

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
JOHN SILLS O'KEEFE**

VSb DOCKET NO. 25-080-134243

**AGREED DISPOSITION MEMORANDUM ORDER
NINETY-DAY SUSPENSION**

On September 16, 2026, this matter was heard, telephonically, by the Virginia State Bar Disciplinary Board (the "Board") upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by Part Six, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Dawn E. Boyce, 2nd Vice Chair (the "Chair"); David R. Tiller; Jason L. McCandless; Michael C. Moore; and Elisabeth "Lizzie" Martingayle, Lay Member. The Virginia State Bar was represented by Jessica C. Beatty, Assistant Bar Counsel. John Sills O'Keefe (the "Respondent") was present and was not represented by counsel. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter to which each member responded in the negative. Beverly Horne, court reporter, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Board accepts the Agreed Disposition and the Respondent shall receive a ninety-day suspension, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective September 16, 2026.

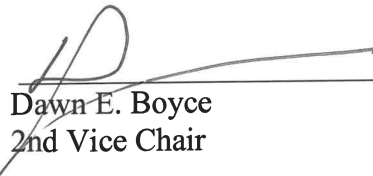
It is further **ORDERED** that the Respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The Respondent must forthwith give notice by certified mail of the Suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and to all opposing Attorneys and presiding Judges in pending litigation. The Respondent must also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of her clients. The Respondent must give such notice immediately and in no event later than fourteen (14) days of the effective date of the Suspension, and make such arrangements as are required herein as soon as is practicable and in no event later than forty-five (45) days of the effective date of the Suspension. The Respondent must also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within sixty (60) days of the effective date of the Suspension that such notices have been timely given and such arrangements have been made for the disposition of matters.

It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the Suspension, he shall submit an affidavit to that effect within sixty (60) days of the effective date of the Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. The Board must decide all issues concerning the adequacy of the notice and arrangements required herein. The burden of proof shall be on the Respondent to show compliance. If the Respondent fails to show compliance, the Board may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of subparagraph 13-29.

It is further **ORDERED** that pursuant to Part Six, Section IV, Paragraph 13-9.E, of the Rules of the Supreme Court of Virginia, the Clerk shall assess all costs against the Respondent.

It is further **ORDERED** that an attested copy of this Order be mailed by the Clerk to the Respondent by electronic, first-class and certified mail, return receipt requested, to his Virginia State Bar address of record, at The Law Offices of J. Sills O'Keefe, PO Box 2211, Staunton, VA 24401, and a copy by electronic mail to Jessica C. Beatty, Assistant Bar Counsel.

ENTERED THIS 16th DAY OF SEPTEMBER, 2026
VIRGINIA STATE BAR DISCIPLINARY BOARD



Dawn E. Boyce
2nd Vice Chair

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
JOHN SILLS O'KEEFE**

VSb Docket No. 25-080-134243

AGREED DISPOSITION
(NINETY-DAY SUSPENSION)

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-15.B.4, the Virginia State Bar, by Jessica C. Beatty, Assistant Bar Counsel, and John Sills O'Keefe ("Respondent") enter into the following agreed disposition arising out of this matter.

STIPULATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar ("VSB") in 2018. At all relevant times, Respondent was a member of the VSB.
2. On or about May 7, 2024, Lawrence P. Veal ("Complainant") was arrested, incarcerated, and charged with assaulting his daughter [REDACTED]. He was also charged with the possession of drugs.¹
3. On May 7, 2024, the Department of Social Services for Shenandoah Valley ("DSS") filed petitions for *ex parte* Preliminary Child Protective Orders ("Preliminary CPOs") against Complainant in the Staunton Juvenile and Domestic Relations Court ("the JDR Court") on behalf of Complainant's three children on the basis of abuse and neglect, thereby initiating proceedings under Va. Code § 16.1-253 to adjudicate abuse and neglect of the children.
4. On May 7, 2024, the JDR Court entered *ex parte* Preliminary CPOs against Complainant on behalf of the three children, appointed Respondent to represent Complainant in the abuse and neglect and protective order cases, and set a hearing for May 14, 2024, on DSS's

¹ At all relevant times after May 7, 2024, Complainant was incarcerated at Middle River Regional Jail.

request to extend the Preliminary CPOs. Because of the statutory requirements for hearings upon entry of an *ex parte* Preliminary CPO under Va. Code §§ 16.1-253 and 16.1-278.2, Respondent's May 7, 2024, appointment included appointment in subsequent Preliminary CPO and Child Protective Order ("CPO") hearings. Complainant's children were placed with a relative.

