

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

Ann Marie Miller

VSB Docket No. 10-080-080300

Attorney at Law

On October 19, 2009, came Ann Marie Miller and presented to the Board an Affidavit Declaring Consent to Revocation of her license to practice law in the courts of this Commonwealth. By tendering her Consent to Revocation at a time when disciplinary charges are pending, she admits that the charges in the attached Affidavit Declaring Consent to Revocation are true.

The Board having considered the said Affidavit Declaring Consent to Revocation, and Bar Counsel having no objection, the Board accepts her Consent to Revocation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said Ann Marie Miller be and the same hereby is revoked, and that the name of the said Ann Marie Miller be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 20th day of October, 2009

For the Virginia State Bar Disciplinary Board

*By Barbara S. Lanier
Barbara Sayers Lanier, Clerk of the Disciplinary System*

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
ANN MARIE MILLER

VS. Docket No.: 10-080-080300

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Ann Marie Miller, after being duly sworn, states as follows:

1. I am over the age of twenty-one and competent to make the statements contained herein.
2. I was licensed to practice law in the Commonwealth of Virginia in 2007.
3. Since licensure, I have been engaged in the private practice of law, and have focused my practice on representing debtors in bankruptcy.
4. I have advertized my practice using print and television ads, telephone book listings, billboards, and the internet. I have advertized that I am able to handle both Chapter 7 and Chapter 13 bankruptcies.
5. In September 2008, I advised the Standing U.S. Trustee for Chapter 13 cases that I would no longer be filing Chapter 13 petitions. Despite this statement, I continued to advertize myself as able to handle Chapter 13 cases.
6. Before my practice was put into receivership by the Virginia State Bar, I had over 700 clients.

7. The complainant in the above-referenced case was my client. In February 2009, the complainant retained me and paid me a total of \$1080, which was to cover attorney fees and costs. On April 19, 2009, I filed a Chapter 7 bankruptcy petition on the complainant's behalf.

8. The Trustee objected to the bankruptcy on the basis that the complainant's income was too high. I did not advise the complainant that she could file a petition for Chapter 13 bankruptcy.

9. I failed to provide the complainant with reasonable communication.

10. Although I once advised the complainant that I would give her a refund, to date I have not provided the complainant with any refund.

11. The complainant retained another lawyer for the Chapter 13 bankruptcy.

12. I admit that in many of my cases, I failed to file the bankruptcy petition in a timely manner. In addition, I admit that I failed to provide many of my clients with reasonable communication.

13. I admit that I have failed to maintain appropriate records of my trust account.

14. I admit that I have failed to manage my trust account properly.

15. I admit that I have withdrawn fees from my trust account prior to filing many bankruptcy petitions. As a result, I am unable to provide clients with refunds.

16. I admit that I have violated Rule 1.3(a) of the Rules of Professional Conduct, which governs diligence.

17. I admit that I have violated Rule 1.4(a) of the Rules of Professional Conduct, which governs communication.

18. I admit that I have violated Rule 1.15 of the Rules of Professional Conduct, which governs safekeeping property.

19. I admit that I have violated Rule 7.1 of the Rules of Professional Conduct, which governs communications concerning a lawyers services.

20. I admit that I have violated Rule 8.4(b) and (c) of the Rules of Professional Conduct, which governs misconduct.

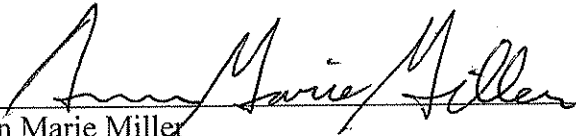
21. Pursuant to Part Six, § IV, ¶ 13-28. of the Rules of the Supreme Court of Virginia, I state that:

- a. My consent to revocation is freely and voluntarily rendered, that I am not being subjected to coercion or duress, and that I am fully aware of the implications of consenting to a revocation of my license to practice law in the Commonwealth of Virginia;
- b. I am aware that there is currently pending investigations into complaints involving allegations of Misconduct, the docket numbers of which are set forth above, and the specific nature of which is set forth above;
- c. I acknowledge that the material facts upon which the allegations of Misconduct set forth above are true; and
- d. 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 disciplinary proceedings based on the said alleged Misconduct were prosecuted to a conclusion, I could not successfully defend them.

22. Pursuant to Part Six, § IV, ¶ 13-28, I understand the foregoing admissions may not be deemed an admission in any proceeding except one relating to my status as a member of the Virginia State Bar.

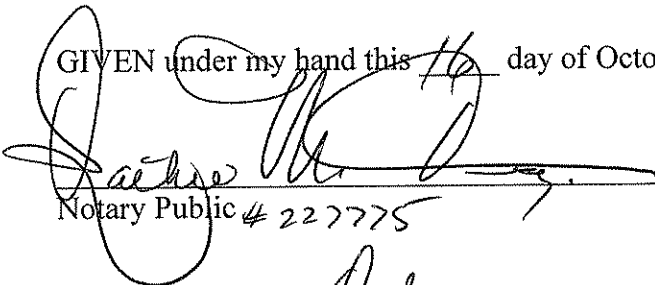
23. I reserve my Fifth Amendment right against self-incrimination and make no statement or representation whatsoever regarding any additional charges of ethical misconduct the Virginia State Bar might have brought against me, had I not consented to the revocation of my license to practice law, or any criminal charges that are pending or might be brought against me by law enforcement authorities.

Executed this 16th day of October, 2009.


Ann Marie Miller

STATE OF VIRGINIA
AT LARGE, to wit:

I, Kathie M. Terry, a Notary Public in the state aforesaid, do hereby certify that Ann Marie Miller appeared in person before me in the City/County of Roanoke, Virginia, on this ___ day of October, 2009 and was by me duly sworn and thereupon executed in my presence and acknowledged to me the truth of the contents and the voluntariness of execution of the foregoing Affidavit.

GIVEN under my hand this 16 day of October, 2009

Notary Public # 227775

My Commission expires: Oct 31, 2012

