

NORTH CAROLINA
WAKE COUNTY

10591
BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
01G1017 & 01G1018

IN THE MATTER OF)
)
ELISABETH W. WOOD,) REPRIMAND
ATTORNEY AT LAW)
)
)

On January 17, 2002, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by the North Carolina State Bar.

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 these cases 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.

In March 2001, Mr. A.K., who is a former client, filed a formal request for fee arbitration with the North Carolina State Bar. By letter dated April 17, 2001, the State Bar notified you of Mr. A.K.'s request. When you did not respond within 15 days, a follow up letter was sent to you on June 15, 2001. You still did not respond and a grievance file was established against you on Sept. 7, 2001 and was assigned file number 01G1018. The letter of notice regarding the grievance was served on you by certified mail on Sept. 21, 2001. You did not respond to the letter of notice or to a follow up letter sent to you on Oct. 22, 2001.

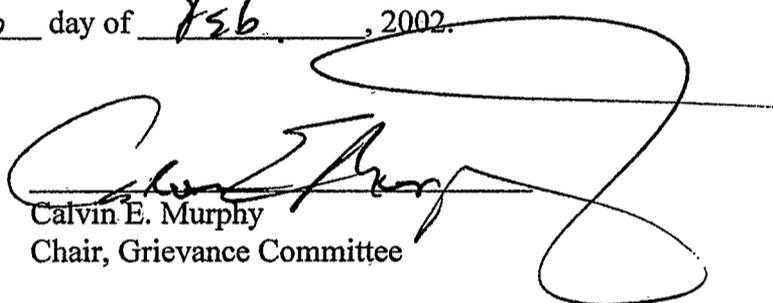
In April 2001, Mr. G.S., who is a former client, filed a formal request for fee arbitration with the North Carolina State Bar. By letter dated May 7, 2001, the State Bar notified you of Mr. G.S.' request. When you did not respond within 15 days, a follow up letter was sent to you on June 15, 2001. You still did not respond and a grievance file was established on Sept. 7, 2001 and was assigned file 01G1017. The letter of notice regarding the grievance was served on you by certified mail on Sept. 21, 2001. You did not respond to the letter of notice or a follow up letter sent to you on Oct. 22, 2001.

Your conduct in failing to participate in good faith in the two requests for fee arbitration filed by your former clients, Mr. G.S. and Mr. A.K., constituted violations of Rule 1.15 of the Revised Rules of Professional Conduct. Your failure to respond to the State Bar's letters of notice regarding the grievances which arose out of these matters constituted violations of Rule 8.1 of the Revised Rules of Professional Conduct.

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 6 day of Feb., 2002.



Calvin E. Murphy
Chair, Grievance Committee