

VIRGINIA:

BEFORE THE CIRCUIT COURT OF DICKENSON COUNTY

**VIRGINIA STATE BAR, ex rel.
TENTH DISTRICT COMMITTEE**

v.

**WADE TRENT COMPTON,
Respondent.**

Case No. CL08-172

AGREED DISPOSITION

Pursuant to the Rules of the Supreme Court of Virginia, Part Six, § IV, ¶ 13.B.5.c, the Virginia State Bar, by Renu Mago, Assistant Bar Counsel, and the Respondent, Wade Trent Compton, and his counsel, Michael L. Rigsby, hereby enter into the following Agreed Disposition arising out of the above-referenced matter:

I. STIPULATION OF FACTS

1. At all times material to these matters, Respondent Wade Trent Compton ("Respondent" or "Mr. Compton") was an attorney licensed to practice law in the Commonwealth of Virginia.
2. Between October 1, 2002 and March 2006, Mr. Compton was employed as a full time staff attorney by the Southwest Virginia Legal Aid Society, Inc. ("SVLAS"). During his tenure at SVLAS, Mr. Compton exclusively represented low-income clients. The majority of his cases were family law related, including divorce, custody and family violence protective order cases.
3. In March 2006, upon receipt of information that Mr. Compton had engaged in sexual contact with a client of SVLAS, Mr. Compton's employment at SVLAS was terminated.

4. As an attorney at SVLAS, Mr. Compton represented Client A before the Tazewell Juvenile and Domestic Relations Court.
5. While representing Client A in her domestic relations case, Mr. Compton touched Client A once below her waist. Mr. Compton characterizes the activity as sexual flirting.
6. As an attorney at SVLAS, Mr. Compton also represented Client B in a divorce and child custody proceeding.
7. During the course of representing Client B, Mr. Compton engaged in sexual intercourse with Client B on one occasion in or about June 2004. If called to testify, Client B would avow that she did not consent to the sexual intercourse or any sexual relations with Mr. Compton. If called to testify, Mr. Compton would testify that the one sexual encounter was consensual. Mr. Compton would also offer evidence of written communications dated March 6, 2005, and June 29, 2005, from Client B to impeach Client B's representation that the sexual encounter was not consensual.
8. As an attorney at SVLAS, Mr. Compton represented Client C in child custody proceedings before the Juvenile and Domestic Relations District Court of Scott County.
9. During the course of representing Client C, Mr. Compton engaged in sexual intercourse with Client C on two different occasions. If called to testify, Client C would avow that she did not consent to either act of sexual intercourse or any sexual relations with Mr. Compton. If called to testify, Mr. Compton would testify that the two sexual encounters were consensual.
10. While employed at SVLAS, Mr. Compton represented Client D. If called to testify, Client D would affirm that Mr. Compton grabbed and touched her inappropriately while representing her, that Mr. Compton kissed her. Both incidents occurred in the conference room of the Tazewell County Courthouse. If called to testify, Mr. Compton would deny that the alleged incidents occurred.
11. While employed at SVLAS, Mr. Compton represented Client E in child custody proceedings before the Juvenile and Domestic Relations Court of Russell County. Client E has testified under oath that she and Mr. Compton engaged in sexual relations in the Russell County Courthouse during the course of Mr. Compton's representation of Client E and immediately prior to a hearing in her child custody proceeding. Client E further testified that she only engaged in this one act because Respondent was her attorney in her child custody proceeding.

