

VIRGINIA:

**BEFORE THE SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
DORIS WESTON GELBMAN**

VS B Docket No. 22-070-126200

SUBCOMMITTEE DETERMINATION
(PUBLIC REPRIMAND WITH TERMS)

On February 01, 2023 a meeting was held in this matter before a duly convened Seventh District Subcommittee consisting of Ryan D. Ruzic, Esquire, Chair; Hope V. Payne, Esquire; and Caroline G. Polk, Lay Member. During the meeting, the Subcommittee voted to approve an agreed disposition for a **PUBLIC Reprimand with Terms** pursuant to Part 6, § IV, ¶ 13-15.B.4. of the Rules of the Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Paulo E. Franco, Jr., Assistant Bar Counsel, Doris Weston Gelbman, Respondent, and Paul D. Georgiadis, Esquire, counsel for Respondent.

WHEREFORE, the Seventh District Subcommittee of the Virginia State Bar hereby serves upon Respondent the following **PUBLIC Reprimand with Terms**:

I. FINDINGS OF FACT

1. Respondent was admitted to practice law in the Commonwealth of Virginia on October 20, 2010 and was at all times relevant active and in good standing with the VSB.
2. In the summer of 2021, Anne Horne resided in a nursing home known as Cedars Healthcare Center ("Cedars"), located in Charlottesville, Virginia.
3. Ms. Horne, with her disabled son, resided together in a home in Charlottesville. Ms. Horne's son continued to reside in the home while she was at Cedars.
4. Ms. Horne was not eligible for Medicaid and was not able to pay in full for her health care.

5. Cedars was a creditor of Ms. Horne's, claiming a debt due of \$ 63,828.49. On July 21, 2021, counsel for Cedars filed a petition to have a guardian *ad litem*, guardian of the person and conservator of her estate appointed for Ms. Horne on the grounds that she was incapacitated.

6. On August 13, 2021, the Circuit Court for the City of Charlottesville appointed a guardian *ad litem* for Ms. Horne. Cedars' petition for appointment of a conservator was set for hearing on September 15, 2021.

7. On September 15, 2021, the Circuit Court for the City of Charlottesville entered an order appointing counsel for Cedars as Plenary Conservator for Ms. Horne, with the power to dispose of her personal assets—including her home, as he saw fit and with permission of the court.

8. On September 16, 2021, Tameka Horne ("Tameka"), the granddaughter of Ms. Horne, contacted Respondent to represent both her interests and that of her uncle, Mrs. Horne's disabled son, in any actions taken by the Plenary Conservator.

9. Tameka advised Respondent that the Plenary Conservator was threatening to liquidate the home Mrs. Horne owned and where her disabled son resided to pay Cedars which would result in the dispossession of Horne's disabled son. In fact, the Conservator had taken tangible steps to do so, including hiring an agent and invading the premises, threatening to change the locks and engaging the Sheriff to assist.

10. Respondent drafted a *lis pendens* for filing with the clerk's office to attempt to stave off a sale of Mrs. Horne's home.

11. In the face of said threats to the Horne house, Respondent finalized and signed the *lis pendens* on Friday afternoon, September 17, 2021.

12. Respondent's regular assistant, a notary public who had previously notarized Respondent's signature, not in the office when the *lis pendens* was finalized. Ms. Cori Bedois, another notary public who worked in Respondent's office, was also on vacation that day.

13. Despite having access to other notaries public nearby, Respondent signed Ms. Bedois's signature in the attestation and placed her notarial seal on the *lis pendens* without her knowledge, thereby misrepresenting that Respondent's signature had been authenticated by a notary public on September 17, 2021.

14. On September 20, 2021, the *lis pendens* with the forged notarial signature was recorded in the Clerk's Office of the Circuit Court for the City of Charlottesville.

15. On July 22, 2022, Respondent filed a Motion to Release the *lis pendens*, one month after having received the instant bar Complaint.

In her answer to the bar Complaint, Respondent acknowledged and admitted the forgery and further expressed her regret and remorse.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

By forging the signature of the Notary Public and placing her notarial seal on the lis pendens that Respondent filed on behalf of her clients, Respondent violated Rules 3.3 and 8.4 of the Virginia Rules of Professional Conduct as set forth below.

