

NORTH CAROLINA
WAKE COUNTY

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BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
96G0320(IV)

IN THE MATTER OF)	
)	
ROBERT W. ADAMS)	REPRIMAND
ATTORNEY AT LAW)	
)	

On July 25, 1996, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Denise R. Queen.

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, reprimand, or 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.

You were served with the letter of notice in the grievance filed by Denise R. Queen on April 18, 1996. You did not respond to the grievance within 15 days of receiving it. The State Bar office sent you a subpoena to appear and produce documents by certified mail. According to the post office's records, you did not pick up the State Bar's certified letter.

Counsel for the State Bar telephoned your office on June 12, 1996. Counsel left two messages with your secretary and asked that you return the calls. You did not return counsel's telephone calls.

The State Bar issued a subpoena to appear and produce documents which would have required you to attend the Grievance Committee meeting in Pinehurst, North Carolina. You finally responded to the grievance by letter dated June 21, 1996.

Your failure to respond promptly to this grievance violates Rule 1.1(b) and Rule 1.2(d) of the Rules of Professional Conduct. As a licensed attorney in this state, you have an obligation to follow the rules and procedures of the North Carolina State Bar with respect to its grievance investigations.

You are hereby reprimanded by the North Carolina State Bar due to 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 9th day of August, 1996.



Ann Reed
Chair, Grievance Committee
The North Carolina State Bar