

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of
Patrick Richard Blaszc, Esquire

VSBC Docket No. 17-052-107961

CONSENT TO REVOCATION ORDER

On September 27, 2018, came Patrick Richard Blaszc 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 and Certification, 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 Patrick Richard Blaszc 's license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Patrick Richard Blaszc be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 27th day of September, 2018.

Virginia State Bar Disciplinary Board

By: **Sandra L. Havrilak**
Sandra L. Havrilak, First Vice Chair

Digitally signed by Sandra L. Havrilak
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email=slhavrilak@havrilaklaw.com, c=US
Date: 2018.09.27 13:47:14 -04'00'

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
PATRICK RICHARD BLASZ

VSF Docket No. 17-052-107961

AFFIDAVIT DECLARING CONSENT TO REVOCATION

I, Patrick Richard Blasz, after being duly sworn, state as follows:

1. I was licensed to practice law in the Commonwealth of Virginia on September 10, 1999.
2. I 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 am not being subjected to coercion or duress, and I am fully aware of the implications of consenting to the revocation of my license to practice law in the Commonwealth of Virginia.
4. I am aware that there is currently pending a Certification, VSB Docket No. 17-052-107961, which is attached as Exhibit 1 and is incorporated as if fully set forth herein. I acknowledge that the material facts in the Certification, upon which the allegations of misconduct are predicated, are true.
6. I 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 Certification was brought to a conclusion, I could not successfully defend it.

Executed and dated on September 27 2018

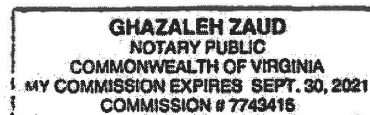
Patrick R Blaszczyk
Patrick Richard Blaszczyk
Respondent

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

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before
me by Patrick Richard Blaszczyk on 9, 27, 2018.

G. Zaud
Notary Public

My Commission expires: 9, 30, 2021.



RECEIVED
Oct 30, 2017

**VIRGINIA STATE BAR
CLERK'S OFFICE**

VIRGINIA:

BEFORE THE FIFTH DISTRICT, SECTION II SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
PATRICK RICHARD BLASZ

VSB Docket No. 17-052-107961

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On October 17, 2017, a meeting in this matter was held before a duly convened Fifth District, Section II Subcommittee consisting of Robert Marshall Worster, III, Subcommittee Chair; Catherine Mary Reese, Member; and Reba H. Davis, Lay Member. Pursuant to Part 6, § IV, ¶ 13-15.B.3 of the Rules of the Supreme Court of Virginia, the Fifth District, Section II Subcommittee of the Virginia State Bar hereby serves upon Patrick Richard Blaszc, ("Respondent") the following Certification:

I. ALLEGATIONS OF FACT

1. At all relevant times, Respondent was a member in good standing of the Virginia State Bar ("VSB").
2. On December 28, 2016, the VSB received notice from Wells Fargo Bank that a check for \$2,194.00, which was written against Respondent's trust account, was returned for insufficient funds.
3. On December 28, 2016, the VSB sent Respondent a letter enclosing the trust overdraft notice. The letter demanded that Respondent submit a response, in writing, within 21 days.
4. Respondent did not submit a timely response to the Bar complaint. The VSB referred this matter to the Fifth District Committee, Section II for further investigation.
5. On January 24, 2017, VSB Investigator Brian Callen called Respondent and requested that he submit a written response to the trust overdraft notice. Respondent acknowledged that he had not submitted a response, but said that he would do so. Despite this assurance, Respondent never provided a written response to the trust overdraft notice.

**VSB
EXHIBIT**

1

6. Also on January 24, 2017, Respondent was served with a subpoena duces tecum requesting his trust account records between January 1, 2015 and the present. The subpoena stated that Respondent's response was due on or before February 14, 2017.
7. Respondent did not respond to the subpoena duces tecum by the deadline. Accordingly, on February 22, 2017, the VSB notified Respondent that he was not in compliance with the subpoena.
8. On March 13, 2017, Respondent provided a partial response to the subpoena duces tecum. On March 15, 2017, the VSB sent a letter to Respondent stating that he had not provided general ledgers or client subsidiary ledgers for his trust account. The letter asked Respondent to "either provide the ledgers or let me know that you do not have them."
9. Two weeks later, on March 27, 2017, Respondent supplemented his response with a purported general ledger and client subsidiary ledgers for his trust account.
10. Although the subpoena duces tecum specifically requested it, Respondent did not provide evidence of reconciliation of his trust account.
11. The trust account records that Respondent prepared and sent to the VSB reflected that on December 21, 2016, Respondent wrote a check for the matter of *Fertig v. Jenkins* in the amount of \$2,194.00. Upon information and belief, this check was written in order to pay an appeal bond. The trust account records that Respondent provided did not indicate that any money had been deposited into the trust account on behalf of a client named "Fertig" or "Jenkins." At the time Respondent wrote the check, his trust account had a balance of only \$721.86. This resulted in the check being returned for insufficient funds.
12. The client subsidiary ledgers that Respondent submitted to the VSB indicated that money that Respondent should have been holding in his trust account was not there. For example, Respondent provided a client subsidiary ledger for a client called Dictation Transcripts. The ledger reflected an ending balance of \$10,122.86 as of December 22, 2014. There were no entries on the Dictation Transcripts ledger after December 22, 2014. In January 2017, just two months before Respondent provided this subsidiary ledger to the VSB, his trust account had a balance of less than \$1,000. Therefore, based on Respondent's own records, either the client subsidiary ledger was incorrect or Respondent's trust account is missing thousands of dollars.
13. After receiving trust account records from both Respondent and Wells Fargo Bank, VSB Investigator Callen attempted to schedule an interview with Respondent. On May 19, 2017, Investigator Callen emailed Respondent to arrange an interview. Investigator Callen called or emailed Respondent at least four additional times before Respondent finally replied. Respondent agreed to be interviewed at his home office on July 7, 2017.

