

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

ELLIS CHARLES BAGGS

VS B Docket Nos. 20-033-116902 and 20-033-118338

CONSENT TO REVOCATION ORDER

On March 12, 2020, came Ellis Charles Baggs and presented to the Board an Affidavit Declaring Consent to Revocation (hereinafter "Affidavit") of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when allegations of Misconduct are pending, the nature of which are specifically set forth in the attached Affidavit, Respondent acknowledges that that the material facts upon which the allegations of Misconduct are pending are true.

The Board having considered the Affidavit, and Bar Counsel having no objection, the Board accepts his Consent to Revocation.

Upon consideration whereof, it is therefore ordered that Ellis Charles Baggs's license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Ellis Charles Baggs be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 13th day of March, 2020

Virginia State Bar Disciplinary Board

By Yvonne S. Gibney

Yvonne S. Gibney
Second Vice Chair

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Date: 2020.03.13 10:49:14 -04'00'



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
ELLIS CHARLES BAGGS**

VS B Docket Nos. 20-033-116902 and 20-033-118338

AFFIDAVIT DECLARING CONSENT TO REVOCATION

I, Ellis Charles Baggs, after being duly sworn, state as follows:

1. I, Ellis Charles Baggs, was licensed to practice law in the Commonwealth of Virginia on 10/17/2007.

2. I, Ellis Charles Baggs, submit this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.

3. My consent to revocation is freely and voluntarily rendered. I, Ellis Charles Baggs, am not being subjected to coercion or duress. I, Ellis Charles Baggs, am fully aware of the implications of consenting to the revocation of my license to practice law in the Commonwealth of Virginia. Although I suffer from depression, I am able to enter into this Affidavit Declaring Consent to Revocation and to make the statements herein.

4. I, Ellis Charles Baggs, am aware that there are currently pending complaints and investigations involving allegations of misconduct. The docket numbers are set forth above. I admit the facts as follows:

- a. I accepted a \$7,500 fee from Client A to represent her on an immigration matter. I did not complete the case, and Client A is due a refund. I cannot refund any portion of the unearned fee Client A.

- b. I accepted \$4,500 of a quoted \$9,000 fee from Client B (Client's A brother) to represent him on an immigration matter. Client B alleges that I did not file the necessary documents in his immigration case. I do not know if this is accurate. I do know that I have not completed the case, and Client B is due at least a partial refund. I am unable to make any refund to Client B.
- c. By email on or around February 10, 2020, I informed nine attorneys in the Richmond area that I am closing my law practice, that I had recommended them to clients, and that I had missed filing deadlines in some cases due to depression.
- d. On March 2, 2020, I told the bar investigator that I was in the process of closing my practice and misrepresented that I only had about 30 active files, 15 of which I had transferred to other attorneys.
- e. On March 2, 2020, I also misrepresented to the bar investigator that I had returned all unearned fees to clients.
- f. On Monday March 9, 2020, two bar investigators came to my office to investigate. At that time, I provided the bar investigators access to approximately 165 client files. When asked about the fact that I had previously reported only 30 active files, I explained to the investigators that many of the 165 files are closed, but it is hard to estimate which and how many files are closed and which are pending because immigration hearings are scheduled years out.
- g. On Monday March 9, 2020, I reported the following to the bar investigators, and the statements I made are accurate:
 - My clients generally paid me in cash, which I deposited into my

trust account.

- I transferred unearned fees from my trust to my operating account and spent the money.
 - I have received approximately \$10,000 to \$20,000 in unearned fees, which I have spent. I have less than \$2.00 in my trust account.
 - I mishandled funds received from eight (8) to ten (10) clients from November 2019 to March 9, 2020.
 - I stopped tracking my time last summer.
- h. On Monday March 9, 2020, another client, Client C, contacted the bar investigator because he paid me \$3,500 to represent him on an immigration matter. I did not complete Client C's case, and I advised him that I cannot return the unearned portion of the fee and that I would try to repay him later.
- i. I have not answered my work phone in three to four weeks. My office phone mailbox is full of voicemails from clients. I am not listening to or returning client voicemails.
- j. I have not sent, and do not plan to send, letters or any communications to my clients to explain the status of their cases, their fees paid, or their options. I cannot return any unearned fees because I did not preserve the funds. As clients come in, I generally tell them that I can no longer represent them and that I cannot refund their fee, if a fee is owed.
- k. My office lease expires May 1, 2020. I will not renew it.

1. I continue to battle depression and do not wish to practice law at this time. I will work with clients and any receiver and successor counsel to ensure the smooth transition of cases.

5. I, Ellis Charles Baggs, acknowledge that the material facts upon which the allegations of misconduct are predicated are true; and

6. I, Ellis Charles Baggs, submit this Affidavit and consent to the revocation of my license to practice law in the Commonwealth of Virginia because I know that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, I could not successfully defend them.

Executed and dated on 3/12/2020.

Ellis C Baggs
Ellis Charles Baggs
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Henrico, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Ellis Charles Baggs on March 12, 2020.

C. Bailey
Notary Public

My Commission expires: 11/30/2023.

