/docs/Buehler-040114.pdf>

Dale Eugene Duncan

McLean, Virginia
10-042-082497

On February 21, 2014, the Virginia State Bar Disciplinary Board revoked Dale Eugene Duncan's license to practice law for violating professional rules that govern competence; communication; conflict of interest: general rule; declining or terminating representation; and misconduct. RPC 1.1, 1.4(b), 1.7(a)(1),(a)(2),(b)(4), 1.16(a)(1), 8.4(a),(c)

<http://www.vsb.org/docs/Duncan-040114.pdf>

Jane Karen Eshagpoor

Richmond, Virginia
13-032-094660, 14-032-096051, 14-032-096820, 14-032-097550, and 14-032-097766

Effective May 16, 2014, the Virginia State Bar Disciplinary Board suspended Jane Karen Eshagpoor's license to practice law for ninety days for violating professional rules that govern communication, safekeeping property, declining or terminating representation, unauthorized practice of law; multijurisdictional practice of law, bar admission and disciplinary matters, and misconduct. This was an agreed disposition of misconduct charges. RPC 1.4(a), 1.15(a)(1)(b) (3-5)(c)(2)(i,ii), 1.16(d), 5.5(c), 8.1(c), 8.4(c)

<http://www.vsb.org/docs/Eshagpoor-060414.pdf>

Diane Baily Fenton

Virginia Beach, Virginia
13-022-094878

Effective May 1, 2014, the Virginia State Bar Disciplinary Board suspended Diane Baily Fenton's license to practice law for 120 days for violating professional rules that govern diligence, communication, and declining or terminating representation. This was an agreed disposition of misconduct charges. RPC 1.3(a), 1.4(a), 1.16(a)(1)(c)

<http://www.vsb.org/docs/Fenton-051614.pdf>

David Raymond Flynn

Virginia Beach, Virginia
14-021-097890, 14-021-097891, 14-021-097940, 14-021-097942, 14-021-097971

On May 1, 2014, the Virginia State Bar Disciplinary Board revoked David Raymond Flynn's license to practice law. In consenting to the revocation, Mr. Flynn acknowledged that if the disciplinary proceedings based on his alleged misconduct were brought to a conclusion he could not successfully defend them. Rules Part 6, § IV, ¶ 13-28

<http://www.vsb.org/docs/Flynn-051514.pdf>

John F. Kane

Norfolk, Virginia
13-022-093947

*On April 7, 2014, Mr. Kane filed an appeal with the Supreme Court of Virginia

On March 28, 2014, the Virginia State Bar Disciplinary Board suspended John F. Kane's license to practice law for one year and one day for violating professional rules that govern misconduct and unauthorized practice of law; multijurisdictional practice of law. RPC 5.5(c), 8.4(b)

<http://www.vsb.org/docs/Kane-051614.pdf>

Douglas Edward Mataconis

Warrenton, Virginia
13-053-094175

Effective March 14, 2014, the Virginia State Bar Disciplinary Board suspended Douglas Edward Mataconis's license to practice law for nine months for violating professional rules that govern competence, scope of representation, diligence, communication, fees, and bar admission and disciplinary matters. This was an agreed disposition of misconduct charges. RPC 1.1, 1.2(a), 1.3(a)(b), 1.4(a), 1.5(b)(c), 8.1(c)

<http://www.vsb.org/docs/Mataconis-051614.pdf>

William Magruder McKee

Norfolk, Virginia
14-000-098116

On February 21, 2014, the Virginia State Bar summarily suspended William Magruder McKee's license to practice law for six months for failing to comply with the duties of a suspended attorney. Rules Part 6 § IV, ¶ 13-29

<http://www.vsb.org/docs/McKee-060414.pdf>

DISCIPLINARY BOARD

Marcus Noah Perdue III

Covington, Virginia
14-000-098235

On April 25, 2014, the Virginia State Bar Disciplinary Board revoked Marcus Noah Perdue III's license to practice law for failing to comply with requirements imposed on him by the board's one-year suspension order issued August 23, 2013. Rules Part 6, § IV, ¶ 13-29

