

NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
10G0226

IN THE MATTER OF

Bambi F. Walters,
Attorney At Law

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REPRIMAND

On October 28, 2010 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar and R. G.

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.

You have operated a law office in Virginia while not licensed to practice law in Virginia. Your letterhead identified your office as The Law Office of Bambi Faivre Walters, PC with the address of Williamsburg, Virginia but with no disclosure that you are not licensed to practice law in Virginia. Although your letterhead listed areas of practice of patents, trademarks, and copyrights, there was no disclosure that your practice was limited to practice before federal

agencies and federal courts before which you were authorized to practice. Additionally, your office brochure and your office's information on the LinkedIn website identified you as licensed to practice law in Virginia. Holding oneself out as qualified or authorized to practice law in Virginia is considered the practice of law in Virginia, which is restricted by Virginia statute to persons licensed by Virginia to practice law.

Additionally, you provided legal services on Virginia state matters. You represented parties in Virginia state court and before the Virginia State Corporation Commission without having been admitted to practice law in Virginia. You signed and filed documents on behalf of parties, identifying yourself as counsel for the party and listing your Virginia address, with no identification that you were not licensed to practice law in Virginia and without having been admitted to appear as counsel *pro hac vice*.

You were served with a letter of notice from the North Carolina State Bar in this file on April 3, 2010 concerning a specific instance of unauthorized practice of law, to which you responded. You were later served with a supplemental inquiry from the North Carolina State Bar in this file on June 10, 2010 expressing concerns about the manner in which you held yourself out on your letterhead and in filings with the Virginia state court, to which you failed to respond.

You engaged in the unauthorized practice of law both by the manner in which you held yourself out and by your appearances in Virginia state court and before the Virginia State Corporation Commission for various parties, in violation of Rule 5.5(a) of the North Carolina Rules of Professional Conduct. Your reference to yourself as an attorney with your Virginia address and no disclosure that you were not licensed to practice law in Virginia, including on your letterhead and in your signature blocks on court filings, communicated false information about your status and ability to practice law in Virginia and thereby were misleading communications about your services in violation of Rule 7.1(a)(1) of the North Carolina Rules of Professional Conduct. Your failure to respond to the North Carolina State Bar's supplemental inquiry was in violation of Rule 8.1(b) of the North Carolina Rules of Professional Conduct.

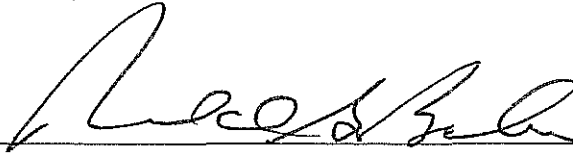
In mitigation, the Grievance Committee considered that you have taken remedial measures. You have corrected the information on the LinkedIn website. You have withdrawn as counsel in the matters still pending before the Virginia State Corporation Commission. Your staff reported you have been more conscientious about what you can and cannot do in Virginia. You have notified clients and individuals you identified who had received your brochure that you are not licensed to practice law in Virginia. After consideration of your conduct and these mitigating factors, the Grievance Committee determined that the appropriate discipline to be imposed is a reprimand.

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 January 24, 2008 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any

attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$100.00 is hereby taxed to you.

Done and ordered, this the 22 day of Dec., 2010.



Ronald G. Baker, Sr., Chair
Grievance Committee

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