

22580

NORTH CAROLINA
WAKE COUNTY

BEFORE THE GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
00G0759

THE NORTH CAROLINA STATE BAR
Petitioner

v.

ROGER W. RIZK, ATTORNEY
Respondent

)
)
)
) ORDER OF RECIPROCAL
) DISCIPLINE PROCEEDING
)
)
)

Pursuant to the authority vested in me as Chair of the Grievance Committee of the North Carolina State Bar by 27 N.C. Admin. Code Chapter 1, Subchapter B, §§ .0105(a)(12) and .0116(b) of the N. C. State Bar Discipline & Disability Rules and based upon the record in this matter, the undersigned finds as follows:

1. By order dated June 29, 2000, the Supreme Court of Florida issued an Order of Suspension from the practice of law against respondent Roger W. Rizk (hereafter "Rizk"). The Supreme Court of Florida found that Rizk failed to act with reasonable diligence and promptness in representing a client, failed to keep the client informed regarding the status of the representation, and failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
2. On approximately August 22, 2000, a Notice of Reciprocal Discipline Proceeding was served upon Rizk by the North Carolina State Bar via certified mail. The Notice advised Rizk that the North Carolina State Bar was considering imposing identical discipline, based upon the issuance of the Order of Suspension in Florida.
3. The Grievance Committee of the North Carolina State Bar considered this matter at its October 18, 2000 meeting. The Grievance Committee concluded that Rizk failed to show cause why the imposition of the identical discipline in North Carolina would be unwarranted and failed to satisfy any of the conditions set forth in to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0116(b)(3).

BASED UPON THE FOREGOING FINDINGS the Chair of the Grievance Committee makes the following CONCLUSIONS OF LAW:

1. The North Carolina State Bar has jurisdiction over the subject matter of this proceeding and over the person of the respondent, Roger W. Rizk.
2. The Grievance Committee has complied with the procedure for imposition of reciprocal discipline set forth in 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0116(b) of the N.C. State Bar Discipline & Disability.
3. The Supreme Court of Florida's June 29, 2000 Order of Suspension against Rizk establishes that Rizk engaged in conduct constituting violations of Rule 1.3, Rule 1.4(a), and Rule 1.4(b) of the North Carolina Revised Rules of Professional Conduct, which justifies the imposition of reciprocal discipline in this state.
4. The suspension imposed by the Supreme Court of Florida is the equivalent of a Suspension as described and set out in North Carolina General Statute Section 84-28(c)(2). Respondent's right to practice law in the state of North Carolina shall be suspended for ten days.

THEREFORE IT IS HEREBY ORDERED THAT:

1. The Respondent, Roger W. Rizk, is hereby suspended from the practice of law for ten days effective 30 days after service of this order upon him.
2. Respondent is hereby taxed with the costs of this proceeding as assessed by the Secretary.
3. Respondent shall comply with 27 Admin. Code Chapter 1, Subchapter B § .0124 in all respects, unless otherwise noted in this order. Respondent shall notify all clients and any court in which any client matter is pending of this suspension, but shall not be required by this order to withdraw from such matter provided that he is reinstated within 30 days of the effective date of the Suspension. Respondent may resume handling any such matter, with the client's consent, following his reinstatement. Respondent also may retain client files and materials, provided that he is reinstated within 30 days and that the client consents to his continued representation following his reinstatement.

This the 24 day of October, 2000.


James K. Dorsett III, Chair
Grievance Committee