<http://www.vsb.org/docs/Perdue-060414.pdf>

Duane Timothy Phillips

Linwood, New Jersey
14-000-098945

Effective April 25, 2014, the Virginia State Bar Disciplinary Board suspended Duane Timothy Phillips's license to practice law for three months based on his three-month suspension by the Supreme Court of the State of New Jersey. Mr. Phillips's Virginia license had been summarily suspended on April 7, 2014. Rules Part 6, § IV, ¶ 13-24(G)

<http://www.vsb.org/docs/Phillips-051614.pdf>

Jorge Antonio Rodriguez

Mundelein, Illinois
14-000-098810

On April 25, 2014, the Virginia State Bar Disciplinary Board suspended Jorge Antonio Rodriguez's license to practice law for thirty days based on his thirty-day suspension by the Supreme Court of the State of Illinois. Mr. Rodriguez's license was summarily suspended on April 7, 2014, and he was ordered to show cause why the same discipline that was imposed in Illinois should not be imposed in Virginia. Rules Part 6, § IV, ¶ 13-24.G

<http://www.vsb.org/docs/Rodriguez-060414.pdf>

Jason Christopher Roper

Mars, Pennsylvania
14-000-098401

On March 28, 2014, the Virginia State Bar Disciplinary Board suspended Jason Christopher Roper's license to practice law for six months for failing to fulfill terms of a public reprimand ordered June 25, 2013. The six-month suspension will begin at the conclusion of a current three-year suspension imposed February 17, 2012. RPC 1.6; 1.7; 1.9; 1.16; 3.1; 3.3; 3.4(i); 3.4(j); 4.2; 4.4; 8.1(a); 8.4(a)(b)(c)

<http://www.vsb.org/docs/Roper-051514.pdf>

Michael Bruce Stone

Las Vegas, Nevada
14-000-097780

Effective January 6, 2014, the Virginia State Bar Disciplinary Board suspended Michael Bruce Stone's license to practice law for two years, with all but ninety days stayed conditioned upon his compliance with terms. The Virginia ruling is based on the actions taken by the Supreme Court of California. Part Six, § IV, ¶ 13-24

<http://www.vsb.org/docs/Stone-040114.pdf>

Douglas Paul Wachholz

Reno, Nevada
12-033-090763, 14-000-099307

On May 1, 2014, the Virginia State Bar revoked Douglas Paul Wachholz's license to practice law. In consenting to the revocation, he acknowledged that the material facts upon which the allegations are predicated are true and that he could not successfully defend against them.

<http://www.vsb.org/docs/Wachholz-060914.pdf>

DISTRICT COMMITTEES

Vivien J. Cockburn

Washington, D.C.
14-041-096801

On May 14, 2014, the Virginia State Bar Fourth District Subcommittee issued a public admonition to Vivien J. Cockburn for violating Washington, D.C., professional rules that govern special responsibilities of a prosecutor and misconduct. This was an agreed disposition of misconduct charges. Rules Part 6, § IV, ¶ 13-15.B.4; Washington, D.C., RPC 3.8(e), 8.4(d)

<http://www.vsb.org/docs/Cockburn-060414.pdf>

Robert Monroe Cooper Jr.

