

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 19<sup>th</sup> of January, 2005, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 31795

Lee F. Benford, II, a member of The West  
Virginia State Bar, Respondent

On a former day, to-wit, November 30, 2004, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Charlene A. Vaughan, 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 follow a plan of supervised practice for a period of two years. The respondent shall meet with the supervisor to conduct an initial review of the respondent's office practices, focusing upon calendaring, schedule, a "tickler" system, mail handling, returning telephone calls and advising clients of the status of cases. The supervisor and respondent shall meet once each month, and shall submit a monthly report to the Office of Disciplinary Counsel during the period of supervision. At these meetings, respondent shall report the status of all legal matters he has undertaken, report any oral or written complaints he has received from his clients or the Office of Disciplinary Counsel, and report any letters or other inquiries to which he has not yet responded. 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 three hours of CLE during the 2004-2006 reporting period, specifically in office management, in addition to the three hours requirement in ethics, office management, substance abuse or elimination of bias in the legal profession; and (4) the respondent shall pay the costs incurred in this disciplinary proceeding.

Thereafter, on the 3<sup>rd</sup> day of December, 2004, came the respondent, Lee F. Benford, II, by Sherri D. Goodman, Goodman Advocacy, his attorney, and represented to the Court that he has no objections to the recommendations.

Finally, on the 7<sup>th</sup> day of December, 2004, 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.

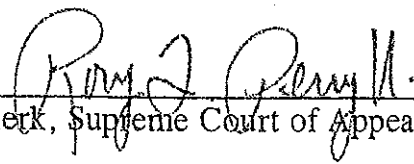
Upon consideration whereof, the Court is of opinion to and doth hereby adopt the stipulated written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that: (1) the respondent be, and he hereby is, reprimanded; (2) the respondent shall follow a plan of supervised practice for a period of two years. The respondent shall meet with the supervisor to conduct an initial review of the 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 each month, and shall submit a monthly report to the Office of Disciplinary Counsel during the period of supervision. At these meetings, respondent shall report the status of all legal matters he has undertaken, report any oral or written complaints he has received from his clients or the Office of

Disciplinary Counsel, and report any letters or other inquiries to which he has not yet responded. 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 three hours of CLE during the 2004-2006 reporting period, specifically in office management, in addition to the three hours requirement in ethics, office management, substance abuse or elimination of bias in the legal profession; and (4) the respondent shall pay the costs incurred in this disciplinary proceeding in the amount of \$374.03.

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

A True Copy

Attest: \_\_\_\_\_

  
Clerk, Supreme Court of Appeals