

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
11G1329

IN THE MATTER OF)	
)	
Camilla J. Davis,)	CENSURE
ATTORNEY AT LAW)	
)	

On July 18, 2013, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by D. T.

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.

You were the lawyer representing DT for her Motion for Child Support Modification from August 2010 through October 6, 2011. Your fee agreement contains a clause asserting that you "have absolute authority within [your] sole discretion to withdraw from further representation." This statement does not comport with the limitations on withdrawing as indicated in the Rule 1.16.

After the judge ruled from the bench on February 23, 2011, DT insisted on appealing the ruling. You told DT you would file a Motion to Reconsider and you also tried to convince DT to file a new Motion for Child Support Modification. When the judge entered her written judgment on September 16, 2011, you continued telling DT that there would be a hearing in November on the Motion to Reconsider. This, however, was not proper as the time to appeal had already begun running. At the time you informed

DT that you would no longer represent her, you did not inform DT that the deadline to appeal was approaching. By terminating the attorney-client relationship and not informing DT of the appeal deadline, you failed to act with reasonable diligence and you failed to keep your client reasonably informed about the status of the matter violating Rules 1.3 and 1.4. Your termination of the attorney-client relationship by e-mail also violated the terms of your own fee agreement.

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 14th day of August, 2013.

A handwritten signature in cursive script, reading "Margaret M. Hunt", is written over a horizontal line.

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