

NORTH CAROLINA
SWAIN COUNTY

31035

BEFORE THE COUNCIL OF THE
NORTH CAROLINA STATE BAR
October 25, 1973

THE NORTH CAROLINA STATE BAR,
Complainant

vs.

STEDMAN H. HINES, Attorney
at Law, Bryson City, Swain
County, North Carolina,
Respondent

REPRIMAND OF THE COUNCIL

Stedman H. Hines, you stand before this Council today to receive a reprimand which your peers, your fellow members of The North Carolina State Bar, through their duly elected representatives, have seen fit to order.

This reprimand was not ordered by the Council of your State Bar, nor is it being delivered by me in its name and pursuant to its direction, as the result of casual or light hearted attention to your conduct which resulted in such decision; nor was it ordered or is it being delivered through malice or ill-will on the part of your fellows, or in an effort simply to cause you embarrassment.

The decision of the Trial Committee and the action recommended to and subsequently adopted by the Council of The North Carolina State Bar, was the result of very careful and painstaking inquiry into and consideration of all the facts, the full and fair opportunity afforded to you to be present, to be heard, and to present your defense. That you, yourself, consider the findings made and recommendations of the Trial Committee to the full Council and the adoption of such recommendations by the Council, to be fair and just is evidenced by the fact that you have filed no exceptions and have noted no appeal from those determinations.

Your conduct while representing William S. Snyder as an attorney at law is what initially came to the attention of the Grievance Committee of The North Carolina State Bar, and is what gives rise to your presence here today before this Council.

You did agree to represent William S. Snyder, who was seeking redress in connection with a purchase of land in Swain County and obtaining such redress as he might have against the grantor.

In behalf of your client, you agreed orally and again in writing to

represent him; accepted his money and assured him you were going to prosecute his claim.

Both Mr. Snyder and his legal advisor in the military service placed their trust in you and expected you to carry out your professional responsibility as agreed upon.

This you failed to do.

Your conduct, in addition to its unflattering reflection upon you and the entire Bar of this State, caused much unnecessary distress and loss of time and expense on the part of Mr. Snyder.

It caused your brethren at the Bar who are members of the Grievance Committee, the Trial Committee, and the Council of The North Carolina State Bar, to expend much of their time and concern in carrying out their responsibility in dealing with a situation which should never have arisen.

The fact that after the institution of this proceeding you obtained a release from Mr. Snyder does not excuse you from your earlier conduct.

You offered your time and advice, accepted money for this offer; but gave nothing.

Your conduct as set forth herein was unprofessional, and dishonorable. It violated not only the letter but also the spirit of the code of professional ethics of The North Carolina State Bar. It was not such conduct as is expected of an officer of the Court. It was underhanded.

It brings discredit upon you and tends to place the Court and your fellow members of the Bar in disrepute and to be held up to ridicule by the public.

For this conduct your brethren at the Bar reprimand you in the strongest terms.

We all have recently read and heard stories where there is studied indifference by others to standards of ethical conduct; and the general deliberate efforts of some to undermine and destroy all of our institutions which were established for the administration of justice seems to be in progress.

To the extent we, as lawyers, so deport ourselves as to cast discredit upon our profession, we are, however unwittingly, giving aid and comfort to those ends.

It, therefore, becomes so much more important that in our professional conduct and in our relations to our clients, to other lawyers, and to the

Court, we adhere to the highest standards of the profession, deal fairly and above board, and above all, be honest. This is the course of conduct which will restore in the minds of the public and among ourselves that respect which our honorable profession should, but I am sorry to say does not to the fullest extent, now enjoy.

You may leave here today and go back to your home with the cynical feeling that these are so many empty words from some lawyers that mean nothing. I hope you will not have that feeling. The Trial Committee and the Council could have taken your law license for a period of months, if they had felt that that discipline was advisable but I believe one reason they did not do so was the feeling that this reprimand would be heeded by you; that it would be remembered by you; and that it would be beneficial to you and cause you never again to allow yourself to depart from strict adherence to the highest ethical standards of our great profession.

Accordingly, we all sincerely trust that this reprimand, instead of being a yoke around your neck, will actually serve as a profitable and ever present reminder to weigh carefully in the future your responsibility to the public, to your clients, to your fellow attorneys, and to the Courts, to the end that you re-establish yourself as a reputable, respected member of our profession whose word and conduct may be relied upon without question.

Delivered at the direction of the Council by

ROBERT G. SANDERS