

RECEIVED

Jul 9, 2019

VIRGINIA STATE BAR
CLERK'S OFFICE

VIRGINIA :

**BEFORE THE SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
ERIC NELSON STROM**

VS B Docket No. 18-070-111163

**SUBCOMMITTEE DETERMINATION
(PUBLIC ADMONITION WITHOUT TERMS)**

On May 01, 2019, a meeting in this matter was held before a duly convened Seventh District Subcommittee consisting of Joseph D. Platania, Esquire, Zaida C. Thompson, Esquire, Chair and Caroline G. Polk.

Pursuant to Part 6, § IV, ¶ 13-15.B.4 of the Rules of the Supreme Court of Virginia, the Seventh District Subcommittee of the Virginia State Bar hereby serves upon the respondent Eric Nelson Strom ("Respondent"), the following **PUBLIC Admonition Without Terms**:

I. FINDINGS OF FACT

1. 1. At all times relevant hereto, Eric Nelson Strom ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on March 4, 1980.
3. The Circuit Court of Loudoun County appointed Respondent to represent Michael Ward Wright ("Complainant") in a Civil Commitment proceeding associated with Sexually Violent Predators Act, Va. Code § 37.2-900 et seq.
4. Respondent was appointed by the Court on May 18, 2012.
5. The matter was scheduled for trial on May 30, 2013.
6. On May 28, 2014, Complainant formally waived his annual review hearing which was set for May 30, 2014.
7. Complainant again waived his annual review hearing scheduled for May of 2015.
8. Another annual review hearing was scheduled for June 9, 2016.

9. However, Complainant was unable to contact the Respondent after his last contact by telephone in April of 2016.

10. The annual review scheduled for June 9, 2016 was continued generally and then reset for a hearing date of June 8, 2018.

11. Complainant sent a number of letters to Respondent's address, all of which were returned as undeliverable.

12. Complainant also attempted to call Respondent on numerous occasions from April of 2016 through December of 2017.

13. Due to the lack of communication, Complainant filed a Complaint with the Virginia State Bar on or about December 4, 2017.

14. On January 24, 2018, the Virginia State Bar sent Respondent a copy of the complaint to his last known address of record.

15. Respondent failed to answer the Complaint.

16. The Assistant Attorney General ("AAG") appointed to represent the Commonwealth in the commitment proceeding, Nicholas Kalagian, stated that he too was unable to contact the Respondent.

17. AAG Kalagian attempted numerous phone calls unsuccessfully.

18. AAG Kalagian's attempts to contact Respondent by email were similarly unsuccessful.

19. In addition, all of his written correspondence was returned as undeliverable, unable to forward.

20. On August 28, 2018, AAG filed a Motion to have new counsel appointed for Complainant.

21. Respondent indicated to the Virginia State Bar's investigator that at the time he ceased communicating with Complainant he was dealing with issues in another case, wrap up his legal practice, sell his home in order to move to Hopewell, Virginia, and dealing with family health issues.

II. 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.

* * * *

RULE 1.16 Declining Or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

 (2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client.

* * * *

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.

* * * *

III. PUBLIC ADMONITION WITHOUT TERMS

Accordingly, it is the decision of the subcommittee to impose a **PUBLIC Admonition Without Terms** and Eric Nelson Strom is hereby so admonished. 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.

**SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

By: 
Zaida Cordero Thompson
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on July 9, 2019, a true and complete copy of the Subcommittee Determination (**PUBLIC Admonition Without Terms**) was sent by certified mail to Eric Nelson Strom, Respondent, at 618 Woodland Rd, Hopewell, VA 23860, Respondent's last address of record with the Virginia State Bar.


Paulo E. Franco, Jr.
Assistant Bar Counsel

VIRGINIA:

**BEFORE THE SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
ERIC NELSON STROM**

VS **Docket No. 18-070-111163**

**AGREED DISPOSITION
PUBLIC ADMONITION WITHOUT TERMS**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, § IV, ¶ 13-15.B.4, the Virginia State Bar, by Paulo E. Franco, Jr., Assistant Bar Counsel, and Eric Nelson Strom, Respondent, pro se, hereby enter into the following agreed disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. At all times relevant hereto, Eric Nelson Strom ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. Respondent was admitted to the practice of law in the Commonwealth of Virginia on March 4, 1980.
3. The Circuit Court of Loudoun County appointed Respondent to represent Michael Ward Wright ("Complainant") in a Civil Commitment proceeding associated with Sexually Violent Predators Act, Va. Code § 37.2-900 et seq.
4. Respondent was appointed by the Court on May 18, 2012.
5. The matter was scheduled for trial on May 30, 2013.
6. On May 28, 2014, Complainant formally waived his annual review hearing which was set for May 30, 2014.
7. Complainant again waived his annual review hearing scheduled for May of 2015.
8. Another annual review hearing was scheduled for June 9, 2016.
9. However, Complainant was unable to contact the Respondent after his last contact by telephone in April of 2016.

10. The annual review scheduled for June 9, 2016 was continued generally and then reset for a hearing date of June 8, 2018.

11. Complainant sent a number of letters to Respondent's address, all of which were returned as undeliverable.

12. Complainant also attempted to call Respondent on numerous occasions from April of 2016 through December of 2017.

13. Due to the lack of communication, Complainant filed a Complaint with the Virginia State Bar on or about December 4, 2017.

14. On January 24, 2018, the Virginia State Bar sent Respondent a copy of the complaint to his last known address of record.

15. Respondent failed to answer the Complaint.

16. The Assistant Attorney General ("AAG") appointed to represent the Commonwealth in the commitment proceeding, Nicholas Kalagian, stated that he too was unable to contact the Respondent.

17. AAG Kalagian attempted numerous phone calls unsuccessfully.

18. AAG Kalagian's attempts to contact Respondent by email were similarly unsuccessful.

19. In addition, all of his written correspondence was returned as undeliverable, unable to forward.

20. On August 28, 2018, AAG filed a Motion to have new counsel appointed for Complainant.

21. Respondent indicated to the Virginia State Bar's investigator that at the time he ceased communicating with Complainant he was dealing with issues in another case, wrap up his legal practice, sell his home in order to move to Hopewell, Virginia, and dealing with family health issues.

II. 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.

* * * *

RULE 1.16 Declining Or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client.

* * * *

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.

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and Respondent tender to a subcommittee of the Seventh District Committee for its approval the agreed disposition of a **PUBLIC ADMONITION without Terms** as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Seventh District Committee.

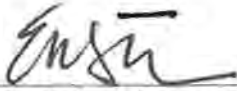
If the agreed disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

Pursuant to Part 6, § IV, ¶ 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the subcommittee considering this agreed disposition.

THE VIRGINIA STATE BAR



Paulo E. Franco, Jr.
Assistant Bar Counsel



Eric Nelson Strom, Esquire
Respondent