Manassas, Virginia
12-053-090380

On February 19, 2014, the Virginia State Bar Fifth District – Section III Subcommittee issued a public reprimand to Robert Monroe Cooper Jr. for violating professional rules that govern diligence and communication. This was an agreed disposition of misconduct charges. RPC 1.3(a), 1.4(a)

<http://www.vsb.org/docs/Cooper-040114.pdf>

Lorie Ellen O'Donnell

Leesburg, Virginia
12-070-091544

On February 21, 2014, the Virginia State Bar Seventh District Subcommittee issued a public reprimand to Lorie Ellen O'Donnell for violating professional rules that govern misconduct. This was an agreed disposition of misconduct charges. RPC 8.4(b)

<http://www.vsb.org/docs/O'Donnell-040114.pdf>

Douglass Hayden Fisher

Richmond, Virginia
13-032-094098

On January 30, 2014, the Virginia State Bar Third District Subcommittee, Section II, issued a public reprimand with terms to Douglass Hayden Fisher for violating professional rules that govern diligence, communication, safekeeping property, and declining or terminating representation. This was an agreed disposition of misconduct charges. RPC 1.3(a), 1.4(b), 1.15(b)(3)(4), 1.16(c)(d)

<http://www.vsb.org/docs/Fisher-040114.pdf>

Richard Scott Gordon

Newport News, Virginia
13-010-092947 and 13-010-093626

On May 1, 2014, the Virginia State Bar First District Subcommittee issued a public reprimand to Richard Scott Gordon for violating professional rules that govern diligence, fairness to opposing party and counsel, and bar admission and disciplinary matters. This was an agreed disposition of misconduct charges. RPC 1.3(a), 3.4(d), 8.1(c)

<http://www.vsb.org/docs/Gordon-051514.pdf>

Phillip Stone Griffin II

Winchester, Virginia
12-070-090760

On April 18, 2014, the Virginia State Bar Seventh District Subcommittee issued a public reprimand to Phillip Stone Griffin II for violating a professional rule that governs communication with persons represented by counsel. This was an agreed disposition of misconduct charges. RPC 4.2

<http://www.vsb.org/docs/Griffin-051514.pdf>

Brent Alan Jackson

Richmond, Virginia
14-032-096787

On April 23, 2014, the Virginia State Bar Third District Subcommittee, Section II issued a public reprimand with terms to Brent Alan Jackson for violating professional rules

that govern safekeeping property and conflict of interest: general rule. This was an agreed disposition of misconduct charges. RPC 1.7(a)(1,2)(b)(1-4), pre-June 15, 2011 1.15(e)(1)(iii), post June 15, 2011 1.15(c)(2)(i-ii)

<http://www.vsb.org/docs/Jackson-051514.pdf>

Vaughan Christopher Jones

Richmond, Virginia
13-033-093486

On February 10, 2014, the Virginia State Bar Third District Subcommittee issued a public reprimand to Vaughan Christopher Jones for violating a professional rule that governs safekeeping property. This was an agreed disposition of misconduct charges. RPC 1.15(b)(5),(d)(3)(ii)

<http://www.vsb.org/docs/Jones-060414.pdf>

Robert Adam May Jr.

Burke, Virginia
13-053-095250, 13-053-095585

On March 26, 2014, the Virginia State Bar Fifth District – Section III Subcommittee issued a public reprimand to Robert Adam May Jr. for violating professional rules that govern bar admission and disciplinary matters. This was an agreed disposition of misconduct matters. RPC 8.1(c)

<http://www.vsb.org/docs/MAY-051614.pdf>

John Douglas Primeau

Manassas, Virginia
13-053-094029

On March 24, 2014, the Virginia State Bar Fifth District – Section III Subcommittee issued a public reprimand with terms to John Douglas Primeau for violating professional rules that govern scope of representation, diligence, and communication. This was an agreed disposition of misconduct charges. RPC 1.2(a), 1.3(a-c), 1.4(a,b)

<http://www.vsb.org/docs/Primeau-051614.pdf>

William L. Stables Jr.