II. STIPULATION OF MISCONDUCT

The Stipulation of Fact sets forth conduct that constitutes a violation of the following Rules of Professional Responsibility:

RULE 1.7 Conflict of Interest: General Rule

- (a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:
 - (2) there is significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

- (b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer; and

III. PROPOSED DISPOSITION

Accordingly, the Virginia State Bar and the Respondent tender to the Three-Judge Panel for its approval this Agreed Disposition of a five (5) year suspension with Terms of Respondent's law license as representing an appropriate sanction if this matter were to be heard in an evidentiary hearing by the Three-Judge Panel. Upon acceptance by the Panel of this Agreed Disposition, Respondent shall be given a five-year suspension and shall comply with the following Terms:

1. As a result of his conduct detailed above in the Stipulation of Facts, Respondent began seeing a mental health counselor in 2008 in order to resolve and prevent any such further actions. Respondent is still seeing this mental health counselor and plans to continue to see the counselor.

Respondent has concurrently petitioned the Disciplinary Board for suspension of his license to practice law in the Commonwealth of Virginia on the basis of Impairment. These proceedings are confidential and lie under the jurisdiction of the Disciplinary Board. They are referenced herein solely to explain that the Board will have the jurisdiction to mandate continued mental health counseling. The Board will determine whether Respondent's license should be suspended, as he has requested, because of his Impairment and determine the nature and extent of Impairment. Respondent must then petition the Board to reinstate his license. If the Board reinstates Respondent's license on the grounds that he has met his burden of showing that he is no longer impaired, and if the license is reinstated within the 5 year suspension agreed to herein, Respondent must still complete the 5 year suspension, which is separate and apart from the impairment suspension.

2. Upon conclusion of Respondent's five-year suspension and prior to reinstatement, Respondent will submit to a risk assessment and mental health evaluation and will enter into a Monitoring Agreement with Lawyers Helping Lawyers ("LHL") for a period of two (2) years and abide by the terms of that Agreement. Respondent understands that LHL will provide a periodic report to the Virginia State Bar affirming his compliance with the Monitoring Agreement. Respondent understands further that LHL will maintain the confidentiality of Respondent's doctor-patient relationship and that any information embraced within the doctor-patient privilege will

not be disclosed to the Virginia State Bar without Respondent's prior consent.

In the event that Respondent fails to comply with the terms of this Proposed Disposition, Bar Counsel shall issue a Rule to Show Cause to the Respondent requiring the Respondent to Show Cause, if any, why a Three Judge Panel should not impose an alternative sanction of REVOCATION of his license to practice law in the Commonwealth of Virginia. The sole issue to be determined by the Panel will be Respondent's compliance with the terms of this Proposed Disposition. The Respondent shall bear the burden of proof by clear and convincing evidence that he has met all the terms. In the event that Respondent fails to show by clear and convincing evidence that he has met all the terms of this Proposed Disposition, the Panel shall impose the alternative sanction of Revocation.

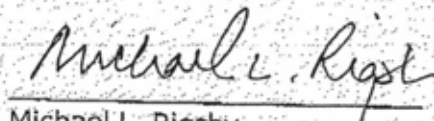
Following completion of the five-year Suspension and completion of the Terms set forth herein, this matter shall be closed. Respondent further agrees that his prior disciplinary record may be disclosed to the Panel and/or the Disciplinary Board.

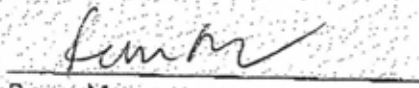
Bar Counsel and Respondent agree that any notice required to be given by Rule to Show Cause shall be by Certified Mail, Return Receipt Requested to Respondent at Compton & Compton, P.C., P.O. Box 1000, Lebanon, VA 24266, Respondent's last address of record with the Virginia State Bar. Respondent and Bar Counsel agree that any notice required shall be deemed given and complete by Bar Counsel depositing such notice as set forth herein.

Pursuant to Part Six, Section IV, Paragraph 13.b.8.c. of the Rules of the Virginia Supreme Court, the Clerk of the Disciplinary System shall assess costs.

It is further **ORDERED** that the Clerk of the Disciplinary System shall send a certified copy of this order to Respondent at his last address of record with the Virginia State Bar.


Wade Trent Compton


Michael L. Rigsby
12.10.2008


Renu Mago