

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
22G1004

IN THE MATTER OF)	
)	REPRIMAND
TIA S. WILLIS,)	
ATTORNEY AT LAW)	

On January 18, 2024 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar. 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.

K.W. was a licensed North Carolina lawyer, who owned a real estate law firm. K.W. decided to abruptly retire and "give" you her law firm, including its staff and clients. At that time, you were a criminal lawyer with no experience in real estate law. As part of the transfer, you and K.W. agreed she would change her law license to inactive status immediately thereafter. Yet, you also agreed to pay K.W. a portion of collected fees going forward, which was an improper fee-share with a nonlawyer, violating Rule 5.4(a).

Additionally, despite K.W. changing her license to inactive status, you facilitated her continued practice of law. On at least one occasion, K.W. went to a court hearing, without you present, and argued a motion. She did so with your knowledge and assistance. Thus, you assisted K.W. in the unauthorized practice of law, in violation of Rule 5.5(f).

After a few weeks, you discovered the firm was financially unstable and decided to shut it down. K.W. objected to this decision and decided to retake exclusive ownership of the firm, although you were the firm's sole lawyer and were representing all of the firm's clients. To exclude you, K.W. ended your access to the firm's bank accounts, email server, and client files.

K.W. was able to do so because you did not make reasonable efforts to establish measures appropriately limiting her conduct as a nonlawyer and you did not make reasonable efforts to ensure that her conduct complied with your professional obligations. Indeed, even after changing to inactive status, K.W.: provided you professional guidance; continued having signatory authority over the firm's operating and trust accounts; controlled payroll, staffing decisions, email server access, telephone access, and client files; and made decisions about whether you would continue to represent clients. Further, once K.W. informed you that she was excluding you from the firm, you made no effort to regain control and abandoned many of the firm's remaining clients as if they belonged to K.W.

By effectively allowing a nonlawyer to maintain total control over the firm's operations, you violated Rules 5.3(a) and (b). By abandoning some of the firm's remaining clients when K.W. purported to retake the firm, you also failed to protect clients' interests upon your withdrawal, in violation of Rule 1.16(d). Lastly, by failing to communicate with your clients upon your decision to leave the firm—either to inform them of the change in the firm's personnel or to consult with them regarding their preferences for representation going forward—you violated Rules 1.4(a)(3) and 1.4(b).

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 1st day of March, 2024.

A handwritten signature in black ink, reading "Kevin G. Williams", is written over a light gray rectangular background.

Kevin G. Williams, Chair
Grievance Committee

KGW/lb