

VIRGINIA :

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN RE: REGINALD MICHAEL HARDING

VS. DOCKET Nos. 04-010-2243,  
05-010-1728, 05-010-3005,  
and 05-010-4515

ORDER

This matter came before the Virginia State Bar Disciplinary Board on February 24, 2006 pursuant to a certification from the First District Subcommittee. The Disciplinary Board Panel consisted of James L. Banks, Jr., 2<sup>nd</sup> Vice Chair, William C. Boyce, Jr., Robert E. Eicher, David R. Schultz, and Stephen A. Wannall (lay member). The Bar was represented by Assistant Bar Council Richard Slaney, and the Respondent, Reginald Michael Harding, was not represented by counsel. The proceedings were recorded by Victoria V. Halasz, P.O. Box 9349, Richmond, Virginia 23227, (804)730-1222, after being duly sworn by the Chairman.

Chairman Banks convened the hearing and polled the Panel as to whether any conflicts or biases existed which would prevent them from hearing the matter fairly and objectively. All answered in the negative, including the Chairman.

The hearing began with the Respondent renewing his motion to continue so as to hire counsel. This request was once again denied.

Mr. Harding then requested an opportunity to confer with Mr. Slaney outside the presence of the Board which request was granted.

Upon reconvening the hearing, Mr. Slaney informed the Board that he had reason to believe that Mr. Harding was suffering from an impairment and indicated that he would call the Respondent's wife, Angel Harding, to the stand in support of his proffer.

Subsequent to hearing the sworn testimony of Mrs. Harding, the Board concluded that the Respondent may have an impairment as defined in Part 6, Section IV, Paragraph 13A of the Rules of the Virginia Supreme Court of Virginia, and the disciplinary hearing was postponed, pursuant to Part 6, Section IV, Paragraph 13.I.6(a). It is Ordered that Bar Council cause an investigation to be made pursuant to Paragraph c (1) and (2) and that a petition thereafter may be filed with the Board.

Upon consideration of the sworn testimony, it is ORDERED that Respondent's license to practice law be and is hereby summarily suspended effective February 24, 2006. Mr. Harding being without counsel, the Board further Orders the Virginia State Bar to appoint a Guardian *ad litem* to represent the interests of Mr. Harding at a hearing on an impairment proceeding.

The Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13.M of the Rules of the Supreme Court of Virginia and notify all appropriate persons about the suspension of his license if he is handling any client matters at the time. If the Respondent is not handling any client matters on the effective date of his license suspension, he 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.M shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge court.

#### **COSTS**

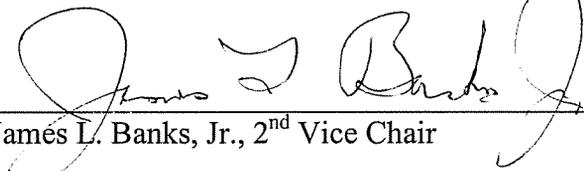
Pursuant to Part 6, Section IV, Paragraph 13.B.8(c) of the Rules, the Clerk of the Disciplinary System shall assess costs.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order to respondent at his addresses of record with the Virginia State Bar, being

Reginald Michael Harding, Suite 310, Crawford Street, Portsmouth, Virginia 23704 and 5670  
Gates Landing Road, Virginia Beach, Virginia 23464, by certified mail, return receipt requested,  
and by regular mail to Richard Slaney, Assistant Bar Counsel, Virginia State Bar, 707 East Main  
Street, Suite 1500, Richmond, Virginia 23219.

ENTERED this 8<sup>th</sup> day of March, 2006.

VIRGINIA STATE BAR DISCIPLINARY BOARD

  
James L. Banks, Jr., 2<sup>nd</sup> Vice Chair