



VIRGINIA:

BEFORE THE TENTH DISTRICT, SECTION II SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
JAMES RANDALL PERKINS

VS B Docket No. 23-102-128665

SUBCOMMITTEE DETERMINATION
(PUBLIC REPRIMAND WITHOUT TERMS)

On August 24, 2023 and October 13, 2023, meetings in this matter were held before a duly convened Tenth District, Section II Subcommittee consisting of Stacy E. Munsey, Chair; Malcom M. Brown, IV, Esq.; and Angela C. Fannon, lay member. During the October 13, 2023 meeting, the Subcommittee voted to approve an Agreed Disposition for a Public Reprimand without 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 Deputy Bar Counsel Edward J. Dillon, and James Randall Perkins (“Respondent”), *pro se*.

WHEREFORE, the Tenth District, Section II Subcommittee of the Virginia State Bar hereby serves upon Respondent, the following Public Reprimand without Terms:

I. FINDINGS OF FACT

1. James Randall Perkins (“Respondent”) was licensed to practice law in the Commonwealth of Virginia in October 2003 and, at all relevant times, has been licensed to practice law in the Commonwealth of Virginia.
2. Respondent represented Annetta M. Kestner (“Complainant”) in a dispute with her ex-husband, David Huff, over a residential property located in Smyth County (the “Property”), Virginia. Pursuant to a property settlement agreement, the Property was to be sold and the proceeds divided between Complainant and Mr. Huff.
3. In or about 2016, Respondent filed a lawsuit in Smyth County Circuit Court on behalf of Complainant seeking to partition the Property.

4. In or about March 2023, Complainant filed the instant bar complaint against Respondent, alleging that, with the exception of one in-person meeting in December 2022, Respondent generally failed to communicate with her about the lawsuit between October 2021 and March 2023.
5. Respondent did not respond to written requests dated March 31, 2023 and April 12, 2023 from the Virginia State Bar Intake Office that he communicate with Complainant about the status of the lawsuit.¹
6. Respondent also did not initially submit a written response to the bar complaint in this matter as requested by the Virginia State Bar in a letter dated April 21, 2023 and mailed to Respondent's address of record.
7. After being contacted by a Virginia State Bar investigator in May 2023, Respondent submitted a written response to the bar complaint on May 26, 2023.
8. In his written response, Respondent stated that, in addition to the in-person meeting in December 2022, he believes he had several phone calls about the lawsuit with Complainant in June 2022 and was communicating with opposing counsel about the lawsuit. Nevertheless, Respondent acknowledged that he "again failed to properly communicate with [his] client about the case as required by the Virginia Rules of Professional Conduct."
9. During the course of the Virginia State Bar's investigation into the bar complaint, Respondent communicated with Complainant and worked with opposing counsel to submit an endorsed Final Order to the Smyth County Circuit Court by letter dated July 26, 2023.

II. NATURE OF MISCONDUCT

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

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.

RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a

¹ Respondent received a Public Reprimand in May 2019 for, among other things, failing to adequately communicate with Complainant about the lawsuit between 2017 and 2019.

condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

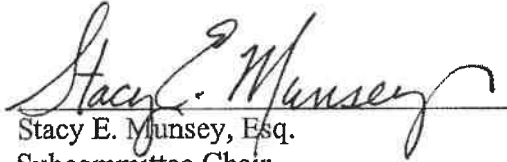
(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6[.]

III. PUBLIC REPRIMAND WITHOUT TERMS

Accordingly, it is the decision of the Subcommittee to impose a Public Reprimand without Terms.

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.

TENTH DISTRICT, SECTION II
SUBCOMMITTEE OF THE
VIRGINIA STATE BAR


Stacy E. Munsey, Esq.
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on November 3rd, 2023, a true and complete copy of the Subcommittee Determination (Public Reprimand Without Terms) was sent by certified mail to James Randall Perkins, Respondent, at Randy Perkins, Attorney at Law, PLLC, P.O. Box 2178, Abingdon, Virginia, 24212, Respondent's last address of record with the Virginia State Bar, and by email to rperkinslaw@outlook.com.



Edward J. Dillon
Deputy Bar Counsel