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IN THE MATTER OF

CENSURE

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to settle this matter; that Ms. Monat rejected the final settlement offer from the insurance company; that in January of 1991 the insurance company notified you that in their opinion, the statute of limitations had expired; and that a complaint was eventually filed in this matter on July 8, 1991.

In addition, the Committee found that you failed to respond to the Letter of Notice issued by the Chairman of the Grievance Committee concerning this matter and failed to appear and produce records as ordered by subpoena dated November 21, 1991.

The Committee determined that you failed to diligently pursue Ms. Monat's personal injury claim in violation of Rule 6(B)(3) and failed to respond to the Letter of Notice and subpoena served on you in violation of Rule 1.1 of the Rules of Professional Conduct.

The Committee found as an aggravating factor the Reprimand issued to you on February 16, 1992 for similar misconduct concerning Peter Warren. The Committee found in mitigation the personal problems you were experiencing during this time and your assurances that these problems are being dealt with.

II.

In the matter of Michelle Price (92G0362), the Committee found that you represented Ms. Price at a hearing for temporary alimony, custody and support held August 14, 1989; that Ms. Price was award temporary alimony, custody and support and you were requested to draw the order; that you failed to draft the order and have it signed despite numerous requests by Ms. Price to do so; that you were later hired by Ms. Price to represent her concerning her divorce and to resolve all issues concerning alimony, custody, support and visitation; that the divorce judgment was ultimately entered on January 23, 1992 but it failed to address the other outstanding issues; and that you failed to schedule a hearing and conclude these remaining matters in a diligent fashion.

The Committee determined that this conduct violated Rule 6(B)(3) which states that a lawyer shall act with reasonable diligence and promptness in representing the client. As stated in the comment to Rule 6, perhaps no professional shortcoming is more widely resented than procrastination. A client's interests often can be adversely affect by the passage of time or the change of conditions. In extreme instances, as when a lawyer overlooks a statute of limitations, the client's legal position may destroyed. Even when the client's interests are not affected in substance, however, unreasonable delay can cause a client needless anxiety and undermine confidence in the lawyer's trustworthiness.

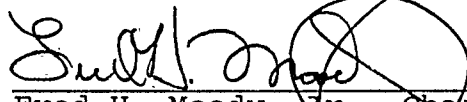
The Committee found in aggravation your previous Reprimand for similar misconduct concerning Peter Warren. The Committee found in mitigation the personal problems you were experiencing during this time and your assurances that these problems are being dealt with.

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 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 censure by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 20 day of August, 1992.


Fred H. Moody, Jr., Chairman
The Grievance Committee
North Carolina State Bar

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