

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
07G1395

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IN THE MATTER OF )

Gregory W. Stafford, )  
Attorney At Law )

REPRIMAND )

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On April 24, 2008 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by J. C.

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.

J.C. was arrested for speeding and careless and reckless driving. You claim that you agreed to represent him on only the speeding charge. In your response to the Grievance Committee, you claim that you sent a letter on August 22 advising J.C. that there was some “miscommunication” and notifying him that his case had been continued until September 11, 2007. Neither you nor J.C. appeared in court on September 11. J.C. was called and failed for his

failure to appear on September 11 and he was arrested. The Grievance Committee found that you violated Rule 1.3 of the Rules of Professional Conduct by not appearing in court on your client's behalf on September 11. In issuing this reprimand, the Grievance Committee took into consideration your assertion that the September 11 court date was "inadvertently removed from our system" and it did not show up on your calendar. The Grievance Committee also considered in issuing this reprimand that you took full responsibility for the error. The Grievance Committee found as an aggravating factor that J.C. was arrested due to his being called and failed.

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 \$100.00 are hereby taxed to you.

Done and ordered, this the 15<sup>th</sup> day of May, 2008

  
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James R. Fox, Chair  
Grievance Committee

JRF/lr