

NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
10G0787

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IN THE MATTER OF

Robert D. Floyd,  
Attorney At Law

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REPRIMAND

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On January 24, 2013 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by C. G.

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 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.

You represented C.G. in a district court civil matter. You failed to perform any meaningful work on behalf of C.G. and failed to keep him reasonably informed about the status of his matter. Your conduct violated Rules 1.3 and 1.4(a)(3).

J.M. retained you to incorporate and create by-laws for his business. Although you created and filed incorporation papers for J.M.'s business, you failed to create the by-laws thereby violating Rule 1.3. Also, J.M. filed a fee dispute petition against you. You failed to respond to the fee dispute petition in violation of Rule 1.5(f).

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 18<sup>th</sup> day of February, 2013.

  
Margaret M. Hunt, Chair  
Grievance Committee

MMH/lr