

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
94G1222 (IV)

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IN THE MATTER OF)

WILLIAM C. PALMER,)
ATTORNEY AT LAW)

) CENSURE
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)

On April 13, 1995, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar.

Pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0113(a) 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 a censure.

A censure is a written form of discipline more serious than a reprimand, issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused significant harm or potential significant harm to a client, the administration of justice, the profession or a member of the public, but the misconduct does not require suspension of the attorney's license.

The Grievance Committee believes that a hearing before the Disciplinary Hearing Commission is not required in this case and issues this censure to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this censure. I am certain that you will understand fully the spirit in which this duty is performed.

On April 2, 1991, District Court Judge Oliver Noble entered an order requiring your client, Marcus Benjamin Mauney, to submit to a blood test to determine the parentage of a child alleged to have been fathered by your client. Judge Noble's order found that Georgia C. Potter was qualified to draw the blood for the

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testing procedure. You went to the Caldwell County Health Department with your client for the blood test on July 15, 1992. On behalf of your client, you objected to Potter drawing the blood. You threatened to sue Potter if she drew the blood and your client won the paternity suit. You then gave Potter 15 seconds to draw the blood.

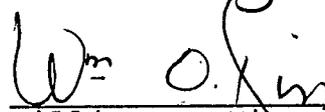
A contempt proceeding was subsequently initiated against you. On June 2, 1993, Superior Court Judge C. Walter Allen found that your conduct was deliberate and purposeful and reasonably calculated to disrupt the proceeding and thereby delay, obstruct, and prevent the carrying out of the order entered by Judge Noble on April 2, 1991. You were held in indirect criminal contempt and ordered to spend 72 hours in jail.

Your conduct violated Rules 1.2(b) and (d) and Rules 7.2(a)(1), (2), (7), and (8).

You are hereby censured by the North Carolina State Bar for your violation of the Rules of Professional Conduct. The Grievance Committee trusts that you will ponder this censure, 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 censure 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.

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 censure by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 9th day of July, 1995.



William O. King, Chairman
The Grievance Committee
North Carolina State Bar

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