

24714

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
0521GR006 & 05G0752

IN THE MATTER OF)	
)	
Travis H. Simpson,)	CENSURE
ATTORNEY AT LAW)	
)	

On July 20, 2006, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by H. P and U. 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.

A censure is a written form of discipline more serious than a reprimand, issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused significant harm or potential significant harm to a client, the administration of justice, the profession or a member of the public, but the misconduct does not require suspension of the attorney's license.

The Grievance Committee believes that a hearing before the Disciplinary Hearing Commission is not required in this case and issues this censure to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this censure.

You undertook representation of U.G. in a personal injury case for injuries to her minor daughter. Despite assurances to U.G. that you were working on the case between 2002 and 2005, you failed to file a lawsuit in the matter when you were unable to settle the claim. You did not notify U.G. of your failure to file the lawsuit and you failed to respond to her attempts to communicate with you and learn the status of her case. When you talked with U.G. in the summer of 2005, you initially tried to have her end your representation of her but eventually informed her of your opinion that you had let the statute of limitations expire and she could no longer pursue a claim for her daughter's injuries. You were contacted by both the Grievance Committee of the State Bar and the local grievance committee of the 21st Judicial District, notifying you of the grievance and requiring your written response. You failed to respond to these inquiries.

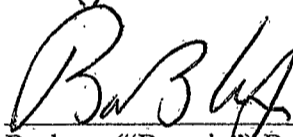
During about the same time period, in 2000 you undertook representation of H.P. in her personal injury case. From 2000 – 2005, you failed to perform any meaningful work in her case. You did not settle the matter, did not respond to inquiries from her health insurance provider, and you did not file a lawsuit on her behalf. A member of the 21st Judicial District bar attempted to assist H.P. by arranging a meeting between you and H.P. When H.P. arrived at your office at the appointed time, however, you were not there. The 21st Judicial District then opened a grievance file, notified you of the grievance, and required your written response. You did not timely respond as required.

The Grievance Committee finds that you neglected client matters in violation of Revised Rule of Professional Conduct 1.3, failed to communicate with clients in violation of Revised Rule 1.4, and failed to respond at all or within the time period directed to the local committee and State Bar in violation of Revised Rule 8.1. The Grievance Committee considered the multiple instances of this conduct and your prior discipline to be aggravating factors in this matter. Accordingly, the Grievance Committee decided to issue this censure.

You are hereby censured by the North Carolina State Bar for your violation of the Rules of Professional Conduct. The Grievance Committee trusts that you will ponder this censure, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This censure should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts, to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

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 censure by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 20th day of April, 2006.



Barbara ("Bonnie") B. Weyher, Chair
Grievance Committee
The North Carolina State Bar