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NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
06G0625

IN THE MATTER OF )

ROSE M. PAHL, )  
ATTORNEY AT LAW )

CENSURE

On January 18, 2007, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by J. L.

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.

Your client JL complained that to the State Bar that you were not acting diligently in getting her annulment order signed by the Court and back to her. Melanie Kincaid with the State Bar's Client Assistance Program called you on May 9, 2006 to ask about the status of the order. You falsely represented to Ms. Kincaid that the order was at the courthouse awaiting the judge's signature. Ms. Kincaid told you that she would pass this information along to JL, and she did so. On May 23, 2006, JL called Ms. Kincaid back and said that the order had still not been filed. Ms. Kincaid subsequently spoke with you again. You said you had called the clerk's office and told the clerk that you would bring the clerk the proposed order on Friday [May 26, 2006]. You indicated you would bring a copy of the order to the State Bar that day as well. On May 30, 2006, you brought a copy of the order to the State Bar. You called Ms. Kincaid on that date and told her you had left the proposed order with Natalie at

the Family Court's office and that when the order was signed you would send the filed copy to the client. You did not provide the Court with a proposed order until May 30, 2006, contrary to your statement to Ms. Kincaid with the State Bar on May 9, 2006. You made a false statement to the State Bar and utilized the State Bar to make a false statement to your client. Your conduct is in violation of Rule 8.4(c).

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 20th day of February, 2007.



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James R. Fox, Chair  
Grievance Committee  
The North Carolina State Bar