However, on July 6, 2017, Respondent emailed Investigator Callen and asked to postpone the interview.

14. At Respondent's request, Investigator Callen rescheduled the interview two more times. On August 7, 2017, Respondent failed to appear for his scheduled interview and did not respond to Investigator Callen's attempts to contact him.
15. On August 8, 2017, the VSB issued a summons to Respondent to appear for an interview at his home office on August 24, 2017 at 11:00 a.m. In the cover letter enclosing the summons, Bar Counsel agreed to withdraw the summons if and only if Respondent appeared for an interview with Investigator Callen before the summons date. Respondent made no attempt to contact Investigator Callen or Bar Counsel.
16. Investigator Callen arrived at Respondent's home on August 24, 2017 at 11:00 a.m., which was the date, time and location for which Respondent was required to appear. The person who answered the door advised Investigator Callen that Respondent was not there.
17. After failing to appear for the interview for which he was summoned, Respondent did not contact Investigator Callen to explain his absence or to reschedule the interview.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Virginia Rules of Professional Conduct as set forth further below.

By failing to perform the required reconciliations of his trust account, Respondent violated Rule 1.15(d)(3), as set forth below.

By failing to provide a written response to the Bar complaint and by failing to respond to the Bar Investigator's numerous attempts to contact him, Respondent violated Rule 8.1(c), as set forth below.

By failing to appear in response to the witness summons issued by the VSB and by failing to make any attempt to cure his failure to appear, Respondent violated Rule 8.1(d), as set forth below.

By attempting to disburse funds on behalf of a client for whom he had not previously deposited funds into his attorney trust account, Respondent attempted to convert funds or

property of a client or third party. This transaction, had it been allowed to go through as Respondent intended, would have violated Rules 1.15(b)(5) and 8.4(b). Because the transaction was stopped as a result of the insufficient funds in Respondent's trust account, Respondent's conduct violated Rule 8.4(a) in that he attempted to violate Rules 1.15(b)(5) and 8.4(b), as set forth below.

By attempting to convert funds that, according to Respondent's own records, belonged to other clients and by providing trust accounting records indicating that thousands of dollars of client funds are unaccounted for, Respondent violated Rule 8.4(b), as set forth below.

RULE 1.15 Safekeeping Property

(b) Specific Duties. A lawyer shall:

...

(5) not disburse funds or use property of a client or third party without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

(d) Required Trust Accounting Procedures. In addition to the requirements set forth in Rule 1.15 (a) through (c), the following minimum trust accounting procedures are applicable to all trust accounts.

...

(3) Reconciliations.

(i) At least quarterly a reconciliation shall be made that reflects the trust account balance for each client, person or other entity.

(ii) A monthly reconciliation shall be made of the cash balance that is derived from the cash receipts journal, cash disbursements journal, the trust account checkbook balance and the trust account bank statement balance.

(iii) At least quarterly, a reconciliation shall be made that reconciles the cash balance from (d)(3)(ii) above and the subsidiary ledger balance from (d)(3)(i).

- (iv) Reconciliations must be approved by a lawyer in the law firm.

RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

...

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6; or

(d) obstruct a lawful investigation by an admissions or disciplinary authority.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another[.]


(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify this matter to the Virginia State Bar Disciplinary Board.

FIFTH DISTRICT -
SECTION II SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

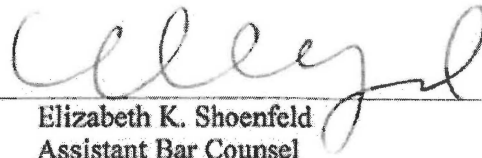
By



Robert Marshall Worster, III
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on 10/30/2017, I mailed by certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Patrick Richard Blaszc, Esquire, Respondent, at Law Offices of Patrick R. Blaszc, 10224 Tamarack Drive, Vienna, VA 22182, Respondent's last address of record with the Virginia State Bar.


Elizabeth K. Shoenfeld
Assistant Bar Counsel