

NORTH CAROLINA  
WAKE COUNTY

BEFORE  
THE GRIEVANCE COMMITTEE  
OF  
THE NORTH CAROLINA STATE BAR  
23G1255

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IN THE MATTER OF )  
 )  
SHANTE MONIQUE BURKE-HAYER, ) REPRIMAND  
ATTORNEY AT LAW )

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On January 23, 2025 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.

The reprimand is based on the following conduct: You represented M.S. in an estate administration matter. Throughout representation, M.S. was required to sign certain documents as co-executor of the estate. On a few occasions, M.S. gave you both verbal and written permission to sign M.S.'s name on his behalf. On each of the previous occasions that M.S. gave verbal permission for you to sign his name, he also did so in writing by email. After a conversation with M.S. but without following up and obtaining M.S.'s written confirmation, you signed M.S.'s name

to three different documents required to be filed with the court to finalize administration of the estate. Those documents were: a Petition for Extension of Time to Administer an Estate; a Petition for Payment of Counsel Fees, and an Annual Accounting of the Estate.

After you signed M.S.'s name to the above-referenced documents, you presented them to notary R.D. and asked R.D. to notarize M.S.'s signature. R.D. did so, despite M.S. never appearing before R.D. as required by law. You then presented these three documents to P.C., the lawyer representing M.S.'s co-executor, to be filed in the estate administration file.

By asking R.D. to notarize M.S.'s signature on the estate administration documents when M.S. did not appear before R.D, you aided and abetted R.D. in committing a violation of North Carolina notary laws and committed a criminal act in violation of Rule 8.4(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 23<sup>rd</sup> day of May, 2025.

  
Charles Gordon Brown, Chair  
Grievance Committee

CGB/jms