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STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 13th day of January, 2000, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 25419

J. Michael Anderson, an active member
of The West Virginia State Bar,
Respondent

On a former day, to-wit, November 2, 1999, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Michael T. Chaney, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition agreed upon by both the Lawyer Disciplinary Counsel and the respondent, J. Michael Anderson, recommending that respondent: (1) be issued a written admonishment; (2) continue to utilize the office changes he has voluntarily made, which are (a) reduce the overall number of clients he represents; (b) implement a system whereby all incoming telephone calls not taken are written down on duplicate telephone message slips. One slip will remain in the message book as a permanent log of respondent's calls. The other slip will be torn from the book and left in a designated area. The respondent will then retrieve all telephone message slips and prioritize them, with existing clients receiving the highest priority. Respondent's objective will then be to return all client telephone calls within twenty-four hours, with all other telephone calls to

be returned within two to three days; (c) implement a system whereby he regularly sends engagement letters to new clients; (d) implement a system whereby he regularly sends disengagement letters to existing clients when his representation has ended; and (e) implement a system whereby he regularly communicates with clients through written correspondence and uses a cover letter when forwarding documents; (3) participate in supervision of his practice for a period of one and one-half years. The supervisor shall confer with the respondent regarding his office practices and shall make appropriate recommendations with regard thereto as needed. The supervisor shall meet at least quarterly with respondent. The supervisor must be approved by Disciplinary Counsel, shall file quarterly reports with Disciplinary Counsel and shall be available to respond to inquiries by Disciplinary Counsel; (4) for a period of five years agrees to respond to any future complaint prior to Disciplinary Counsel's sending a second letter. Disciplinary Counsel agrees to wait at least thirty days from when respondent should have responded to the first letter (i.e. forty days from the date of the first letter, as lawyers have 10 days to respond). All complaints shall be copied to Robert B. Allen, counsel for the respondent during this five-year period. If, during this five-year period, respondent fails to respond without good cause before the second letter is sent, upon proof of this failure to the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, respondent shall be suspended from the practice of law in the State of West Virginia for one month; and (5) the effective date of the aforesaid agreement be thirty days

following entry of an order by the Court.

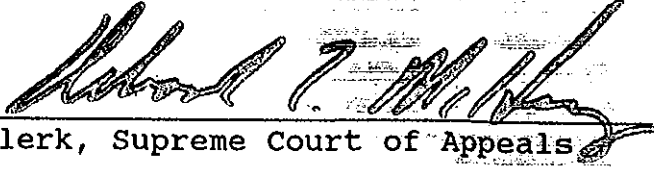
Upon consideration whereof, the Court is of opinion to and doth hereby adopt the written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. For violating Rules 1.3, 1.4 and 8.1(b) of the Rules of Professional Conduct, it is hereby ordered that respondent: (1) be, and he hereby is, admonished; (2) continue to utilize the office changes he has voluntarily made, which are (a) reduce the overall number of clients he represents; (b) implement a system whereby all incoming telephone calls not taken are written down on duplicate telephone message slips. One slip will remain in the message book as a permanent log of respondent's calls. The other slip will be torn from the book and left in a designated area. The respondent will then retrieve all telephone message slips and prioritize them, with existing clients receiving the highest priority. Respondent's objective will then be to return all client telephone calls within twenty-four hours, with all other telephone calls to be returned within two to three days; (c) implement a system whereby he regularly sends engagement letters to new clients; (d) implement a system whereby he regularly sends disengagement letters to existing clients when his representation has ended; and (e) implement a system whereby he regularly communicates with clients through written correspondence and uses a cover letter when forwarding documents; (3) participate in supervision of his practice for a period of one and one-half years. The supervisor shall confer with the respondent regarding his office practices and shall make appropriate recommendations

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Service of a copy of this order upon all parties shall constitute sufficient notice of the contents herein.

A True Copy

Attest:


Clerk, Supreme Court of Appeals