

NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
09G1266

IN THE MATTER OF

W. Ray Hudson,
Attorney At Law

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REPRIMAND

On January 20, 2011 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by BW.

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.

BW complained that you failed to take action in her case and failed to respond to her requests for information. You were sent a letter of notice in this matter, to which you responded. You were sent a supplemental inquiry in this file dated January 11, 2010. You were asked to produce the letter you referenced in your response stating you thought it was premature to file a lawsuit at that time. You were asked to provide additional information about a January 2006

letter to the client stating you were not going to represent her and identifying the statute of limitations. Last, you were asked to provide a copy of the client file. You failed to respond to this letter. You were then served with a subpoena on May 4, 2010 which, among other things, required production of the BW client file. You failed to produce BW's file by the date required in the subpoena. You were served with a second subpoena on August 5, 2010 which also required production of BW's client file. You failed to appear on the date set for your appearance and compliance and failed to produce the client file at that time. You eventually produced the client file subject to the subpoenas after required by court order. Your failures to respond to the State Bar's supplemental inquiry and the subpoenas were in violation of Rule 8.1(b) of the North Carolina State Bar Rules of Professional Conduct.

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 January 24, 2008 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 \$100.00 is hereby taxed to you.

Done and ordered, this the 16 day of July, 2011.

A handwritten signature in black ink, appearing to read "Ronald G. Baker, Sr.", written over a horizontal line.

Ronald G. Baker, Sr., Chair
Grievance Committee

RGB/lr