

Inside the Office of Bar Counsel:

On the Lighter Side

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While bar complaints are usually serious business, each year the bar receives a number of complaints that are very hard to take seriously. Typographical errors and grammatical goofs occasion a few laughs, but more often than not human nature is the source of the comedy.

What follows, with special thanks to the bar's intake counsel—Jane Fletcher, Mary Martelino and Jim Bodie—are snippets from some off-beat bar complaints that, for obvious reasons, either had a very short shelf life or required some extrapolation to make sense.

GQ INMATE

The complainant, a convicted felon, contends that he lost his jury trial because the assistant federal public defender wore a wrinkled suit and did not style his hair.

HE DOESN'T CALL, HE DOESN'T WRITE

The complainant reports that the lawyer who represented her in traffic court is extremely attractive and has a nice smile. She thought they had a special relationship, but when they appeared together in traffic court, he told her to be quiet and proceeded "to turn on the charm" with the female judge, the female Assistant Commonwealth's Attorney and the female courtroom deputy clerk. The judge dismissed the charges. The complainant is deeply hurt and upset that her lawyer behaved the way he did in front of her. Even worse, now that the case is over, and she has paid the lawyer, he does not accept her telephone calls or respond to her letters.

SHERLOCK HOLMES

The complainant alleges that because there was insufficient evidence to convict him of armed robbery, the Commonwealth's Attorney manufactured evidence that the complainant had a gun. The complainant explains that his fingerprints could not have been on the gun because he wore gloves.

PREPARATION H

The complainant's bar complaint included an allegation that the Department of Corrections had violated his constitutional right to a safe and healthy environment. The gravamen of his grievance was that he should be eligible for home incarceration since he suffers from hemorrhoids.

YOU KNOW WHAT I MEAN

The complainant inquired whether her lawyer's purportedly wrongful withholding of funds in his trust account meant that the lawyer had acted "unethically."

MAYBE IT WAS THE FOURTH OF JULY

The complainant is extremely upset that the public defender failed to argue that firecrackers are not deadly weapons. The complainant is convinced that argument would have saved him

from being convicted of attempting to rob a small town bank with a firecracker.

JACK OF ALL TRADES

The complainant seeks the bar's help in filing a complaint against his lawyer for gross medical malpractice and undue delay in filing a probate case.

A VERITABLE CESSPOOL OF ATTORNEY MISCONDUCT

The complainant contends that her lawyers' negligence caused her to spend \$7,000 to construct a five bedroom, 2,400 square foot septic tank.

ELVIS IMPERSONATOR

The complainant maintains that the Lawyer Referral Service referred him to a lawyer who overcharged him with regard to his breach of contract claim against the FBI. The FBI allegedly gave the complainant a recording contract in exchange for his cooperation in an undercover sting operation. The lawyer purportedly spent three hours talking to the FBI in an effort to verify the complainant's contention. The FBI was reportedly not amused.

WHISTLE BLOWER

A complainant, who claims to be a special field operative for a federal law enforcement agency, believes that the judge and opposing counsel in her child custody case lied about the law school from which each of them allegedly obtained a law degree. The complainant asserts that the diplomas must be fraudulent because the Latin translation of the name of the law school is incorrect. The complainant's investigation has revealed that three other officials involved in her case have also lied about their law degrees since the incorrect translation also appears on their diplomas.

HUMAN, ANIMAL, FISH OR MUTANT?

A complainant included in his bar complaint the following request to the Virginia Supreme Court:

It is also noted that Chief Judge King Fish chews his cud like a cow when he is administering the law in his courtroom. Accordingly, please issue an order that provide [sic] that Chief Judge King Fish's DNA will be tested in order that it can be determined whether he is an animal, a fish or a human being or a combination of these three species (a mutation).

CAN I TAKE A MESSAGE, PLEASE?

This is the actual text of a bar complaint:

In a conversation with Mr. [Attorney], he called me an idiot, an a**hole and a f***ing moron, whereupon completing that statement went on to tell to me that he would not urinate on me if I were on fire and if I ever needed an attorney he

would spit in my face, all because when he called my place of employment, I told him my boss was not in.

LET ME GET THIS STRAIGHT

An inmate implored the bar to intervene on his behalf and inform the Parole Board that he did NOT want parole so that he could max out his sentence and be released in 2012.

TALK ABOUT AN UNRIPE ISSUE

The complainant alleges that he hired an attorney to obtain a copy of his mother's death certificate from the Bureau of Vital Statistics, but the lawyer did nothing. Intake counsel contacted the lawyer, who indicated that he had indeed attempted to obtain his client's mother's death certificate, but there was a problem—his client's mother was not dead.

MY LAWYER MADE ME DO IT

"[D]ue to my [attorney's] allegation, I was forced to sign a no-condolence plea 'cause she left me with no hope."

HOW CAN WE HELP YOU?

A caller left a voice mail message on the Complaint Line emphasizing that he was not to be called "Mr." under any circumstances because he would have a seizure if he were referred to as "Mr." The caller indicated that he wanted to file a bar complaint but was stymied by his phobia about forms, which could also cause him to have a seizure. He explained that filling out a complaint form, talking about or even thinking

about filling out a complaint form, not to mention writing a letter or memorandum in lieu of filling out a complaint form, could precipitate a seizure.

THANKS FOR THE CLARIFICATION

A complainant recently advised the bar that she is the rightful President of the United States despite all media coverage to the contrary.

SECRET SQUIRREL

An inmate alleges that thousands of dollars were stolen from his inmate bank account and that "the authorities" are fabricating stories to prevent the theft from being investigated. How, you may ask, does an inmate accumulate thousands of dollars in his inmate account? Simple: he steals a Russian spy plane for the CIA and sells it here in the U.S. (perhaps on E-bay?).

Last year the Virginia State Bar received 3,965 bar complaints. Contrary to what the foregoing summaries may suggest, most of the complaints that the bar received were not funny. Indeed, some bar complaints engender genuine concern that attorneys' safety might be in jeopardy. The bar does not take threatening complaints lightly. Contrary to the bar's usual policy of not informing lawyers about complaints that are dismissed with no action taken, in instances where a complainant threatens to do an attorney bodily harm, Intake counsel contacts the attorney and shares the basis for concern, even if the bar dismisses the complaint with no action taken. 