5. The May 14, 2024, appointment order stated, in relevant part: "Therefore I appoint the lawyer indicated below to represent the adult at such hearings and all other stages of the proceeding in this court and in any other court to which this case may be appealed or certified until relieved or replaced by another lawyer."

6. Va. Code § 16.1-266 states, in relevant part

* * *

D. A judge, clerk or probation officer shall inform the parent ... of his right to counsel prior to ... a hearing at which a parent could be subjected to the loss of residual parental rights.

E. In those cases described in subsections A, B, C and D, which in the discretion of the court require counsel ... to represent ... the parent, ... a discreet and competent attorney-at-law may be appointed by the court as counsel...

7. Va. Code § 16.1-268 states, in relevant part:

The order of appointment of counsel ... pursuant to § 16.1-266 shall be filed with and become a part of the record of such proceeding. Any attorney so appointed shall represent the ... parent ... at any such hearing and at all other stages of the proceeding unless relieved or replaced in the matter provided by law.

8. After receiving notice of his appointment, Respondent attempted to contact Complainant by telephone at Complainant's home. Respondent did not attempt to visit Complainant at his home and did not send him any written correspondence.

9. On May 14, 2024, the JDR Court held a hearing on DSS's request to extend the *ex parte* Preliminary CPOs. Respondent attended the hearing but did not make any effort to secure Complainant's attendance. Respondent stipulated that if the Court heard the facts that were

available that day, there would be sufficient evidence for the Court to enter Preliminary CPOs. At the conclusion of the hearing, the JDR Court entered Preliminary CPOs against Complainant for all three children and set a hearing on DSS's petitions for Child Protective Orders ("CPOs") for July 9, 2024.

10. On June 11, 2024, the JDR Court held an adjudicatory hearing to determine whether the children were abused or neglected. Respondent attended the hearing but did not make any effort to secure Complainant's attendance. The JDR Court entered an Adjudicatory Order finding abuse and neglect, which listed Respondent as Complainant's guardian *ad litem* ("GAL"), and set a dispositional hearing for July 9, 2024, to be heard with the petitions for CPOs. Respondent did not contact Complainant and did not tell him about the July 9, 2024, hearing.

11. When interviewed, Respondent stated that he noted objections to the findings of abuse and neglect in order to preserve those objections for appeal. However, Respondent also stated that he did not contact Complainant to discuss appealing and did not appeal the findings of abuse and neglect on Complainant's behalf because he believed those findings attached to the child, not his client.

12. On June 25, 2024, DSS interviewed Complainant at the jail without Respondent's knowledge.

13. On July 2, 2024, the JDR Court entered an Order appointing Respondent as GAL for Complainant for a hearing scheduled for July 9, 2024, regarding DSS's petitions for CPOs.

14. Respondent stated that when he received the July 2, 2024, appointment order, he realized for the first time that Complainant was incarcerated.

15. Respondent did not communicate with Complainant after learning that Complainant was incarcerated.

16. On July 9, 2024, the JDR Court held a hearing on DSS's petitions for CPOs. Respondent attended the hearing but did not make any effort to secure Complainant's attendance. The JDR Court entered CPOs for all three children, which were appealable final orders. The CPOs required Complainant to submit to random drug screens, cooperate fully with DSS, and complete substance abuse and mental health evaluations and fully follow the recommendations of all such service providers, and allowed for contact between Complainant and his children as authorized in writing by DSS.

17. Respondent did not contact Complainant after the hearing and did not discuss with Complainant the conditions of the CPO.

18. Respondent further failed to advise Complainant of his right to appeal the Child Protective Orders to the Circuit Court and failed to advise Complainant that, pursuant to Va. Code § 16.1-268, he remained Complainant's court-appointed counsel in any appeal.

19. Respondent did not speak to Complainant before or after the July 9, 2024, hearing. Respondent did not note an appeal of the CPOs on Complainant's behalf.

20. On July 12, 2024, DSS initiated removal proceedings ("the removal proceedings") to remove Complainant's children to foster care on an emergency basis. On July 16, 2024, the JDR Court conducted a hearing on the merits in the removal proceedings. Attorney Juliet Bates ("Ms. Bates") was appointed as GAL for Complainant and appeared at hearings in the removal proceedings.

