

NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
16G0881

---

IN THE MATTER OF

PAMELA NEWELL,  
ATTORNEY AT LAW

)  
)  
)  
)

REPRIMAND

---

On January 26, 2017 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by A. F. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

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 response to the letter 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 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 chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

Your law license was suspended on 25 February 2016 for failure to: (i) return the 2014 Annual CLE Report Form, (ii) pay a late-filing fee, (iii) pay a non-compliance fee, and (iv) pay CLE attendance fees. On 3 August 2016, you filed court documents in Montgomery County Superior Court on behalf of R.T. and his wife, S.T. You filed the court documents while suspended from the practice of law. In so doing, you engaged in the unauthorized practice of law

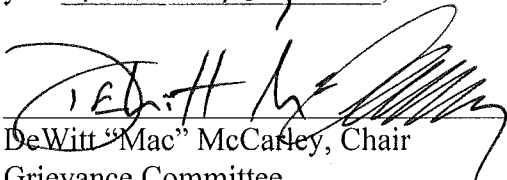
in violation of Rule 5.5(a). After you were made aware that your license was suspended, you continued to hold yourself out as an active member of the North Carolina State Bar able to engage in the practice of law on your web site, which constitutes a violation of Rule 7.1(a).

In issuing this reprimand, the Grievance Committee considered as an aggravating factor your extensive history of failing to timely comply with your North Carolina State Bar membership requirements.

You are hereby reprimanded by the North Carolina State Bar for 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 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 reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 10<sup>th</sup> day of FEBRUARY, 2017.

  
DeWitt "Mac" McCauley, Chair  
Grievance Committee

DM/lb