

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
92G0190 (I)

IN THE MATTER OF

ANTONIA LAWRENCE
ATTORNEY AT LAW

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REPRIMAND

On July 16, 1992, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Stephen Jones.

Pursuant to section 13(A) of article IX of the Rules and Regulations 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, reprimand, or 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 and I am certain that you will understand fully the spirit in which this duty is performed.

The Committee found that Stephen Jones hired you to appeal a summary judgment entered against Mr. Jones; that the record on appeal was settled on June 7, 1990; that by letter dated June 15, 1990 Judge Watts informed you that ". . . your proposed record on appeal is deemed to constitute the record Accordingly, it is not necessary for me to settle the record on appeal by judicial order and you can proceed to file your record on appeal with the appellate division"; that despite receiving this information, you failed to file the record on appeal with the Court of Appeals until July 5, 1990; that on April 16, 1991 the Court of Appeals dismissed this appeal for failure to comply with Rule 12(a) of the North Carolina Rules of Appellate procedure which requires an appellant to file the record on appeal within

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15 days after it has been settled; and that you failed to fully disclose to Mr. Jones why the court had ruled against him.

The Committee determined that this conduct violated Rule 6(B)(3) of the Rules of Professional Conduct which states that "a lawyer shall act with reasonable diligence and promptness in representing the client", and Rule 1.2(C) which states that "it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation."


The Committee found as an aggravating factor the Letter of Warning issued to you on June 27, 1992 for similar misconduct concerning your representation of Calvin Kearny, Jr.

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 affected by the passage of time or the change of conditions. Unreasonable delay can also cause a client needless anxiety and undermine confidence in the lawyer's trustworthiness.

You are hereby reprimanded by the North Carolina State Bar due to 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 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 reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 2d day of August, 1992.



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

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