21. On July 14, 2024, and July 15, 2024, according to the jail's call log, Complainant attempted to call Respondent twice each day. Respondent did not return any of the calls.

22. On September 10, 2024, the Court held a hearing and entered a Dispositional Order for Underlying Petition and Foster Care Plan. Ms. Bates appeared as GAL for Complainant.

23. On December 3, 2024, DSS filed a petition for foster care review hearing. On December 10, 2024, the JDR Court scheduled a foster care review hearing for January 7, 2025. Respondent was appointed as Complainant's GAL in the foster care proceeding.

24. On December 10, 2024, Paul Titus ("Mr. Titus"), the former GAL for Complainant's son ("LDJV"), filed a Child in Need of Services ("CHINS") petition pursuant to Va. Code § 16.1-278.4. On December 16, 2024, the JDR Court set a hearing on the CHINS petition for December 17, 2024, and erroneously appointed Respondent to represent LDJV in that matter. Respondent informed the JDR Court that he could not represent LDJV due to a conflict of interest and the JDR Court appointed a different GAL for LDJV.

25. On December 16, 2024, according to the jail's call log, Complainant received paperwork from the JDR Court relating to the foster care review hearing and called Respondent.

26. On December 17, 2024, according to the jail's call log, Complainant called Respondent five times. Complainant's sister and girlfriend also attempted to contact Respondent but were unsuccessful. Respondent did not return any of Complainant's calls. Respondent acknowledged that Complainant attempted to call him multiple times that day.

27. The same day, Complainant reached out to Mr. Titus and asked that Mr. Titus pass on to Respondent that Complainant was trying to reach him.

28. On December 19, 2024, Complainant submitted his first bar complaint to the VSB by mail, which was received by the VSB on January 3, 2025.

29. On December 20, 2024, according to the jail's call log, Complainant called Respondent and Respondent did not answer. Respondent did not return Complainant's call.

30. On December 30, 2024, according to the jail's call log, Complainant called Respondent twice.

31. Respondent did not respond and did not attempt to contact Complainant at any time after he was reappointed on December 10, 2024, or before the January 7, 2025, foster care review hearing, including after he received the December 19, 2024, bar complaint, and did not discuss the foster care plan with Complainant.

32. On January 7, 2025, the JDR Court held a foster care review hearing pursuant to Va. § Code 16.1-282. Respondent attended the hearing but did not make any effort to secure Complainant's attendance. The JDR Court entered an order approving the foster care plan and set a permanency planning hearing for May 27, 2025.

33. On January 8, 2025, the VSB sent a letter to Respondent directing Respondent to communicate with Complainant and provide the VSB with confirmation that he had done so on or before January 20, 2025.

34. On January 20, 2025, Respondent called Complainant. Complainant returned the phone call the same day, and Respondent apologized for not being in communication and stated that he had a number of personal issues going on his life. Complainant requested any information that Respondent could provide about his cases, and Respondent asked that Complainant call back later in the week. The same day, Respondent emailed the VSB and requested an extension of the deadline to respond to the VSB's January 8, 2025, letter, which the VSB allowed.

35. On January 23, 2025, Complainant sent a list of questions to Respondent by email through the jail communication portal. Respondent did not respond.

36. On January 27, 2025, Respondent submitted a response to VSB intake in which he denied ever receiving any phone calls, mail, or email from Complainant at any time until December 17, 2024. Respondent admitted that he had only spoken with Complainant once, on January 20, 2025.

37. On January 28, 2025, the Court held a hearing on the CHINS petition. Respondent attended the hearing by telephone but did not make any effort to secure Complainant's attendance. The JDR Court ordered joint legal custody of LDJV to Complainant and maternal grandmother, with physical custody to maternal grandmother. The JDR Court entered the order without prejudice to Complainant and set a review hearing for March 10, 2025. Respondent did not contact Complainant after the hearing and did not tell him about the March 10, 2025, hearing.

38. On February 9, 2025, and twice on February 11, 2025, Complainant called Respondent, according to the jail's call log. Respondent did not answer or return Complainant's calls.

39. On February 13, 2025, Complainant sent a message to Respondent through the jail communication portal requesting that Respondent answer his phone calls and messages. Respondent did not contact Complainant.

40. On February 17, 2025, Complainant called Respondent at his office and Respondent answered. Respondent acknowledged receipt of Complainant's February 13, 2025, message and stated that he could not answer any of the questions in Complainant's message, but stated that he would get back to Complainant by February 19, 2025. Respondent did not tell Complainant about the March 10, 2025, hearing. After the phone call, Respondent did not

contact Complainant and did not respond to Complainant's emails. Respondent acknowledged that he did not respond to Complainant's questions, as they "likely slipped through the cracks."

