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STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
91G0743 (II)

IN THE MATTER OF )

WILLIAM E. BREWER, JR. )  
ATTORNEY AT LAW )

REPRIMAND

On January 16, 1992, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Wilma Stewart.

Pursuant to section 13(A) of article IX of the Rules and Regulations 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, reprimand, or 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 and I am certain that you will understand fully the spirit in which this duty is performed.

You were appointed guardian of Todd Jones, an incompetent, in October, 1989. Despite several requests by the Wake County Clerk of Superior Court, you failed to file a 90-day inventory or any annual accountings regarding Jones' estate. You were ultimately removed as guardian in June 1991 for your failure to file these accountings. You were ordered at that time by the clerk to file a final accounting within 30 days. You also failed to comply with this order.

By failing to file prompt accountings in the Jones estate as required by law and by ignoring the clerk's order to file a final accounting, you neglected a legal matter entrusted to you, in violation of Rule 6(B)(3) of the Rules of Professional Conduct. The fact that you have a busy practice is not an excuse for neglecting other client matters. As the comment to Rule 6(B)(3) points out, an attorney should never undertake more matters than he or she can

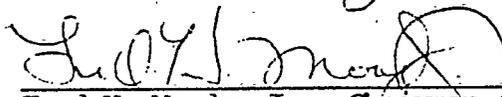
competently handle.

The Grievance Committee took into account the fact that you were cooperative with the N.C. State Bar regarding the Jones matter and that the records show that you handled the estate funds properly. The Committee also noted that you appeared to be genuinely contrite.

You are hereby reprimanded by the North Carolina State Bar due to 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 \$50.00 are hereby taxed to you.

Done and ordered, this 16 day of February, 1992.

  
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Fred H. Moody, Jr., Chairman  
The Grievance Committee  
North Carolina State Bar

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