

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
BRITNEY HOPE MADDUX

VSB DOCKET NO. 22-000-125317

CONSENT ORDER
FOR
IMPOSITION OF ALTERNATIVE SANCTION OF
18-MONTH LICENSE SUSPENSION

On April 1, 2022, the Virginia State Bar, pursuant to Part Six, Section IV, Paragraph 13-18.O. of the Rules of Court, issued to Britney Hope Maddux (“Respondent”) a Notice of Show Cause Hearing on Terms Failure requiring Respondent to appear before the Virginia State Bar Disciplinary Board (“Disciplinary Board”) on June 24, 2022, and show cause why the alternative sanction of an additional 18-month license suspension should not be imposed for her failure to fulfill the terms set out in the Agreed Disposition Memorandum Order Six-Month Suspension With Terms issued by the Disciplinary Board in VSB Docket No. 22-000-123274 on October 18, 2021 (“Order”), a true copy of which was attached as an exhibit to the Notice of Show Cause Hearing on Terms Failure.

On April 6, 2022, the Disciplinary Board issued a Rule to Show Cause & Pre-Hearing Order Failure to Comply With Terms ordering Respondent to appear before the Disciplinary Board on June 24, 2022, and show cause why the alternative sanction of an additional 18-month license suspension should not be imposed for her failure to fulfill the terms set out in the Order.

Respondent wishes to: 1) waive her right to a show cause hearing; 2) stipulate to her noncompliance with the terms set out in the Order; and 3) consent to the imposition

of the alternative sanction of the additional 18-month suspension of her license to practice law in the Commonwealth of Virginia.

Respondent stipulates and agrees the Order required her to fulfill the following terms within the deadlines specified:

1. Within thirty (30) days of the issuance of an order approving this agreed disposition, Respondent shall engage at her own cost a Virginia Certified Public Accountant ("Accountant") for the purposes of assisting Respondent in fully identifying the source and ownership of all remaining funds in the Escrow Account and properly disbursing all such remaining funds and thereafter closing out the Escrow Account. The engagement of the Accountant shall be subject to the pre-approval of Bar Counsel which shall not be unreasonably withheld.
2. Respondent will fully cooperate with the Accountant in assisting in the Accountant's efforts to identify the source and ownership of all remaining funds in the Escrow Account.
3. To the extent any funds from the Escrow Account have been disbursed since October 12, 2020, the Accountant shall identify and report the amounts of all such disbursements and to whom they were made.
4. As the Accountant identifies the source and ownership of funds in the Escrow Account, Respondent shall promptly and properly disburse those funds. Respondent shall report to Bar Counsel in writing the dates and amounts of such disbursements and to whom they were made, within ten (10) days from the date of each such disbursement.
5. Within three (3) months following the engagement of the Accountant, Respondent shall cause the Accountant to provide a preliminary written report to Bar Counsel setting out the progress on the identification of the source and ownership of all remaining funds in the Escrow Account and disbursement of all such funds with supporting documentation.
6. Within six (6) months following the engagement of the Accountant, Respondent shall cause the Accountant to provide a final written report to Bar Counsel fully summarizing the identification of the source and ownership of the funds in the Escrow Account and disbursement of all such funds with supporting documentation ("Final Report"). The Accountant

may request additional time to complete the Final Report as circumstances warrant, which may be granted by Bar Counsel for good cause shown.

7. To the extent the Escrow Account is not able to be closed by the deadline for the filing of the Final Report, based either upon a dispute or specific claim related to an amount believed to be owed to a client, a third-party or Respondent, or an inability to determine the source and ownership of funds remaining in the Escrow Account, Respondent shall interplead the funds into the appropriate court within thirty days of the earlier of either the issuance of the Final Report or the deadline for the filing of the Final Report. Respondent shall provide written notice to Bar Counsel of the filing of the interpleader action within ten (10) days of such filing, and shall thereafter promptly provide to Bar Counsel copies of all pleadings and orders filed and issued in that action. Respondent shall, with the court's approval, if necessary, provide the requisite notice or notices to properly adjudicate the interpleader action. Respondent shall cooperate fully in the interpleader action. Upon resolution of any such interpleader action, Respondent shall, within thirty (30) days of entry of the final order of such interpleader action, certify to Bar Counsel that she has closed out the Escrow Account.

