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NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
02G1246

IN THE MATTER OF)	
)	
ALFREDA M. WILLIAMSON,)	CENSURE
ATTORNEY AT LAW)	
)	

On April 17, 2003, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Bruce Alderman.

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.

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.

Prior to September 2001, you undertook to handle a medical malpractice claim for Bruce A. against a South Carolina hospital and others. You filed suit on Sept. 28, 2001 and on March 11, 2002, the complaint was dismissed pursuant to the defendants' motions to dismiss.

Although you gave a timely notice of appeal as to the March 11 order, you did nothing to perfect the appeal. You did not order a transcript, nor did you prepare a proposed record on appeal or, alternatively, seek more time in which to do so. Your failure to prepare the appeal on a timely basis constituted neglect, in violation of Rule 1.3 of the Revised Rules of Professional Conduct.

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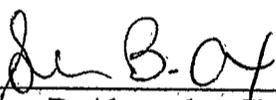
Of equal concern to the Grievance Committee, however, was the bizarre procedural twist you gave the case after the defendants filed a motion to dismiss the appeal in June 2002. On July 15, 2002, shortly before the motion to dismiss was to be heard, you filed a document designated as a voluntary dismissal of the appeal, but which also purported to dismiss the underlying lawsuit "based on excusable neglect."

When the judge denied your motion and dismissed the appeal on July 19, 2002, you told B.A. that the case could be revived by filing a notice of appeal from the July 19 order or, alternatively, filing a motion for reconsideration based on excusable neglect. Neither of these suggestions were workable and no reasonable attorney familiar with the Rules of Appellate Procedure could have believed that either strategy would revive B.A.'s underlying claims against the hospital and others. Your handling of the case after the underlying complaint was dismissed in March 2002 revealed a disturbing lack of preparation and ignorance of the Rules of Appellate Procedure and thus violated Rule 1.1 of the Revised Rules of Professional Conduct.

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 29 day of April, 2003.



Sharon B. Alexander, Chair
Grievance Committee
The North Carolina State Bar