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OFFICE OF THE CLERK OF THE SUPREME COURT OF WEST VIRGINIA

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 22nd of May, 2008, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 33595

Joan A. Mooney, Esq., a member of The West Virginia State Bar, Respondent

On a former day, to-wit, March 12, 2008, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by David A. Jividen, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter, stipulated to by the parties, recommending that: (1) the respondent be issued a reprimand for her conduct; (2) the respondent sign and follow a plan of supervised practice for a period of one year with a supervising attorney of respondent's choice, with prior approval by the Office of Disciplinary Counsel. The supervisor shall meet with respondent to conduct an initial interview of respondent's office practices, focusing upon calendaring, scheduling, a "tickler" system, mail handling, returning telephone calls and advising clients of the status of cases. The supervisor and respondent shall meet once a week, and shall submit a monthly report to the Office of Disciplinary Counsel during the period of supervision, regarding, among other things, the status of all legal matters the respondent has undertaken; (3) the respondent undergo comprehensive psychological counseling with a licensed psychologist and specifically

discuss this ethics complaint and the ensuing charges, her standard for client care, and the fact that she did not response to the Office of Disciplinary Counsel. Respondent must follow the recommended treatment plan and provide evidence of the same to the Office of Disciplinary Counsel; (4) the respondent shall complete an additional six hours of Continuing Legal Education during the 2006-2008 reporting period, specifically in the ethics and/or office management, over and above that already required; and (5) the respondent shall pay the costs incurred in this disciplinary proceeding.

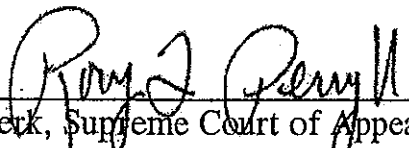
Upon consideration whereof, the Court does not concur with the written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board in whole, but only in part. It is therefore ordered that: (1) the respondent, Joan A. Mooney, a member of The West Virginia State Bar, be, and she hereby is admonished; (2) the respondent shall sign and follow a plan of supervised practice for a period of one year with a supervising attorney of respondent's choice approved by the Office of Disciplinary Counsel. The initial interview with the respondent and supervising attorney shall focus on office practices, calendaring, scheduling, a "tickler" system; mail handling, returning telephone calls and advising clients of the status of cases. The respondent and her supervising attorney shall thereafter meet once a week and submit monthly reports to the Office of Disciplinary Counsel, regarding, among other things, the status of all legal matters the respondent has undertaken; (3) the respondent shall undergo comprehensive psychological counseling with a licensed psychologist and specifically discuss this ethics complaint and the ensuing charges, her standard for client care, and the fact that she did

not respond to the Office of Disciplinary Counsel. Respondent must follow the recommended treatment plan and provide evidence of the same to the Office of Disciplinary Counsel; (4) the respondent shall complete an additional six hours of Continuing Legal Education, over and above that already required, during the 2006-2008 reporting period, specifically in ethics and/or office management; and (5) pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure, respondent shall pay the costs incurred in this disciplinary proceeding.

Service of an attested copy of this order shall constitute sufficient notice of its contents.

A True Copy

Attest:


Clerk, Supreme Court of Appeals