

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
19G0396

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IN THE MATTER OF	)	
	)	REPRIMAND
SHAWNTAE R. CREWS,	)	
ATTORNEY AT LAW	)	

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On October 24, 2019 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by J. G. 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.

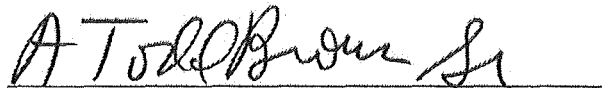
While representing a landlord client in a dispute with a tenant, you and opposing counsel negotiated a tentative settlement that included requirements for each party to fulfill. For purposes of the settlement, opposing counsel provided you with a check to your firm in the amount of \$1,992.00 and with two money orders made payable to your client. You did not promptly deposit the check for \$1,992.00 into your trust account, in violation of Rule 1.15-2(b). The terms of the settlement were not fulfilled, and opposing counsel requested that the funds be returned. You did not return the funds, however, but instead disbursed the funds to your client.

There was no agreement by the tenant that the landlord would receive the funds if the terms of the settlement were not met. By accepting delivery of settlement proceeds conditioned upon fulfillment of the terms of the settlement, you implicitly agreed to abide by the prescribed conditions. Your deliberate failure to abide by those conditions by disbursing the funds to your client even though the terms of the settlement were not fulfilled was dishonest conduct in violation of Rule 8.4(c). Your disbursement to your client of funds to which she was not then entitled due to the unfulfilled terms of settlement was in violation of Rule 1.15-2(a).

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 20<sup>th</sup> day of November, 2019.



A. Todd Brown, Sr., Chair  
Grievance Committee

ATB/lb