Harrisonburg, Virginia
14-070-098677

On April 1, 2014, the Virginia State Bar Seventh District Committee issued a public reprimand to William L. Stables Jr. for failing to comply with the terms of a public admonition issued by the Seventh District Subcommittee on June 3, 2013. Mr. Stables was found to have violated professional rules that govern diligence, communication, and bar admission and disciplinary matters. Part 6, § IV, ¶ 13-16.Z, RPC 1.3(a), 1.4(a), 8.1(c)

<http://www.vsb.org/docs/Stables-051614.pdf>

NOTICES TO MEMBERS

SUPREME COURT OF VIRGINIA ADOPTS RULE CHANGES AND AMENDMENTS

On May 1, 2014, the Supreme Court of Virginia adopted amendments to Paragraph 17, effective immediately: *Mandatory Continuing Legal Education*.

Details:

<http://www.vsb.org/docs/SCV-order-para17-050114.pdf>

Effective May 16, 2014, the Court amended rules 5:1A, 5:17, and 5A:12, and added rule 5A:1A. *All concern Penalties for Non-compliance; Show Cause; Dismissal, and Petitions for Appeal.*

Details:

http://www.courts.state.va.us/courts/scv/amendments/2014_05_16_rule_5_1a_rule_5_17_rule_5a_1A_rule%205a_12.pdf

Effective July 1, 2014, the Court added Rule 1A:8: *Military Spouse Provisional Admission*.

Details:

http://www.courts.state.va.us/courts/scv/amendments/2014_05_16_rule_1a_8.pdf

COUNCIL APPROVES AMENDMENT AND NEW RULE

On June 12, the council unanimously approved and forwarded to the Supreme Court of Virginia an amendment to Rule 1.10: *Imputed Disqualification: General Rule*

Details:

<http://www.vsb.org/docs/prop-rule1-10-032414.pdf>

Also on June 12, by a vote of 64-1, the council approved and forwarded to the Court new Rule 5.8: *Procedures for Lawyers Leaving Law Firms and Dissolution of Law Firm*.

Details:

http://www.vsb.org/docs/prop-rule-5-8_112513.pdf

ADDITION TO VSB BYLAWS

On June 12, the council unanimously approved an addition to VSB and Council Bylaws, adding a new Part III regarding amendments: Upon motion of a council member, the bylaws contained in either Part I or Part II may be amended at any regular meeting of the bar council provided there has been at least thirty days' notice of the proposed amendment to all Virginia State Bar members.

Amendment of the bylaws must be by a two-thirds vote of the council members present and voting at that regular meeting.

COMMENTS SOUGHT ON AMENDMENTS TO RULES OF THE SUPREME COURT OF VIRGINIA

The Advisory Committee on Rules of Practice and Procedure, a subcommittee of Judicial Council, seeks comments on proposed amendments to Rule 2:803, Business Records Rule Reformatting,

Details:

http://www.courts.state.va.us/courts/scv/business_records_rule_reformatting.pdf

The committee also seeks comments on proposed Rule 4:11, Numerical Limit on Requests for Admissions,

Details:

http://www.courts.state.va.us/courts/scv/numerical_limit_requests_for_admissions.pdf

Comments on the desirability of this reformatting of Rule 2:803(6) into this outline format – with the intention of keeping the standards and doctrines of business records law in Virginia unchanged – may be sent by August 15 to Steven Dalle Mura, Director of Research, Supreme Court of Virginia, 100 North Ninth Street, Richmond, VA 23219, or by e-mail, with the subject line “Rule 2:803(6),” to proposedrules@courts.state.va.us.

Comments on draft Rule 4:11 may be sent by August 15 to Steven Dalle Mura, Director of Research, Supreme Court of Virginia, 100 North Ninth Street, Richmond, VA 23219, or by e-mail, with the subject line: “Rule 4:11(e),” to proposedrules@courts.state.va.us.

EXECUTIVE COMMITTEE SEEKS COMMENTS ON PROPOSAL TO ADD E-MAIL AND PHONE NUMBER TO ADDRESS OF RECORD

The Virginia State Bar Executive Committee is seeking public comment on proposed changes to Rules of the Supreme Court of Virginia Part 6, § IV, Organization & Government of the Virginia State Bar, Paragraph 3. Comments should be submitted to Karen A. Gould, Executive Director, Virginia State Bar, 1111 E. Main St., Suite 700, Richmond, VA 23219-3565, no later than the end of the business day on August 15, 2014. Comments may be submitted via e-mail to publiccomment@vsb.org.

