

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
17G0331 & 17G0801

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IN THE MATTER OF	)	
	)	CENSURE
STEVEN B. WRIGHT,	)	
ATTORNEY AT LAW	)	

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On January 17, 2019, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by J.M. and T.M. The grievances were assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of these matters.

Pursuant to section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your responses to the letters of notice, the Grievance Subcommittee 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, a reprimand, or a censure.

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

The Grievance Committee believes that a hearing before the Disciplinary Hearing Commission is not required in these cases and issues this censure to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this censure.

In early 2015, you agreed to represent J.M. on federal criminal charges. In August 2015, J.M. wrote a letter to the court stating you had not communicated with him since May, and you had not responded to his family members' requests for information even though J.M. had authorized you to communicate with them. A hearing was held to address J.M.'s concern. At that hearing, the judge asked the AUSA and probation officer in J.M.'s case whether they had problems communicating with you. The hearing evidence showed that you failed to respond to the probation officer's presentencing report in violation of a sentencing scheduling order, and you failed to respond to several communications from the AUSA concerning matters aimed at advancing the case. At the end of the hearing, the court appointed new counsel to represent J.M. Your failure to timely communicate with your client and court officials, and your failure to comply with a scheduling order of the court violated Rules 1.3 and 8.4(d).

In May 2015, you were retained to represent T.M. on federal criminal charges. Your license to practice law in North Carolina was administratively suspended beginning November 5, 2015 and remained suspended through February 1, 2016. You failed to comply with the client notification provisions of the wind down rule, and you did not file a motion to withdraw in T.M.'s case, a violation of Rule 1.16(a)(1). Because you failed to withdraw, the AUSA had to file a motion to determine the status of counsel and a hearing was held at which your client did not have an advocate. At the end of the hearing, the court appointed another lawyer to investigate the status of counsel for T.M. Your failure to comply with the wind down rules and to file a motion to withdraw unnecessarily complicated the issue of T.M.'s representation during your suspension and was prejudicial to the administration of justice in violation of Rule 8.4(d).

In your initial response to the inquiry from the State Bar, you stated that your fee for representation of T.M. was paid in full before the effective date of your suspension. However, you accepted installment payments of your fee to represent T.M. during the time you were suspended. Accepting payment for services while your license was suspended violated Rules 1.5(a) and 8.4(c). By misrepresenting to the State Bar that you were paid in full prior to your suspension, you violated Rules 8.1(a) and 8.4(c).

In 2016 you received a Censure, in part, for representing on your business website that you were admitted to practice law in the State of Vermont. Your license to practice in Vermont was administratively suspended on June 30, 2014. This misleading information was still on your website during the investigation into the present grievances and violates Rule 7.1(a).

You are hereby censured by the North Carolina State Bar for your violation of the Rules of Professional Conduct. The Grievance Committee trusts that you will ponder this censure, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This censure should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts, to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a censure by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this 8<sup>th</sup> day of February, 2019.

A Todd Brown Sr.

A. Todd Brown, Sr., Chair  
Grievance Committee  
The North Carolina State Bar

ATB/lb