

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
95G0296 (I)

IN THE MATTER OF)

ANTONIA LAWRENCE)
ATTORNEY AT LAW)

REPRIMAND

On October 19, 1995, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Catherine B. Brinkley.

Pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0113(a) of the Rules and Regulations of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Committee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, reprimand, or censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As Chair of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand and I am certain that you will understand fully the spirit in which this duty is performed.

The Grievance Committee found that complainant hired you to represent her with a personal injury claim soon after her automobile accident on February 23, 1990. Even though the extent of complainant's damages was established early on, you did not file a complaint on behalf of complainant until February 22, 1993, one day prior to the statute of limitations deadline. The committee determined that this conduct violated Rule 6(b)(3) of the Rules of Professional Conduct which requires a lawyer to act

with reasonable diligence and promptness in representing a client.

In addition, the committee found that you knew or should have known, based upon your involvement with the Dozier v. Crandall case, that it was critical not to let the summons expire in complainant's case since the complaint was filed on the eve of the statute of limitations deadline. Nevertheless, you failed to renew the summons within 90 days which thereby created a statute of limitations defense. The committee determined that this conduct violated Rule 6(a)(1) of the Rules of Professional Conduct which states that a lawyer shall not handle a legal matter which the lawyer knows or should know that he is not competent to handle.

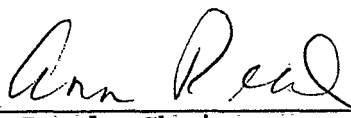
Finally, the committee found that during your representation of complainant with this matter, you failed to reasonably communicate with complainant concerning the status of complainant's case, despite numerous attempts by complainant to contact you. The committee determined that this conduct violated Rule 6(b)(1) of the Rules of Professional Conduct which states that the lawyer shall keep the client reasonably informed about the status of a matter and promptly comply with reasonable request for information.

Ordinarily, this conduct along with your previous discipline would have warranted more severe discipline. However, the committee considered the fact that the misconduct in this case occurred during a time in which you were experiencing health problems. If you should experience personal or health problems in the future, please take whatever action is necessary to protect the interests of your clients, such as referring the client to another attorney, returning the client file, and returning any unused portion of the fee to the client.

You are hereby reprimanded by the North Carolina State Bar due to your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 1st day of November, 1995.


Ann Reed, Chair
The Grievance Committee
North Carolina State Bar