3. Classes of Membership—

Members of the Virginia State Bar shall be divided into five classes, namely: (a) Active Members, (b) Associate Members, (c) Judicial Members, (d) Disabled and Retired Members; and (e) Emeritus Members. Each member shall submit in writing to the membership department of the Virginia State Bar an address of record which will be used for all membership and regulatory purposes, including official mailings and notices of disciplinary proceedings. The address of record shall include a current street address, e-mail address (if any), telephone number, and any post office address the member may use. If a member's address of record is not a physical address where process can be served, the member must submit in writing to the membership department an alternate address where process can be served. The alternate address is personal information and shall not be disclosed pursuant to Section 2.2-3704, Code of Virginia. ~~Members have a duty promptly to notify the membership department in writing of any changes in either the address of record or any alternate address.~~ Any change in either the address of record or any alternate address information shall be promptly reported in writing to the membership department or changed online at the Virginia State Bar website within thirty days of its effective date. Members, by request, may have their names and addresses removed from the Virginia State Bar's membership list when it is distributed for other than official purposes.

COMMENTS SOUGHT ON PROPOSED AMENDMENT TO COUNCIL ELECTION PROCEDURES

The Bylaw Amendment Committee, consisting of Howard W. Martin, Jr., Jon D. Huddleston, and Adam D. Elfenbein, has proposed the following amendment to the council bylaws, Article II, Sec. 2, in order to prevent the elimination of ballots when the voter fails to vote for precisely the number of positions to be filled on council from his or her circuit. By adding the language "or fewer person(s)," this permits the voter to cast a ballot for fewer persons than positions to be filled, but does not permit them to write-in and vote for more candidates than there are positions to be filled. It also eliminates the disqualification of ballots when the ballot has been cast for just one candidate, even though more than one position is to be filled.

Comments should be submitted to Karen A. Gould, executive director, Virginia State Bar, 1111 E. Main St., Suite 700, Richmond, VA 23219-3565, no later than the end of the business day on August 15, 2014. Comments may be submitted via e-mail to publiccomment@vsb.org.

PROPOSED AMENDMENT

Article II Election of Council

Sec. 2 Ballot

Write-in votes shall be permitted, but the executive director may exclude illegible write-in votes and shall exclude write-in votes for any candidate ineligible to serve pursuant to these bylaws, if elected. In those instances where there are more candidates for Council positions than there are positions to be filled from the circuit, the ballot will contain instructions to vote only for the same number of persons or fewer person(s) as there are positions to be filled; ballots which do not conform to this requirement will not be counted.

LEGAL ETHICS OPINION 1873

On March 20, 2014, the Virginia State Bar's Standing Committee on Legal Ethics issued Legal Ethics Opinion 1873 as final:

Continued Use of Former Firm Name in URL after Firm Name Has Changed.

Details:

<http://www.vsb.org/docs/LEO/1873.pdf>

COMMITTEE ON LAWYER DISCIPLINE SEEKS PUBLIC COMMENT CONCERNING INSURANCE RULE

On May 7, 2014, the Committee on Lawyer Discipline (COLD) voted unanimously to approve the proposed Paragraph 13.4 to be included in Part Six, Section IV of the Rules of the Supreme Court of Virginia. This paragraph is in response to changes to Virginia Code Section 54.1-3935(D) which charge the bar with setting standards for minimum malpractice coverage when disciplinary charges heard by a three-judge panel result in a finding of criminal conduct involving loss of client property. Comments or questions should be submitted in writing to Executive Director, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-3565, no later than August 15, 2014. The Virginia State Bar Council will consider the proposed amendments when it meets on October 24, 2014.