41. On March 3, March 4, and March 6, 2025, Complainant called Respondent six times, according to the jail's call log. Respondent did not answer or return Complainant's calls.

42. On March 10, 2025, the JDR Court held a review hearing on the CHINS petition.

43. Respondent stated that he was not aware of his appointment on the CHINS petition until the hearing on March 10, 2025. Respondent stated that he may have received notice of this appointment, but that he was out of office for an extended period of time, and when he returned he had several hundred pages of unopened mail, including various orders and hearing notices.

44. Respondent did not contact Complainant in advance of this hearing because Respondent was on vacation. Respondent did not make any effort to secure Complainant's attendance at the hearing. Complainant was not present, telephonically, virtually or otherwise, at the March 10, 2025 hearing.

45. Respondent appeared remotely for the March 10, 2025, hearing and stated that he had a difficult time understanding what was going on due to poor reception.

46. On March 8, 2025, Complainant filed a second bar complaint against Respondent.

47. On March 10, 2025, the JDR Court entered a final order on the CHINS petition. The order noted that it was a final order, but the order allowed Respondent to request further hearings on Complainant's behalf before the end of the day on March 12, 2025. Respondent did not request any additional hearings or make any additional filings. Respondent did not contact Complainant after the hearing.

48. Respondent did not note any objections to the order. Respondent further failed to advise Complainant of his right to appeal the order to the Circuit Court.

49. On March 14, 2025, the VSB sent a letter to Respondent directing Respondent to communicate with Complainant and provide the VSB with confirmation that he had done so on or before March 24, 2025. Respondent did not respond to the VSB and did not contact Complainant.

50. On March 22, 2025, Complainant sent a message to Respondent through the jail communication portal requesting that Respondent withdraw as counsel and provide Complainant with his client file. Respondent did not contact Complainant and did not supply the file.

51. On March 25, 2025, the VSB sent a letter to Respondent noting that Respondent had not submitted confirmation that he had communicated with Complainant and that if Respondent did not do so within five calendar days, the VSB would open an investigation.

52. On March 30, 2025, Respondent submitted a response to the VSB that stated, in relevant part: “For the record, due to [Complainant’s] repeated complaints, in spite of knowing my family situation, I do not believe that [Complainant] and I can effectively work together going forward. Thus, as of March 24, 2025[,] I have withdrawn from my appointment as [Complainant’s] Guardian *ad Litem* in the CHINS case and informed the Court that I will no longer be taking appoints to represent him.” However, Respondent provided no documentation of any such withdrawal or contact with the JDR Court, and the JDR Court’s file contained no such Motion to Withdraw or Order allowing Respondent’s withdrawal.

53. The JDR Court’s file did contain a letter from Complainant dated December 18, 2024, requesting, in relevant part, that Respondent be removed from his case. The JDR Court’s file also contained an email from Respondent dated January 30, 2025, by which Respondent

accepted re-appointment as guardian *ad litem* for Complainant in the CHINS hearing scheduled for March 10, 2025.

54. When interviewed, Respondent conceded that he should have withdrawn from the representation previously due to ongoing personal obligations.

55. On May 5, 2025, Complainant was appointed a new GAL, Nicholas Betts (“Betts”), who represented Complainant in all relevant subsequent hearings.

56. On May 10, 2025, Complainant sent Respondent a letter requesting that Respondent withdraw as counsel and again requested his client file. Respondent did not respond.

57. On July 18, 2025, Complainant filed a second bar complaint against Respondent, which Respondent received on July 24, 2025.

58. When interviewed, Respondent acknowledged having received Complainant’s March 22, 2025, email request for his file, but stated that he did not see it until receiving Complainant’s July 18, 2025, bar complaint.

59. On July 23, 2025, Complainant requested his file again. Respondent did not reply.

60. On July 24, 2025, the VSB sent a letter to Respondent stating, among other things, that Complainant had indicated to the VSB that he had written to Respondent twice to request his file but had not received a response, and that if Respondent’s representation of Complainant was concluded, Respondent needed to provide Complainant with his file or explain why he could not provide the file. The letter demanded that Respondent send a copy of written communication or a summary of oral communication with Complainant to the VSB by August 4, 2025.

