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NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
96G0691(IV)R

IN THE MATTER OF)

CHARLES L. MORGAN,
ATTORNEY AT LAW)

REPRIMAND

On July 17th, 1997, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Ms. Hellen G. Taylor.

Pursuant to section .0113(a) of the Discipline and Disability Rules 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, a Reprimand, or a 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 Chair 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 hired on September 30, 1994, to file the petition for remission or mitigation of the forfeiture of a 1988 Nissan Pathfinder seized by the Charlotte Mecklenburg Police Department. From the end of 1994 through the end of 1995 your client tried on numerous occasions to contact you concerning the status of the matter. You did not return her phone calls and letters. In January 1996, your client was

forced to hire another attorney to assist her with this matter. After several attempts the other attorney was able to reach you about the matter and you promised to provide a written statement as to the work that you had performed on this matter; however, as of June 11, 1996, you had not produced anything. In fact, while you drafted a petition for expedited review and finalized it in October of 1994, you never filed the petition. The declaration of forfeiture was entered on December 27, 1994. Your actions violated Rule 6(b)(1) and Rule 6(b)(3) of the Rules of Professional Conduct, which require you to keep the client reasonably informed about the status of a matter and promptly comply with requests for information and to act with reasonable diligence and promptness in representing the client. Your conduct was aggravated in this matter by your subsequent failure to communicate with the client and take any corrective action.

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 29th day of August, 1997.



Ann Reed
Chair, Grievance Committee
The North Carolina State Bar