



STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 16th of May, 2017, the following order was made and entered:

Lawyer Disciplinary Board,
Petitioner

vs.) No. 16-0662

Barbara Harmon-Schamberger, a member of
The West Virginia State Bar,
Respondent

ORDER

On March 27, 2017, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Timothy E. Haight, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, based upon the stipulation of the parties, recommending that:

- (1) The respondent's law license be suspended for a period of three months;
- (2) Upon automatic reinstatement pursuant to Rule 3.31 of the Rules of Lawyer Disciplinary Procedure, respondent's practice be supervised for a period of two years by an attorney agreed upon by the Office of Disciplinary Counsel and the respondent, that respondent meet with her supervising attorney every two weeks with the goal of the supervised practice being to improve the quality and effectiveness of her law practice to the extent that her sanctioned behavior is not likely to reoccur;
- (3) Respondent refund the one thousand (\$1000) retainer fee she received for the Sears representation to Mr. Donnie Sears immediately;
- (4) Respondent complete an additional six hours of continuing legal education in the area of ethics and law office management within twelve months from the date of the Court's order; and
- (5) Respondent pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Therafter, on April 5, 2017, the Office of Disciplinary Counsel, by Renée N.

Frymyer, filed its consent to the recommendation.

Upon consideration, the Court is of the opinion to and does hereby concur with and does hereby approve the recommendation of the Hearing Panel Subcommittee. It is therefore ordered that:

(1) The respondent's license to practice law in the State of West Virginia shall be, and it hereby is, suspended for a period of three months with automatic reinstatement pursuant to Rule 3.31 of the Rules of Lawyer Disciplinary Procedure;

(2) Upon automatic reinstatement, respondent's practice of law shall be supervised for a period of two years by an attorney agreed upon by the Office of Disciplinary Counsel and the respondent, respondent shall meet with the supervising attorney every two weeks with the goal of the supervised practice being to improve the quality and effectiveness of her law practice to the extent that her sanctioned behavior is not likely to reoccur;

(3) Respondent shall immediately refund the one thousand (\$1000) retainer fee to Mr. Donnie Sears;

(4) Respondent shall complete an additional six hours of continuing legal education in the area of ethics and law office management within twelve months from the date of this order; and

(5) Respondent shall pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon all parties herein shall constitute sufficient notice of the contents herein.

A True Copy

Attest: //s// Rory L. Perry II
Clerk of Court