**PART SIX, SECTION IV,
RULES OF THE SUPREME COURT OF VIRGINIA**
13.4 Insurance coverage requirement for respondents under
Va. Code § 54.1-3935(D)

Pursuant to Va. Code § 54.1-3935(D), when an attorney who has been found guilty of engaging in criminal activity that violates the Rules of Professional Conduct and results in the loss of property of one or more of the attorney's clients and has been required by a three-judge court to maintain professional malpractice insurance during the time he or she is licensed to practice law in the Commonwealth of Virginia, that attorney shall carry such coverage in the minimum amount of \$500,000 per claim and \$1 million in the aggregate with a maximum \$10,000 deductible, with a Virginia licensed insurer, eligible surplus line insurer or registered risk retention group. The coverage provider must have an A.M. Best minimum rating of A-

The attorney shall require the insurer to include language in the policy specifying that the VSB be given notice of cancellation or nonrenewal. The attorney shall certify such coverage and the notice requirement to the VSB on a yearly basis with a certificate of insurance provided to the VSB by an agent or broker licensed in Virginia. This certificate must be received initially within 10 days after inception or reinstatement of the policy.

**COMMITTEE ON LAWYER DISCIPLINE SEEKS
PUBLIC COMMENT ON DISCLOSURE OF
INFORMATION RULE**

On May 7, 2014, the Committee on Lawyer Discipline (COLD) approved amendments to Part Six, § IV, ¶ 13 of the Rules of the Supreme Court of Virginia. The proposed Paragraph 13-30.M clarifies bar counsel's obligation to disclose certain information notwithstanding rules that proscribe such disclosure on the basis that the information is confidential. Paragraph 13-12.H addresses the notice required when information is disclosed as anticipated in proposed Paragraph 13-30.M. Comments or questions should be submitted in writing to Executive Director, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-3565, no later than August 15, 2014. The Virginia State Bar Council will consider the proposed amendments when it meets on October 24, 2014.

**13. PROCEDURE FOR DISCIPLINING, SUSPENDING,
AND DISBARRING ATTORNEYS**

**13-12 SUBSTANTIAL COMPLIANCE, NOTICE
AND EVIDENTIARY RULINGS, AND ADDRESS
NOTIFICATION**

* * *

H. Notice.

1. Whenever any notice or other writing to be directed to an Attorney is required or permitted under this Rule, such notice or other writing shall be deemed effective when mailed by first class mail to the Attorney at the Attorney's last address on record for membership purposes with the Bar or, if the Attorney is a Foreign Lawyer, a lawyer engaged pro hac vice in the practice of law in Virginia, or a lawyer not admitted in Virginia, when mailed by first class mail to the last known address on record with the Bar or, if no such address is on record, then to the Clerk of the Supreme Court of Virginia.

2. Whenever any notice or other writing is to be directed to a Complainant is required or permitted under this Rule, such notice or other writing shall be deemed effective when mailed by first class mail to the Complainant at the Complainant's last known address with the Bar.

* * *

**13-30 CONFIDENTIALITY OF DISCIPLINARY
RECORDS AND PROCEEDINGS**

* * *

M. Disclosure of Exculpatory Evidence. Bar Counsel shall comply with the duty to disclose exculpatory evidence under these rules regardless of whether the information is considered confidential under Paragraph 13-30. The Attorney or Complainant who is the subject of the disclosure shall be notified whenever this information is transmitted pursuant to this subparagraph unless Bar Counsel decides that giving this notice will prejudice a disciplinary investigation.

LICENSE FORFEITURES

The licenses of the members of the Virginia State Bar who have forfeited their licenses to practice law for failure to pay annual membership fees are posted at:

<http://www.vsb.org/site/members/license-forfeitures>.

Forfeiture is governed by Section 54.1-3914, Code of Virginia, Title 54.1, Professions and Occupations. The list is current as of June, 16, 2014.