

VIRGINIA:

BEFORE THE SECOND DISTRICT - SECTION II SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF ROBIN LEITCH TOLERTON  
VSB DOCKET NO. 04-022-3461

**SUBCOMMITTEE DETERMINATION**  
**(Private Admonition Without Terms )**

On May 11, 2005, a meeting in this matter was held before a duly convened Subcommittee of the Second District Committee - Section II, consisting of Bobby Wayne Davis, Esquire, Dianne B. Frantz, Lay Member, and Megan Elizabeth Burns, Attorney at Law, Chair presiding.

Pursuant to Part 6, § IV, ¶ 13G.1.a.(4) of the Rules of the Supreme Court, the Second District - Section II Subcommittee of the Virginia State Bar hereby serves upon the Respondent, Robin Leitch Tolerton, the following Private Admonition Without Terms  
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**I. FINDINGS OF FACT**

1. At all times material to these allegations, the Respondent, Robin Leitch Tolerton, hereinafter "Respondent", has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. Respondent represented Pauline Webb in her divorce, obtaining a final decree of divorce entered on or about February 18, 2003. Thereafter, issues arose as to husband's compliance with the final decree and as to wife's subsequent pension rights from the Navy.
3. On or about October 15, 2003, Pauline Webb met at Respondent's office with Respondent to discuss enforcement of the final decree. As a result of said meeting, Respondent wrote Webb's former spouse on October 20, 2003 demanding certain payments of \$1,200 and a further \$1,099. Respondent further advised Webb's former spouse that if he did not make said payments, Respondent would return to court to seek relief. Finally, Respondent indicated in the letter that he should contact Webb in care of Respondent's law office. Respondent copied Webb on the letter.
4. Thereafter, Webb telephoned Respondent repeatedly to seek information about the status of her matter, and not receiving information or a response, wrote

Respondent on March 1, 2004 requesting further information and action. Respondent admits she did not answer these queries, stating that this was a new representation to which Respondent had not agreed and that she was busy with personal commitments.

## II. NATURE OF MISCONDUCT

The following Rules of Professional Conduct have been found to have been violated:

### 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.

## III. PRIVATE ADMONITION WITHOUT TERMS

The Subcommittee hereby admonishes the Respondent, Robin Leitch Tolerton, for said misconduct.

The Private Admonition Without Terms shall remain a permanent part of Respondent's record with the Virginia State Bar.

The Clerk of the Disciplinary System is directed to assess the appropriate administrative costs.

In accordance with Part Six, Section IV, Paragraph 13G1.a. of the Rules of the Supreme Court of Virginia, you may request a hearing before the district committee if you do not wish to accept this disposition. To do so, you must, within ten (10) days of the issuance of this disposition, send a written request for a hearing to the undersigned at the Virginia State Bar, Eighth and Main Building, Suite 1500, 707 East Main Street, Richmond, Virginia 23219-2800.

SECOND DISTRICT - SECTION II  
SUBCOMMITTEE OF THE VIRGINIA STATE BAR

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Megan Elizabeth Burns  
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that I have this \_\_\_\_\_ day of May, 2005, mailed by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, a true and correct copy of the Subcommittee Determination (Private Admonition Without Terms) to the Respondent, Robin Leitch Tolerton, 5735 Poplar Hall Drive, Norfolk, VA 23502, her last known address of record with the Virginia State Bar.

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Paul D. Georgiadis  
Assistant Bar Counsel