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DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 13<sup>th</sup> of October, 2010, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 35433

Christopher R. Heller, a member of The West  
Virginia State Bar, Respondent

On a former day, to-wit, August 17, 2010, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by John R. Lukens, 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, recommending that: (1) the respondent be suspended for a period of one year beginning from the date of this order; (2) at the conclusion of the period of suspension, prior to petitioning for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, Respondent shall be required to undergo an independent psychiatric evaluation and be further required to comply with any additional treatment protocol; (3) respondent's practice be supervised for a period of one year by an attorney agreed upon between the Office of Disciplinary Counsel and Respondent. The goal of the supervised practice will be to improve the quality and effectiveness of Respondent's law practice to the extent that Respondent's sanctioned behavior is not likely to recur; (4) during the one year of supervised practice, Respondent perform fifty hours of *pro bono* service to the Pro Bono Referral Project or a like entity; (5) respondent complete six hours of continuing legal education during the 2010-2012

reporting period, in addition to what he is otherwise required to complete to maintain his active license to practice, three hours in the area of ethics and three hours in personal injury law; and (6) pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure, respondent pay the costs of this disciplinary proceeding.

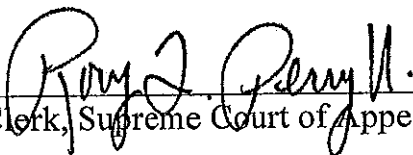
Upon consideration whereof, the Court is of opinion to and doth hereby adopt the written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board with the exception that recommendation No. 4 regarding *pro bono* service is hereby not adopted. It is therefore ordered that: (1) the Respondent be, and he hereby is, suspended from the practice of law for a period of one year beginning from the date of this order; (2) at the conclusion of the period of suspension, but prior to petitioning for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, Respondent shall be required to undergo an independent psychiatric evaluation and is further required to comply with any additional treatment protocol; (3) upon reinstatement to the practice of law, if granted, respondent's practice be supervised for a period of one year by an attorney agreed upon between the Office of Disciplinary Counsel and Respondent. The goal of the supervised practice will be to improve the quality and effectiveness of Respondent's law practice to the extent that Respondent's sanctioned behavior is not likely to recur; (4) respondent shall complete six hours of continuing legal education during the 2010-2012 reporting period, in addition to what he is otherwise required to complete to maintain his active license to practice, three hours in the area of ethics and three hours in personal injury law; and (6) pursuant to Rule 3.15 of the Rules of

Lawyer Disciplinary Procedure, respondent shall pay the costs of this disciplinary proceeding in the amount of \$3,933.20.

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

A True Copy

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

  
Clerk, Supreme Court of Appeals