

NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
08G0467

IN THE MATTER OF

Clinton O. Light,
Attorney At Law

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REPRIMAND

On January 14, 2010 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by H.E.

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.

On October 9, 2007, H.E. retained you to represent her in a Tort Claims Act claim before the North Carolina Industrial Commission ("Commission"). H.E.'s matter was set for hearing on December 19, 2007. On December 13, 2007, your assistant faxed a draft of the pretrial agreement to the deputy commissioner. Your assistant submitted the agreement on your behalf, stating "I'm was hesitate [sic] to submit the pre-trial without Mr. Light's okay, but feel you will

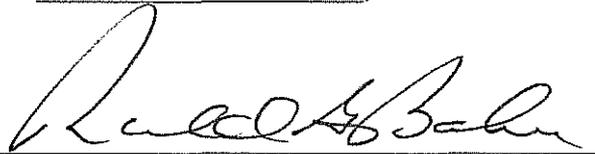
understand that something is better than nothing.” Two days later, your assistant faxed the agreement to opposing counsel, stating, “Mr. Light was out due to a family member near death matter. I did not sent [sic] the original to you but got confused and sent it to Deputy Commissioner Glenn. My bad!!” Clearly, you did not review or approve the document before your assistant submitted it to the deputy commissioner and opposing counsel. You failed to appropriately supervise your non-lawyer assistant in violation of Rule 5.3(b).

In January 2008, H.E. terminated the attorney-client relationship. On May 2, 2008, H.E. learned you had not filed a motion to withdraw. H.E. again contacted you and told you that you were discharged from her case. You failed to file a motion to withdraw until May 6, 2008. You violated Rule 1.16(a) by waiting four months to file a motion to withdraw from H.E.’s case after being discharged. On April 7, 2008, before you filed a motion to withdraw, you received the final order in H.E.’s case. You received notice H.E.’s *pro se* Motion to Recuse and Motion for a New Hearing were denied. H.E. did not receive notice of those orders until she contacted the Commission on May 2, 2008. You offered no evidence that you forwarded those orders to H.E. You violated Rule 1.4(a) and Rule 1.16(d) by failing to tell H.E. about the Commission orders and by failing to provide copies of those orders to H.E.

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 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 22 day of Feb, 2010



Ronald G. Baker, Sr., Chair
Grievance Committee

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