

STATE OF WEST VIRGINIA

NOV 12 2013

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 5th of November, 2013, the following order was made and entered:

In Re: Harry W. Moore, Jr.'s Petition for Reinstatement of his License to Practice Law

No. 11-1442

On December 9, 2011, came the petitioner, Harry W. Moore, Jr., a suspended member of The West Virginia State Bar, by Herbert L. Hively, II, and Jenny A. Bonham, his attorneys, pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court his petition for reinstatement of his license to practice law in the State of West Virginia.

Thereafter, on October 7, 2013, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Richard M. Yurko, Jr., its chairperson, recommending that the petitioner be reinstated to the practice of law subject to following conditions: (1) that petitioner continue to maintain absolute sobriety; (2) that petitioner be placed on probation for a period of two years with a probationary admission to the West Virginia State Bar; (3) that petitioner's practice be supervised for a period of two years by an attorney in good standing with the West Virginia State Bar who actively practices in the geographical area in which petitioner locates his practice, and who is acceptable to the Office of Disciplinary Counsel; (4) that consistent with the recommendation of his psychologist and his own stated intentions, that petitioner return to the practice of law in a measured manner over the course of the two years of probation, the specific terms to be agreed upon by the Office of Disciplinary Counsel, petitioner, petitioner's supervising attorney, and petitioner's psychologist; (5) that petitioner should attend AA meetings on average of at least once daily for a period of two years, with monthly proof of such attendance supplied, in writing, to his supervising attorney; (6) that petitioner should attend regular sessions with his current psychologist for a period of two years, with quarterly reports by his counselor to his supervising attorney; (7) that petitioner should participate as a volunteer and member of the

Lawyers Assistance Program for a total of 50 hours of service over a period of two years, with quarterly reports by another member of the Lawyers Assistance Committee to petitioner's supervising attorney; (8) that petitioner, at his own expense, should be subject to random drug/alcohol screens upon two-hour notice by the Office of Disciplinary Counsel for a period of two years, with reports of the results of any screen to be provided to petitioner's supervising attorney; (9) that petitioner should reimburse the Office of Lawyer Disciplinary Counsel for its reasonable costs incurred in pursuit of his suspension, the funds expended on his behalf by the Client Protection Fund upon his suspension, the costs incurred in the unsuccessful reinstatement matter, and the costs incurred in the instant case, such payments to be made pursuant to a reasonable payment plan; (10) that if petitioner commits a substantial violation of the Rules of Professional Conduct and/or fails to honor the terms and conditions of the order, his probationary admission be immediately revoked by the Court; and (11) that prior to being restored as a member in good standing with the West Virginia State Bar, petitioner must satisfy the requirements as to the payment of state bar membership fees and mandatory continuing legal education.

On the same day, October 7, 2013, came the Office of Disciplinary Counsel, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, and presented to the Court its consent to the recommendation of the Hearing Panel Subcommittee.

Finally, on October 11, 2013, came the petitioner, by counsel, and presented to the Court his consent to the recommendation of the Hearing Panel Subcommittee.

Upon review and consideration of the recommendation of the Hearing Panel Subcommittee, together with the record in this case, the Court is of the opinion to and does grant said petition for reinstatement, subject to the terms and conditions as set forth herein. It is therefore ordered that petitioner, Harry W. Moore, Jr., be, and hereby is, reinstated to the practice of law, subject to probation for a period of two years, beginning on the date of this order, with

the following terms and conditions: (1) petitioner shall continue to maintain absolute sobriety; (2) petitioner's practice shall be supervised by an attorney in good standing with the West Virginia State Bar who actively practices in the geographical area in which petitioner locates his practice, and who is acceptable to the Office of Disciplinary Counsel; (3) petitioner shall return to the practice of law in a measured manner, the specific terms of which to be agreed upon by the Office of Disciplinary Counsel, petitioner, petitioner's supervising attorney, and petitioner's psychologist; (4) petitioner shall attend an approved twelve-step program meeting on average of at least once daily, with monthly proof of such attendance supplied, in writing, to his supervising attorney; (5) petitioner shall attend regular sessions with his current psychologist, with quarterly reports by his psychologist provided to his supervising attorney; (6) petitioner shall participate as a volunteer and member of the Lawyers Assistance Program for a total of 50 hours of service, with quarterly reports by another member of the Lawyers Assistance Program provided to petitioner's supervising attorney; (7) petitioner shall, at his own expense, be subject to random drug/alcohol screens, upon two-hour notice to him by the Office of Disciplinary Counsel, with reports of the results of any screen to be provided to petitioner's supervising attorney; (8) petitioner shall reimburse the Office of Lawyer Disciplinary Counsel for its reasonable costs incurred in pursuit of his suspension, the funds expended on his behalf by the Client Protection Fund, the costs incurred in the unsuccessful reinstatement matter, and the costs incurred in the instant case, such payments to be made pursuant to a reasonable payment plan; and (9) prior to being restored as a member in good standing with the West Virginia State Bar, petitioner shall satisfy the required state bar membership fees and mandatory continuing legal education requirements.

If petitioner commits a substantial violation of the Rules of Professional Conduct, his probationary admission shall be immediately revoked by the Court. If petitioner violates any of

the terms and conditions of this order, his probationary admission shall be immediately revoked by the Court.

Service of an attested copy of this order shall constitute sufficient notice of its contents.

A True Copy

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