Rule 3.3 Candor Toward The Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal[.]

* * * *

Rule 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law;

* * * *

III. PUBLIC REPRIMAND WITH TERMS

Accordingly, having approved the agreed disposition, it is the decision of the Subcommittee to impose a **PUBLIC Reprimand with Terms**. The terms are:

1. For a period of 1 year following the entry of this Order or Subcommittee Determination of Public Reprimand with Terms, Respondent will not engage in any conduct that violates the following provisions of the Virginia Rules of Professional Conduct, including any amendments thereto, and/or which violates any analogous provisions, and any amendments thereto, of the disciplinary rules of another jurisdiction in which Respondent may be admitted to practice law. The

terms contained in this paragraph will be deemed to have been violated when any ruling, determination, judgment, order, or decree has been issued against Respondent by a disciplinary tribunal in Virginia or elsewhere, containing a finding that Respondent has violated one or more provisions of the Rules of Professional Conduct referred to above, *provided, however*, that the conduct upon which such finding was based occurred within the period referred to above, and provided, further, that such ruling has become final.

2. On or before September 1, 2023, Respondent will complete 6 hours of continuing legal education credits by attending courses approved by the Virginia State Bar in the subject matter of legal ethics. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward her Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law. Respondent will certify her compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Bar Counsel, within 30 days of her attendance of each such CLE program(s).
3. On or before April 1, 2023, Respondent shall provide to the Office of Bar Counsel a letter certifying that she has read the Handbook for Virginia Notaries Public. (Published April 2021) ("Handbook"). The Handbook is available for free online.
4. On or before May 1, 2023, Respondent shall issue a letter of apology to the paralegal for forging her notarial signature, with a copy of the letter to the Office of Bar Counsel.

If any of the terms are not met by the time specified, pursuant to Part 6, § IV, ¶ 13-15.F of the Rules of the Supreme Court of Virginia, the District Committee shall hold a hearing and Respondent shall be required to show cause why a Certification for Sanction Determination pursuant to Part 6, § IV, ¶ 13-15.F and G of the Rules of the Supreme Court of Virginia should not be imposed. Any proceeding initiated due to failure to comply with terms will be considered a new matter, and an administrative fee and costs will be assessed.

Pursuant to Part 6, § IV, ¶ 13-9.E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

**SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**



Ryan D. Ruzic
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on March 9, 2023, a true and complete copy of the Subcommittee Determination (**PUBLIC Reprimand With Terms**) was sent by certified mail to Doris Weston Gelbman, Respondent, at Gelbman Law PLLC, 525 Meade Ave, Charlottesville, VA 22902, Respondent's last address of record with the Virginia State Bar, and by first class mail, postage prepaid to Paul D. Georgiadis, Esquire, counsel for Respondent, at Law Office of Paul D. Georgiadis, PLC, 2060 Buford Rd, Richmond, VA 23235-3409.

Paulo E. Franco,
Jr.

Digitally signed by Paulo E.
Franco, Jr.
Date: 2023.03.08 13:49:24
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Paulo E. Franco, Jr.
Assistant Bar Counsel

VIRGINIA:

BEFORE THE SEVENTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
DORIS WESTON GELBMAN

VSB Docket No. 22-070-126200

AGREED DISPOSITION
PUBLIC REPRIMAND WITH TERMS

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, § IV, ¶ 13-15.B.4, the Virginia State Bar (“VSB”), by Paulo E. Franco, Jr., Assistant Bar Counsel, Doris Weston Gelbman, Respondent, and Paul D. Georgiadis, Esquire, counsel for Respondent, hereby enter into the following agreed disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. Respondent was admitted to practice law in the Commonwealth of Virginia on October 20, 2010 and was at all times relevant active and in good standing with the VSB.
2. In the summer of 2021, Anne Horne resided in a nursing home known as Cedars Healthcare Center (“Cedars”), located in Charlottesville, Virginia.
3. Ms. Horne, with her disabled son, resided together in a home in Charlottesville. Ms. Horne’s son continued to reside in the home while she was at Cedars.
4. Ms. Horne was not eligible for Medicaid and was not able to pay in full for her health care.
5. Cedars was a creditor of Ms. Horne’s, claiming a debt due of \$ 63,828.49. On July 21, 2021, counsel for Cedars filed a petition to have a guardian *ad litem*, guardian of the person and conservator of her estate appointed for Ms. Horne on the grounds that she was incapacitated.
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7. On September 15, 2021, the Circuit Court for the City of Charlottesville entered an order appointing counsel for Cedars as Plenary Conservator for Ms. Horne, with the power to