61. On July 29, 2025, the JDR Court held a Termination of Parental Rights hearing and entered an order terminating Complainant's parental rights. Betts noted an appeal to the Circuit Court on Complainant's behalf.

62. On August 5, 2025, the VSB sent a letter to Respondent directing him again to provide Complainant with his file and notify the VSB within five days. Respondent did not respond to the VSB.

63. When interviewed, Respondent indicated that he received those letters and did not respond because he was "exhausted and playing catch up," "emotionally done with the matter," and "pissed off" at Complainant.

64. On or about August 8, 2025, Respondent supplied Complainant's file directly to Betts.

65. Respondent did not respond to the VSB until September 5, 2025. Respondent stated that he did not respond timely because he was focused on getting the file turned over and was very busy at the time. Respondent's file contained the court filings and two messages received from Complainant through the jail communication portal, but little else.

66. On September 5, 2025, Respondent submitted a written response to the bar complaint(s). Respondent stated that he "honestly [had] no recollection of any correspondence from [Complainant] regarding his file."

67. On November 9, 2025, Respondent produced his client file to the VSB, which included the February 13, 2025, and March 22, 2025, letters sent by Complainant to Respondent through the jail's communication portal requesting his client file.

68. Respondent represents that he has been overwhelmed by personal issues, which caused him to neglect Complainant's case.

69. Respondent represents that at the time of his representation of Complainant, he had too many active cases, and that since his representation of Complainant, he has reduced his caseload, which is presently manageable. Respondent represents that he intends to limit his caseload to a manageable amount.

70. Respondent acknowledges that his failure to withdraw from Complainant's case when he became overwhelmed caused him to neglect his duties to Complainant in violation of the Rules of Professional Conduct below.

NATURE OF MISCONDUCT

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

Rule 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

By failing to make reasonable efforts to locate Complainant from the time he was appointed on May 7, 2024, until July 2, 2024, and thus attending two hearings on Complainant's behalf without having prepared appropriate for the hearings by communicating with Complainant and allowing DSS to interview Complainant without counsel; by failing to request or obtain transport for Complainant to any of the hearings in which he was appointed as Complainant's counsel or guardian ad litem on May 14, 2024, June 11, 2024, July 9, 2024, January 7, 2025, January 28, 2025, and March 10, 2025, depriving Complainant of the opportunity to attend any of these hearings; by failing to monitor mail coming into his office while he was away; by attending the March 10, 2025, hearing telephonically and moving forward with the hearing despite being unable to understand the proceedings due to a poor

connection; and by failing to note appeals of any final order of the JDR Court on Complainant's behalf, thereby depriving Complainant of the right to a de novo appeal, Respondent violated Rule 1.3.

Rule 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

By failing to communicate with Complainant in preparation for the hearings in order to represent Complainant's interests and failing to communicate with Complainant after those hearings to inform Complainant of the status of the matter; by failing to attempt to contact Complainant in jail after learning on July 2, 2024, that Complainant was incarcerated; by failing to contact Complainant after any of the hearings that Respondent attended on Complainant's behalf on May 14, 2024, June 11, 2024, July 9, 2024, January 7, 2025, January 28, 2025, and March 10, 2025, to inform Complainant of the status of the matter; by failing to respond to any of Complainant's phone calls or written communications, including Complainant's phone calls on July 14, 2024, July 15, 2024, December 20, 2024, December 30, 2024, February 9, 2025, February 11, 2025, March 3, 2025, March 4, 2025, March 6, 2025, and July 23, 2025, and Complainant's written communications of January 23, 2025, February 13, 2025, March 22, 2025, May 10, 2025, Respondent violated Rule 1.4(a) and (b).

By failing to communicate with Complainant at any time from his first appointment on May 7, 2024, until January 20, 2025, and at any time after January 20, 2025, including failing to respond to Complainant's phone calls on July 14, 2024, July 15, 2024, December 20, 2024, December 30, 2024, February 9, 2025, February 11, 2025, March 3, 2025, March 4, 2025, March 6, 2025, and July 23, 2025, and Complainant's written communications of January 23, 2025, February 13, 2025, March 22, 2025, May 10, 2025; by failing to contact Complainant after any of the hearings that Respondent attended on Complainant's behalf on May 14, 2024, June 11, 2024, July 9, 2024, January 7, 2025, January 28, 2025, and March 10, 2025, to explain the outcomes of those hearings to Complainant, including Complainant's right to a de novo appeal of final orders of the JDR Court; by failing to review the Child Protective Orders entered by the JDR Court with Complainant and thereby failing to explain to Complainant the terms upon which Complainant could see his children; and by failing to communicate with Complainant despite being directed to do so by the VSB on March 14, 2025, March 25, 2025, July 24, 2025, and August 5, 2025, Respondent violated Rule 1.4(b).

