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NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
03G1858

IN THE MATTER OF

Savanah R. Bowie,
Attorney At Law

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REPRIMAND

On Thursday, January 20, 2005 the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by the North Carolina State Bar.

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, and I am certain that you will understand fully the spirit in which this duty is performed.

In May 2003, you joined Leon Orr's law firm as an associate and began handling a number of real estate closing matters. You maintained a separate trust account during this period of time but did not reconcile the account at least quarterly. Moreover, although you were advised during a State Bar audit that the trust account was "short" by \$318.52, you failed to take prompt

action to cure the problem. Further, it appears that on at least one occasion, you commingled personal and client funds. Next, the HUD-1 statements relating to transactions that you handled did not always match the checks actually disbursed for the closing and it appeared that you failed to appreciate the seriousness of this discrepancy. Finally, although you did communicate with and provide some bank records to the State Bar's auditor, your responses were not prompt, which delayed the conclusion of the Bar's investigation. Your conduct in this matter violated Rules 1.1, 1.15-2(f), 1.15-3(c) and (g) of the Rules of Professional Conduct.

Although the violations of the Rules of Professional Conduct in which you engaged were potentially serious, the Grievance Committee wished to give you the benefit of the doubt and concluded that your misconduct was the result of inexperience and lack of preparation, rather than intentional dishonesty. The Committee also took into account that you are no longer handling client funds in your current position.

The Grievance Committee intends this reprimand as a very strong warning to you that any future violations of the Revised Rules of Professional Conduct regarding the handling of client funds could likely result in much more serious discipline.

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 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 the 3 day of January, 2005



Henry Ball, Chair
Grievance Committee

HB/lr