
REINSTATEMENT PETITION

*Pursuant to Part 6, Section IV, Paragraph 13I(9)(e) of the Rules of the Supreme Court of Virginia, **Bruce Charles Britton** petitioned the Court on May 9, 2007, for reinstatement of his license to practice law. The Virginia State Bar Disciplinary Board will hear the petition on June 27, 2008, at 9 a.m. in the General Assembly Building, 910 Capitol Street, House Room D, Richmond. After hearing evidence and oral argument, the Disciplinary Board will make factual findings and recommend to the Supreme Court whether the petition should be granted or denied.*

The Disciplinary Board seeks information about Mr. Britton's fitness to practice law. Written comments or requests to testify at the hearing should be submitted to Barbara S. Lanier, Clerk of the Disciplinary System, 707 East Main Street, Suite 1500, Richmond, Virginia 23219, or by e-mail to clerk@vsb.org, no later than June 10, 2008. Comments will become a matter of public record.

Bruce Charles Britton

On April 21, 1989, the Virginia State Bar Disciplinary Board suspended Mr. Britton's license to practice law for five years, effective May 21, 1989, for misconduct in three matters that involved representation of personal injury plaintiffs. The board found Mr. Britton communicated with, and later sued, his client's daughter, when he knew the daughter was represented by another lawyer; he instructed another client to deceive two treating physicians in connection with two matters for the client; and he was untruthful on two occasions when communicating settlement offers to a third client. Mr. Britton appealed, and the Supreme Court dismissed the appeal. On April 6, 1990, Mr. Britton was convicted in the General District Court of Fairfax County of practicing law after his license had been suspended. He appealed to the Circuit Court of Fairfax County where he was found guilty and fined \$1,000.

On December 13, 1991, a three-judge court in the Fairfax Circuit revoked Mr. Britton's license for the unauthorized practice of law and for trust account violations in his representation of a personal injury client. The court found he had failed to properly account for the settlement funds; he failed to maintain proper trust account records; and he gave the client inadequate and misleading accountings.

Mr. Britton filed his first petition for reinstatement on April 25, 1997. The Disciplinary Board recommended that Mr. Britton's license not be reinstated and the Supreme Court denied the petition. In its recommendation, the board noted that, during the reinstatement hearing, Mr. Britton conceded that he had handled more than one legal matter after his license was suspended. The Disciplinary Board further noted Mr. Britton was not forthright with a character witness in explaining the circumstances of his petition.

In his current reinstatement petition, Mr. Britton states he wants to return to practice as a solo practitioner to help clients who would otherwise lack the aid of an attorney. He states that since August 1, 1988, he has been employed at the Department of Veterans Affairs in Washington, D.C., first in the Regional Office and then, since 2005, in the Appeals Management Center. He further states he has been active in his church and community, has kept current with the law, and has otherwise satisfied all conditions required for reinstatement and is fit to practice law.

Copies of the board and Supreme Court orders regarding Mr. Britton's suspension and revocation are available from the clerk at clerk@vsb.org or (804) 775-0539.

PROPOSED SUPREME COURT RULE

VIRGINIA STATE BAR COUNCIL TO REVIEW PROPOSED SUPREME COURT RULE REGARDING THE PROVISION OF LEGAL SERVICES FOLLOWING DETERMINATION OF MAJOR DISASTER

On June 19, 2008, the Virginia State Bar Council ("Bar Council") will meet in Virginia Beach to consider a proposed Supreme Court Rule regarding the *Provision of Legal Services Following Determination of Major Disaster*.

This proposed rule was developed as a result of the ABA's actions to help address the problem of the provision of legal services following a disaster or emergency, such as existed following Katrina and Rita. Beyond the physical damage and devastation caused by those hurricanes, there was also a crippling effect on the legal systems in the affected states. In

response, the ABA formed a task force that advocated for the suspension of unauthorized practice of law rules in the various states impacted by these hurricanes because, while lawyers from other jurisdictions would have liked to help staff disaster assistance centers or otherwise advise hurricane victims, they were deterred from doing so because of a lack of clarity about whether they would be violating any unauthorized practice of law rules.

The task force recognized the need for a model rule that would allow out-of-state lawyers to provide pro bono legal services in an affected jurisdiction and that would allow lawyers in the affected jurisdiction whose legal practices had been disrupted by a major disaster to practice law on a temporary basis in an unaffected jurisdiction. Since both the highest court of a jurisdiction affected by the major disaster and the highest courts of jurisdictions not affected by the disaster could