

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 9, 2023, the following order was made and entered.

SCA EFiled: Jun 09 2023
10:44 AM EDT
Transaction ID 70170523

Lawyer Disciplinary Board,
Petitioner

vs.) No. 22-570

Phillip S. Isner, a member of
The West Virginia State Bar,
Respondent

ORDER

On April 6, 2023, 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) The respondent receive a public reprimand;
- (2) Respondent's practice be supervised for a period of two years by an attorney agreed upon by the Office of Lawyer Disciplinary Counsel (ODC) and respondent, that respondent meet with his supervising attorney every two weeks with the goal of the supervised practice being to improve the quality and effectiveness of his law practice to the extent that his sanctioned behavior is not likely to recur;
- (3) Respondent complete an additional six hours of continuing legal education in the area of ethics and law office management within twelve months from the date of the Court's order; and
- (4) Respondent pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On April 17, 2023, the ODC, by Renée N. Frymyer, Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent, by counsel Robert H. Davis, Jr., filed his consent to the recommendation on May 4, 2023.

Upon review and consideration on June 7, 2023, 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, Phillip S. Isner, is **publicly reprimanded**;
- (2) Phillip S. Isner's practice of law shall be supervised for a period of two years by an attorney agreed upon by the ODC and Respondent, and Respondent shall meet with his supervising attorney every two weeks with the goal of the supervised practice being to improve the quality and effectiveness of his law practice to the extent that his sanctioned behavior is not likely to reoccur;
- (3) Respondent shall complete an additional six hours of continuing legal education, over and above the mandatory continuing legal education hours required in the current reporting period, in the area of ethics and law office management within twelve months from the date of this order; and
- (4) Respondent shall pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent, Phillip S. Isner, 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