Rule 1.16 Declining or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

- 1) the representation will result in violation of the Rules of Professional Conduct or other law;
- 2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
- 3) the lawyer is discharged.

* * *

(c) In any court proceeding, counsel of record shall not withdraw except by leave of court after compliance with notice requirements pursuant to applicable Rules of Court. In any other matter, a lawyer shall continue representation notwithstanding good cause for terminating the representation, when ordered to do so by a tribunal.

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client,

allowing time for employment of other counsel, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

(e) All original, client-furnished documents and any originals of legal instruments or official documents which are in the lawyer's possession (wills, corporate minutes, etc.) are the property of the client and, therefore, upon termination of the representation, those items shall be returned within a reasonable time to the client or the client's new counsel upon request, whether or not the client has paid the fees and costs owed the lawyer. If the lawyer wants to keep a copy of such original documents, the lawyer must incur the cost of duplication. Also upon termination, the client, upon request, must also be provided within a reasonable time copies of the following documents from the lawyer's file, whether or not the client has paid the fees and costs owed the lawyer: lawyer/client and lawyer/third-party communications; the lawyer's copies of client-furnished documents (unless the originals have been returned to the client pursuant to this paragraph); transcripts, pleadings and discovery responses; working and final drafts of legal instruments, official documents, investigative reports, legal memoranda, and other attorney work product documents prepared or collected for the client in the course of the representation; research materials; and bills previously submitted to the client. Although the lawyer may bill and seek to collect from the client the costs associated with making a copy of these materials, the lawyer may not use the client's refusal to pay for such materials as a basis to refuse the client's request. The lawyer, however, is not required under this Rule to provide the client copies of billing records and documents intended only for internal use, such as memoranda prepared by the lawyer discussing conflicts of interest, staffing considerations, or difficulties arising from the lawyer-client relationship. The lawyer has met his or her obligation under this paragraph by furnishing these items one time at client request upon termination; provision of multiple copies is not required. The lawyer has not met his or her obligation under this paragraph by the mere provision of copies of documents on an item-by-item basis during the course of the representation.

By failing to withdraw as Complainant's guardian ad litem, Respondent violated Rule 1.16(a).

By failing to fulfill his responsibilities as counsel and obligations to the client while counsel of record, Respondent violated Rule 1.16(c).

By constructively abandoning the representation and failing to take reasonable steps to protect Complainant's interests thereafter, Respondent violated Rule 1.16(d).

By failing to provide Complainant's file within a reasonable time of Complainant's March 22, 2025, May 10, 2025, and July 23, 2025, requests for his file and the VSB's July 24, 2025, and August 5, 2025, demands that Respondent provide Complainant with his file,

ultimately providing the file only directly to new counsel on August 8, 2025, Respondent violated Rule 1.16(e).

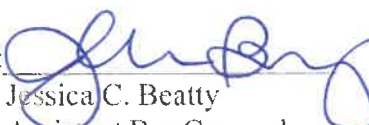
III. PROPOSED DISPOSITION

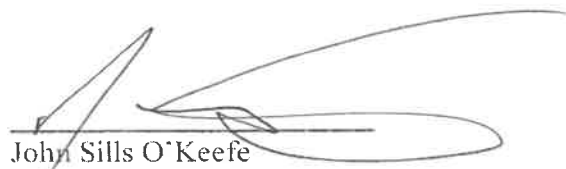
Accordingly, Assistant Bar Counsel and Respondent tender to the Disciplinary Board hearing this matter for its approval the Agreed Disposition of suspension of Respondent's license to practice law in the Commonwealth of Virginia for a period of **NINETY DAYS** as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board. Assistant Bar Counsel and Respondent agree that the effective date for the sanction shall be the date of entry of the Disciplinary Board Order approving this Agreed Disposition.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9.E of the Rules.

Pursuant to Part 6, Section IV, Paragraph 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's disciplinary record shall be furnished to the Disciplinary Board panel considering this Agreed Disposition.

THE VIRGINIA STATE BAR

By: 
Jessica C. Beatty
Assistant Bar Counsel


John Sills O'Keefe
Respondent