

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 25th of May, 2005, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 32229

Richard L. Vital, a member of The West
Virginia State Bar, Respondent

On a former day, to-wit, April 12, 2005, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by John W. Bennett, 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 reprimanded; (2) the respondent sign and follow a plan of supervised practice for a period of two years. The supervisor must be approved by the Office of Disciplinary and be available to respond to inquiries by the Office of Disciplinary Counsel; (3) respondent shall complete an additional nine hours of CLE during the 2004-2006 reporting period, specifically in office management, over and above that already required; (4) respondent shall pay the costs incurred in this disciplinary proceeding; and (5) respondent shall provide a report to the Office of Disciplinary Counsel on the status of the Estate of Keith G. Weiford within six months of the hearing which is scheduled for March 10, 2005. If the Estate is not closed, the report shall indicate a finalization date for same. Respondent acknowledges that if the Office of Disciplinary Counsel is not satisfied,

it has the option to bring this matter back to the Hearing Panel Subcommittee for further consideration.

Thereafter, on the 16th day of May, 2005, came the respondent, Richard L. Vital, by Sherri D. Goodman, Goodman Advocacy, his attorney, and represented to the Court that he has no objections to the recommendations.


Finally, on the 12th day of May, 2005, came the Office of Disciplinary Counsel, by Andrea J. Hinerman, its attorney, and represented to the Court that it has no objections to the recommendations.

Upon consideration whereof, the Court is of opinion to and doth hereby adopt the stipulated written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that: (1) the respondent be reprimanded; (2) the respondent sign and follow a plan of supervised practice for a period of two years. The supervisor must be approved by the Office of Disciplinary and be available to respond to inquiries by the Office of Disciplinary Counsel; (3) respondent shall complete an additional nine hours of CLE during the 2004-2006 reporting period, specifically in office management, over and above that already required; (4) respondent shall pay the costs incurred in this disciplinary proceeding; and (5) respondent shall provide a report to the Office of Disciplinary Counsel on the status of the Estate of Keith G. Weiford within six months of the hearing which is scheduled for March 10, 2005. If the Estate is not closed, the report shall indicate a finalization date for same. Respondent acknowledges that if the Office of Disciplinary Counsel is not satisfied, it has the option to bring this matter back to the Hearing Panel Subcommittee for further consideration.

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

A True Copy

Attest: _____


Clerk, Supreme Court of Appeals