Respondent stipulates and agrees she is in violation of the above-cited terms in that she failed to:

- Engage an Accountant pre-approved by Bar Counsel for the purposes of assisting Respondent in fully identifying the source and ownership of all remaining funds in the Escrow Account and properly disbursing all such remaining funds and thereafter closing out the Escrow Account, within 30 days of issuance of the Order;
- Report to Bar Counsel in writing the dates, amounts or recipients of any disbursements from the Escrow Account; OR
- Provide to Bar Counsel a preliminary written report prepared by an Accountant setting out the progress on the identification of the source and ownership of all remaining funds in the Escrow Account and disbursement of all such funds with supporting

documentation, which was due within three months following Respondent's engagement of an Accountant pre-approved by Bar Counsel.

Respondent further stipulates and agrees she has not provided to Bar Counsel a final written report prepared by an Accountant fully summarizing the identification of the source and ownership of the funds in the Escrow Account and disbursement of all such funds, with supporting documentation, which was due within six months following Respondent's engagement of an Accountant pre-approved by Bar Counsel.

WHEREFORE, based on the foregoing, and Respondent's: 1) waiver of her right to a show cause hearing; 2) stipulation to her noncompliance with the terms set out in the Order; and 3) consent to the imposition of the alternative sanction of the additional 18-month suspension of her license to practice law in the Commonwealth of Virginia, as evidenced by her endorsement of this Consent Order, and pursuant to Part Six, Section IV, Paragraph 13-20 of the Rules of Court, and it otherwise appearing proper that the alternative sanction set out in the Order of the suspension of Respondent's license to practice law in the Commonwealth of Virginia for an additional period of 18 months be imposed, it is hereby **ORDERED** that the license of Respondent to practice law in the Commonwealth of Virginia, be, and the same hereby is, **SUSPENDED** for a period of 18 months, effective on the date of entry of this Consent Order.

It is further **ORDERED**, pursuant to the provisions of Part Six, Section IV, Paragraph 13-29 of the Rules of Court, that Respondent shall forthwith give notice, by certified mail, return receipt requested, of the suspension of her license to practice law in the Commonwealth of Virginia to all clients for whom she is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. Respondent

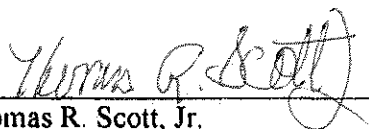
shall also make appropriate arrangements for the disposition of matters then in her care, in conformity with the wishes of her clients. Respondent shall give such notice immediately and in no event later than 14 days of the effective date of her license suspension, and make such arrangements as are required herein as soon as is practicable and in no event later than 45 days of the effective date of her license suspension. Respondent shall furnish proof to the Virginia State Bar within 60 days of the effective date of her license suspension that such notices have been timely given and such arrangements for the disposition of matters made. It is further **ORDERED** that if Respondent is not handling any client matters on the effective date of the suspension, she shall submit an affidavit to that effect to the Virginia State Bar within 60 days of the effective date of the license suspension. Issues concerning the adequacy of the notices and the arrangements required herein shall be determined by the Disciplinary Board. The burden of proof shall be on Respondent to show compliance. If Respondent fails to show compliance, the Disciplinary Board may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of subparagraph 13-29.

Pursuant to Part Six, Section IV, Paragraph 13-9.E. of the Rules of Court, the Clerk of the Disciplinary System shall assess an administrative fee and costs.

It is further **ORDERED** that a true and correct copy of this Consent Order be sent to Britney Hope Maddux, Respondent, by certified mail to 259 Lou-Mac Court, Newport News, VA 23602, and by email to bmaddux87@gmail.com, Respondent's last mailing and email addresses of record with the Virginia State Bar, and to M. Brent Saunders, Assistant Bar Counsel, by email.

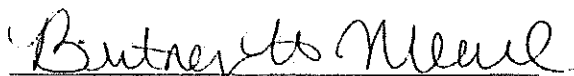
ENTERED this 22nd day of June, 2022

VIRGINIA STATE BAR DISCIPLINARY BOARD



Thomas R. Scott, Jr.
First Vice Chair


SEEN AND AGREED:



Britney Hope Maddux
Respondent

AND

THE VIRGINIA STATE BAR

By _____

M. Brent Saunders
Assistant Bar Counsel