



After the Answer was filed on Lisa Skurry Higgins' behalf, Lisa Skurry Higgins informed you that she planned to marry a man who intended to adopt her child and that she no longer wanted to contest the divorce and child support actions. On April 17, 1984, you met with Lisa Skurry Higgins at a Hardee's and presented her with an affidavit that stated that Dennis Ray Higgins was not the natural father of her child and that she no longer wanted to continue any child support action against Dennis Ray Higgins. It further stated that she did not want to contest the divorce proceeding. Lisa Skurry Higgins signed the affidavit and you notarized her signature. You communicated with Lisa Skurry Higgins concerning the litigation in which she was the opposing party knowing that Margaret Rundell was attorney of record for Lisa Skurry Higgins, and without her prior authorization or consent in violation of DR 7-104(A)(1).

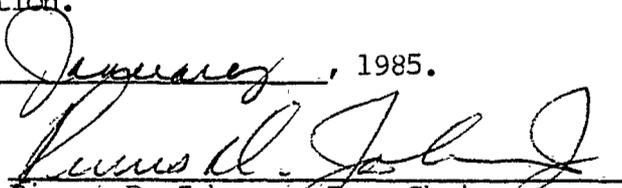
While it may be true that Lisa Skurry Higgins told you that she no longer wanted Margaret Rundell to represent her, no motion for Margaret Rundell to withdraw as counsel had been filed with the Court. As far as you were concerned, Margaret Rundell remained as counsel of record until such time as the Court may have allowed her to withdraw. Motivated by a change in her circumstances, Lisa Skurry Higgins may have given up important legal rights without careful consideration of the consequences of her actions. She did so without benefit of counsel. You should have either notified Margaret Rundell of Lisa Skurry Higgins' desire to meet with you and sought her permission or refrained from communicating with Lisa Skurry Higgins until Margaret Rundell had withdrawn as counsel.

Your conduct was unprofessional. It violated not only the letter of the Code of Professional Responsibility but also its spirit. Your conduct was not the conduct expected of a member of the legal profession and an officer of the court. It brought discredit upon you, the profession, and the courts. It damaged both your reputation and the profession's. It placed your privilege to serve the public as a lawyer in serious jeopardy.

The Committee is confident that this Public Censure will be heeded by you, that it will be remembered by you, and will be beneficial to you. The Committee is confident that you will never again allow yourself to depart from strict adherence to the highest standards of the profession. Instead of being a burden, this Public Censure should serve as a profitable and everpresent reminder to weigh carefully your responsibilities to your clients, to the public, to your fellow attorneys, and to the courts.

Pursuant to Section 23 of the Discipline and Disbarment Rules, it is ordered that a certified copy of this Public Censure be forwarded to the Superior Court of Wake County for entry upon the judgment docket and to the Supreme Court of North Carolina for entry in its minutes. This Public Censure will also be maintained as a permanent record in the judgment book of the North Carolina State Bar. Pursuant to policy adopted by the Council of the North Carolina State Bar on the taxing of costs in cases where discipline is entered by the Grievance Committee, you are hereby taxed \$50.00 as the administrative costs in this action.

This the 17<sup>th</sup> day of January, 1985.

  
Rivers D. Johnson, Jr., Chairman  
The Grievance Committee