

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
16G1373 & 17G0056

IN THE MATTER OF)	
)	REPRIMAND
SONIA M. PRIVETTE,)	
ATTORNEY AT LAW)	

On July 27, 2017 the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by D. A. and M. O. The grievances were assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of these matters.

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 responses to the letters 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.

You represented Ms. D. A. in a divorce, child custody and support case from December 2013 until July 2015. You admitted that you did not communicate with Ms. A. from December 2014 until September 2015. The Grievance Committee found that you did not adequately communicate with your client in violation of Rule 1.4(a)(3)(4) of the Rules of Professional Conduct.

In July 2016, Ms. A terminated your services and asked for a copy of her file. You admit that you did not timely respond to Ms. A.'s request for the file. In September 2016, Ms. Judy Treadwell of the State Bar's Attorney Client Assistance Program told you that Ms. A. wanted a copy of her file. However, you did not turn over the file at that time. In January 2017, you finally left a message for Ms. A. about turning over her file. You mailed the file to Ms. A. on February 3, 2017. The Grievance Committee found that your failure to promptly return Ms. A's file violated Rule 1.16(d).

You represented Ms. M. O. who was charged with child care subsidy fraud. You admitted that you did not take the "appropriate course of action" in the civil action that you handled for Ms. O. You further stated in your response that your "understanding of the law and possible procedures to follow may have, and appear to have, been erroneous." The Grievance Committee found that you lacked competence in this area in violation of Rule 1.1.

In issuing this reprimand, the Grievance Committee considered your disciplinary history as an aggravating factor. You were admonished in 1990 and 2015 for neglect and failure to communicate with your client.

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 29th day of August, 2017.



DeWitt "Mac" McCarley, Chair
Grievance Committee