

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
89G 0887 (III)

IN THE MATTER OF)

PETER L. REYNOLDS)
ATTORNEY AT LAW)

PUBLIC REPRIMAND

On July 12, 1990, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the Board of Continuing Legal Education of the North Carolina State Bar.

Pursuant to Section 13(7) of Article IX of the Rules and Regulations of the North Carolina State Bar, the Grievance Committee, after considering the evidence, including your response to the Letter of Notice, found probable cause which 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 a Reprimand, a Public Reprimand, or a Public Censure to the accused attorney.

The Grievance Committee was of the opinion that a complaint and hearing are not required in this case and issues this Public Reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this Public Reprimand and I am certain that you will understand fully the spirit in which this duty is performed.

A Public Reprimand is a serious form of discipline imposed by the Grievance Committee. The Grievance Committee felt that your conduct warranted public discipline due to your violation of the Rules of Professional Conduct. The committee trusts that this misconduct will not recur.

On June 19, 1989, you executed the CLE affidavit on the Annual Report Form for 1988 sent to you by the Board of Continuing Legal Education. The form listed the North Carolina Annual Review given by Wake Forest CLE on September 23, 1988 for which you were given twelve hours of credit, including two ethics hours. You executed the affidavit without making any adjustment to the number of hours you were credited for that course. However, the records of Carmel Country Club in Charlotte, North Carolina show that you played golf on September 23, 1989 at 12:10 in the afternoon during the first day of the seminar and again at 8:34 a.m. on the second day of the seminar.

You indicated that you attended the first morning's lectures and found that the program was following the written materials. You left around 11:45 and went to play golf. You played golf early the next morning and then

returned to the program. You fully read the written materials.

You further responded that you had 6.25 more credit hours than you needed for 1988 and did not use those credit hours in 1989, but took an additional 12 hours for that year. You also indicated that you did not carefully read the affidavit before you signed it and were under the impression that the affidavit simply signified that you had signed up for those courses listed on the form and had received the materials. After receiving the Letter of Notice in this matter, you reread the affidavit and found that by signing the form you were certifying that you actually attended each hour of each session. You acknowledged your error and but asserted that you had no intent to deceive anyone when you executed the affidavit.

Your signing the CLE Annual Report Form without adjusting the hours on the form for the number of hours you were not in actual attendance constituted a misrepresentation to the Board of Continuing Legal Education in violation of Rule 1.2(C) of the Rules of Professional Conduct. Only because the extra hours of CLE you acquired in 1988 and 1989 negated any clear intent to misrepresent your hours did the Grievance Committee not take more serious action in this matter.

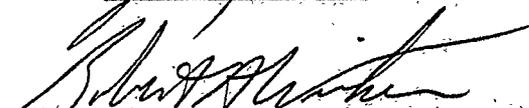
You are hereby publicly reprimanded by the North Carolina State Bar due to your professional misconduct. The Grievance Committee trusts that you will ponder this Public Reprimand, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This Public Reprimand 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.

This Public Reprimand will be maintained as a permanent record in the judgment book of the North Carolina State Bar. Since a complaint was made and professional misconduct has been found, the complainant will receive a copy of this Public Reprimand. A copy also is available to the public upon request.

Within 15 days after this Public Reprimand is served upon you, you may refuse this Public Reprimand and request that charges be filed. Such refusal and request must be addressed to the Grievance Committee and filed with the Secretary. If you do file such refusal and request, counsel shall thereafter be instructed to prepare and file a complaint against you with the Disciplinary Hearing Commission of the North Carolina State Bar. The Hearing before the Disciplinary Hearing Commission is public and all of its proceedings and its decision are public.

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 \$50.00 are hereby taxed to you.

Done and ordered, this 28 day of July, 1990.


Robert A. Wicker, Chairman
The Grievance Committee
North Carolina State Bar