NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
13G0769

IN THE MATTER OF	)	
	)	
Peter R. Shedor,	)	CENSURE
ATTORNEY AT LAW	)	
	)	

On July 24, 2014, the Grievance Committee of the North Carolina State Bar met and considered the grievance 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.

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.
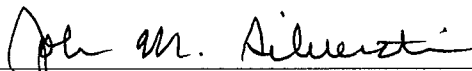
You utilized an "Immediate Commission Release" form whereby you purported to be able to issue checks from closings to real estate agents prior to recording the required documents from the closings. In about 80-90% of closings from at least February through September 2013, you disbursed funds from closings prior to recording the required documents in violation of the Good Funds Settlement Act (N.C. Gen. Stat. § 45A-4) and Rule 1.15-2(a) and (m) of the Rules of Professional Conduct. You also disbursed funds from closings prior to having all funds deposited into your trust account for the closing, which on occasion resulted in disbursing entrusted funds in your trust account meant for other closings to those recipients, in violation of Rule 1.15-2(a), (b), (j), and (m). Typically within 1-3 days you had completed deposits for the closings and replenished any misapplied funds at that time. You

have since corrected your procedures to ensure all funds for closings are not merely in your possession but actually deposited at the time of closing.

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 27th day of August , 2014.

John M. Silverstein, Chair
Grievance Committee
The North Carolina State Bar