

24058

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
04G0162

IN THE MATTER OF)

Richard E. Steinbronn,)
Attorney At Law)

REPRIMAND

On Wednesday, July 14, 2004 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 this case 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 late 2000, you associated with a company known as The Closing Place (hereafter, TCP). TCP contracted directly with members of the public to perform various legal services related to real estate closings, including title abstracts and preparation of legal documents. The HUD-1 settlement statement showed TCP as the closing agent for the real estate closings. The

HUD-1 settlement statement showed that you collected attorney's fees for your services. The legal services that you provided involved reviewing title abstracts and other legal documents related to the real estate closing. These documents were prepared by employees of TCP.

The Authorized Practice Committee of the North Carolina State Bar found in a letter of caution to cease and desist dated May 10, 2001 that TCP had engaged in the unauthorized practice of law by contracting directly with members of the public to perform legal services related to real estate closings.

In May 2001, as a result of the letter of caution to cease and desist issued by the Authorized Practice Committee, you and TCP entered into a contract, by which TCP became your "closing agent". The Authorized Practice Committee conducted further investigation and determined that TCP continued to hold itself out as being able to provide legal services through its fee quotations, including the preparation of legal documents and title examinations. On February 3, 2004, the Authorized Practice Committee issued a letter of caution to TCP indicating that it continued to engage in the unauthorized practice of law. The Authorized Practice Committee also noted that your arrangement with TCP, whereby TCP was a "closing contractor for you," did not cure the unauthorized practice of law issues relative to TCP.

The Grievance Committee, after careful consideration of all of the information before it, determined that you assisted TCP in the unauthorized practice of law, in violation of Rule 5.5(d) of the Revised Rules of Professional Conduct.

The Grievance Committee took into consideration in issuing this reprimand to you that according to TCP's attorney, TCP operates in compliance with the law since receiving the February 3, 2004 letter of caution to cease and desist.

You are hereby reprimanded by the North Carolina State Bar for 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 the 11th day of August, 2004.



John B. McMillan, Chair
Grievance Committee

JBM/lr