



VIRGINIA:

BEFORE THE FIRST DISTRICT SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
DAVID B. PARKS, SR.

VSB Docket No. 20-010-116823

SUBCOMMITTEE DETERMINATION  
(PUBLIC REPRIMAND WITHOUT TERMS)

On June 18, 2020, a meeting was held in this matter before a duly convened First District Subcommittee consisting of Steven F. Shames, Esq., chair, Andrew R. Owen, lay member, and Robert C. Barclay, IV. During the meeting, the subcommittee voted to approve an agreed disposition for a Public Reprimand without Terms pursuant to Part 6, § IV, ¶ 13-15.B.4. of the Rules of the Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Shelley L. Spalding, Assistant Bar Counsel, and David B. Parks, Sr., Respondent, *pro se*.

WHEREFORE, the First District Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand without Terms:

FINDINGS OF FACT

1. In late 2018, Krystal Doran ("Ms. Doran") retained Respondent to represent her in her divorce proceeding pending in the Newport News Circuit Court.
2. Respondent met with Ms. Doran in person initially, but all communication stopped in March or April 2019. Ms. Doran contends that in the spring of 2019 she sent Respondent several emails, called him several times, and went to his residence two or three times, but Respondent never responded.

3. Respondent did not appear for depositions noticed for Ms. Doran's divorce on July 8, 2019, which were noticed on May 30, 2019.

4. A hearing in Ms. Doran's divorce was scheduled in the Newport News Circuit Court for September 12, 2019. Respondent did not appear or advise the court that he would not be present. Respondent contends that he did not know of the September 12, 2019 hearing. Opposing counsel, Mr. Anthony Mulford, Esq. ("Mr. Mulford") represented he sent a Notice of Hearing to Respondent on August 22, 2019 and provided a copy.

5. On September 16, 2019, Judge Gary A. Mills filed a complaint against Respondent with the Virginia State Bar, alleging that Mr. Parks failed to appear at the September 12, 2019 hearing. Judge Mills explained that according to Ms. Doran, "Mr. Parks has not returned her telephone calls or followed-up with attempts she has made to contact him about her divorce." Ms. Doran elected to proceed with the hearing *pro se*.

6. Judge Mills also complained that in a December 19, 2018 hearing he had instructed Mr. Mulford to prepare an Order consistent with his findings, circulate for Respondent's endorsement and send back to the Court. The Court never received the Order. Mr. Mulford drafted the Order and sent it to Respondent for his endorsement. Respondent contends that he refused to endorse the Order as drafted because it was detrimental to his client; Mr. Mulford contends that he never heard from Respondent why he was not endorsing the Order. On April 10, 2019, Respondent emailed Mr. Mulford indicating he believed the Order had already been entered.

7. During the summer of 2019, Respondent was experiencing serious health problems.

8. Respondent did not file a motion to withdraw as counsel and was not otherwise relieved of his duties to Ms. Doran by the Court. Ms. Doran's divorce, custody and support claims were resolved with Ms. Doran representing herself.

I. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

**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.

II. PUBLIC REPRIMAND WITHOUT TERMS

Accordingly, having approved the agreed disposition, it is the decision of the subcommittee to impose a Public Reprimand without Terms and David B. Parks, Sr. is hereby so reprimanded. Pursuant to Part 6, § IV, ¶ 13-9.E of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

FIRST DISTRICT SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

By:   
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Steven F. Shames, Esq.  
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on June 24, 2020, a true and complete copy of the Subcommittee Determination (Public Reprimand Without Terms) was sent by certified and first-class mail to David B. Parks, Sr., Respondent, at 104 Mallard Drive, Duck, NC 27949-4481, his last address of record with the Virginia State Bar.



Shelley L. Spalding  
Assistant Bar Counsel