

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on November 4, 2021, the following order was made and entered:

Lawyer Disciplinary Board,
Petitioner

vs.) No. 20-0882

Judith A. McCullough, a member of
The West Virginia State Bar,
Respondent

ORDER

On September 13, 2021, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by its Chair Stephen M. Mathias, in accordance with Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, filed its written recommended disposition in this matter, recommending that:

- (1) Respondent be reprimanded for her conduct;
- (2) Respondent maintain current and ongoing detailed and accurate records of the time expended and expenses incurred on behalf of eligible clients as required by West Virginia Code § 29-21-13a, which records to be subject to monthly audits by Public Defender Services (PDS), and continuing for one year or such period thereafter until PDS certifies that the Respondents records have been in compliance for the previous year;
- (3) Respondent maintain her compliance with all PDS billing guidelines and applicable laws in the future; and
- (4) Respondent pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On September 20, 2021, the Office of Disciplinary Counsel, by Renée N. Frymyer, Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent did not file a consent or an objection to the recommendation.

Upon consideration, the Court is of the opinion to and does concur with and approve the recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is ORDERED that:

- (1) the Respondent, Judith A. McCullough, is **reprimanded**;
- (2) the Respondent must maintain current and ongoing, detailed and accurate records of the time expended and expenses incurred on behalf of all eligible clients as required by West Virginia Code § 29-21-13a, with the records subject to monthly audits by PDS, for one year or until PDS certifies that the Respondent's records have been in compliance for an entire year;
- (3) Respondent must maintain her compliance with all PDS billing guidelines and applicable laws in the future; and
- (4) Respondent shall pay the costs of this disciplinary proceeding in accordance with Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent, Judith A. McCullough, the Office of Lawyer Disciplinary Counsel, and the West Virginia State Bar, constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

