

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
20G0600

---

IN THE MATTER OF )  
 )  
ROBERT G. SPAUGH, ) REPRIMAND  
ATTORNEY AT LAW )

---

On April 14, 2021, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by JC. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee 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.

In May 2018, Ms. JC retained you for representation in a divorce and equitable distribution case. The divorce was granted on November 19, 2018. Mediation was held on May 30, 2019 and Ms. C was supposed to receive approximately \$51,000 by QDRO. You drafted the QDRO and sent it to Ms. C's ex-husband's attorney for his review. The QDRO was signed by the ex-husband and his attorney on October 22, 2020. Between May 30, 2019 and October 27, 2020, Complainant sent emails, text messages and left voicemails for you to get a status update on her matter. You did not respond promptly to her requests for information.

The Grievance Committee found that you were not diligent in preparing the QDRO and getting it to opposing counsel for his review, in violation of Rule 1.3. You also violated Rule 1.4(a)(3) as you did not promptly respond to Ms. C's requests for information about the case.


State Bar Deputy Counsel emailed you follow-up questions about this grievance on January 22, 2021 and asked that you respond by February 12, 2021. You did not respond by the deadline, in violation of Rule 8.1(b). Deputy Counsel called and emailed you on February 23, 2021, giving you a February 26 deadline to respond. You did respond by the second deadline.

The Grievance Committee found as an aggravating factor in deciding this grievance that you the Grievance Committee reprimanded you in 2009 for neglect, failure to keep your client reasonably informed about his case and failure to respond to the grievance and follow-up questions in a timely manner.

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 July 23, 2010 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 \$350.00 is hereby taxed to you.

Done and ordered, this the 14<sup>th</sup> day of May, 2021.

  
\_\_\_\_\_  
Matthew W. Smith, Chair  
Grievance Committee

MWS/lb