dispose of her personal assets—including her home, as he saw fit and with permission of the court.

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13. Despite having access to other notaries public nearby, Respondent signed Ms. Bedois’s signature in the attestation and placed her notarial seal on the *lis pendens* without her knowledge, thereby misrepresenting that Respondent’s signature had been authenticated by a notary public on September 17, 2021.

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15. On July 22, 2022, Respondent filed a Motion to Release the *lis pendens*, one month after having received the instant bar Complaint.

16. In her answer to the bar Complaint, Respondent acknowledged and admitted the forgery and further expressed her regret and remorse.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

Rule 3.3 Candor Toward The Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal[.]

* * * *

Rule 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law;

* * * *

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and Respondent tender to a subcommittee of the Seventh District Committee for its approval the agreed disposition of a Public Reprimand with Terms as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Seventh District Committee. The terms shall be met by the dates set forth herein and are as follows:

1. For a period of 1 year following the entry of this Order or Subcommittee Determination of Public Reprimand with Terms, Respondent will not engage in any conduct that violates the following provisions of the Virginia Rules of Professional Conduct, including any amendments thereto, and/or which violates any analogous provisions, and any amendments thereto, of the disciplinary rules of another jurisdiction in which Respondent may be admitted to practice law. The terms contained in this paragraph will be deemed to have been violated when any ruling, determination, judgment, order, or decree has been issued against Respondent by a disciplinary tribunal in Virginia or elsewhere, containing a finding that Respondent has violated one or more provisions of the Rules of Professional Conduct referred to above, *provided, however*, that the conduct upon which such finding was based occurred within the period referred to above, and provided, further, that such ruling has become final.
2. On or before September 1, 2023, Respondent will complete 6 hours of continuing legal education credits by attending courses approved by the Virginia State Bar in

the subject matter of legal ethics. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward her Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law. Respondent will certify her compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Bar Counsel, within 30 days of her attendance of each such CLE program(s).

3. On or before April 1, 2023, Respondent shall provide to the Office of Bar Counsel a letter certifying that she has read the Handbook for Virginia Notaries Public. (Published April 2021) ("Handbook"). The Handbook is available for free online.
4. On or before May 1, 2023, Respondent shall issue a letter of apology to the paralegal for forging her notarial signature, with a copy of the letter to the Office of Bar Counsel.

If any of the terms are not met by the dates set forth herein, Respondent agrees that the District Committee shall impose the alternative sanction of a Certification for Sanction Determination pursuant to Part 6, § IV, ¶ 13-15.F and G of the Rules of the Supreme Court of Virginia. Any proceeding initiated due to failure to comply with terms will be considered a new matter, and an administrative fee and costs will be assessed pursuant to ¶ 13-9.E of the Rules of the Supreme Court of Virginia.

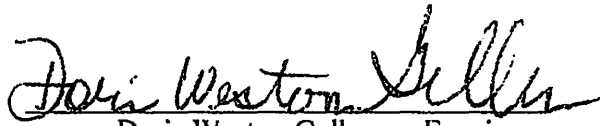
If the agreed disposition is approved, the Clerk of the Disciplinary System shall assess costs.

Pursuant to Part 6, § IV, ¶ 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the subcommittee considering this agreed disposition.

THE VIRGINIA STATE BAR

**Paulo E.
Franco, Jr.** Digitally signed by
Paulo E. Franco, Jr.
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Paulo E. Franco, Jr.
Assistant Bar Counsel



Doris Weston Gelman, Esquire
Respondent



Paul D. Georgiadis, Esquire
Respondent's Counsel