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STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
92G0874(I)R

IN THE MATTER OF)

William B. Harris, III)
ATTORNEY AT LAW)

REPRIMAND)

On April 15, 1993, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Rhonda L. DeVane.

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.

The Committee found that complainant was injured in an automobile accident on November 14, 1986; that she hired you shortly thereafter to pursue a personal injury claim; that you failed to file a complaint in this matter until October 24, 1989, just prior to the statute of limitations deadline; that you failed to

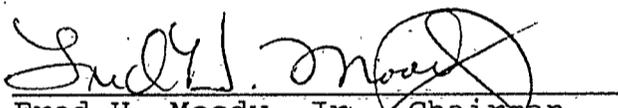
respondent to defendant's first set of interrogatories; that a trial date was not scheduled until September 23, 1991, almost two years after the complaint was filed; that prior to the trial date, you filed a voluntary dismissal without prejudice; that the dismissal was filed without complainant's knowledge or consent; and that throughout this time period, you failed to adequately communicate with complainant concerning her case.

The Committee determined that this conduct violated Rule 6(B)(1) ("a lawyer shall . . . keep the client reasonably informed about the status of a matter and promptly comply with reasonable requests for information"), Rule 6(B)(2) ("a lawyer shall . . . explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation"), and Rule 6(B)(3) ("a lawyer shall . . . act with reasonable diligence and promptness in representing the client").

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 April, 1993.


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

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