

NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
12G0704

IN THE MATTER OF

Travis H. Simpson,  
ATTORNEY AT LAW

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CENSURE

On April 18, 2013, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by E. N.

Pursuant to section .0113(a) of the Discipline and Disability Rules 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, 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 this case 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.

E. N. filed a grievance against you with the North Carolina State Bar. The State Bar sent Mr. N.'s grievance to the 21<sup>st</sup> Judicial District Bar Grievance Committee (hereafter, local grievance committee) for investigation. You were contacted by the local grievance committee on August 16, 2012 and asked to respond to Mr. N.'s grievance within 15 days of your receipt of the letter. You did not respond timely to the local grievance committee. On November 15, 2012, the local grievance committee representative left a message with your office and advised that if you did not respond to the grievance, the grievance would be returned to the North Carolina State Bar for investigation. You failed to respond to the local grievance committee. Our office sent you a letter of notice which required you to respond within 15 days of its receipt. You were served with the letter of notice on November 30, 2012, but did not respond until February 11, 2013.

You admit that you did not respond to the local grievance committee regarding this grievance. You offered no specific reason for your failure to respond other than you are a solo practitioner who is understaffed and trying to juggle the demands of a law practice. Nevertheless, the Grievance Committee found that your failure to respond to the local grievance committee violated Rule 8.1(b) and Rule 8.4(d) of the Rules of Professional Conduct. In addition, your failure to respond promptly to the State Bar's letter of notice violated Rule 8.1(b) and 8.4(d). Our profession is self-regulated and it is extremely important for lawyers to participate in the investigation of grievances filed against them by responding to the complainant's allegations. The Grievance Committee notes that you have been disciplined in the past for your failure to respond to the local grievance committee in one grievance and your failure to respond promptly in two other grievances.

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 6th day of May, 2013.

Margaret M. Hunt

Margaret M. Hunt, Chair  
Grievance Committee  
The North Carolina State Bar