

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
15G0401

---

IN THE MATTER OF	)	
	)	REPRIMAND
LAWRENCE S. MAITIN,	)	
ATTORNEY AT LAW	)	

---

On October 27, 2016 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by F. F. 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.

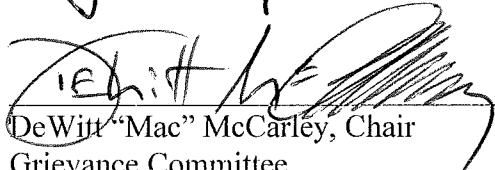
You represented F.F. in a real estate closing in September 2010. You concluded that an outstanding judgment did not attach to the subject property. You failed to advise F.F. of this judgment and of your conclusion that it did not attach to the subject property. Your conduct violated Rule 1.4(b). F.F. learned about the judgment when the judgment creditor sought to have the subject property sold at public auction. Once F.F. learned about the judgment and you

learned that your conclusion about its attachment to the subject property was being challenged, you made an agreement with the judgment creditor to pay the judgment in monthly installments. The judgment creditor did not agree to declare the judgment satisfied as a result of this arrangement. You did not advise F.F. of the desirability of seeking independent legal counsel before purporting to resolve the issue created by your conclusion about the judgment. Your conduct violated Rule 1.8(h).

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 12<sup>th</sup> day of JANUARY, 2017.

  
DeWitt "Mac" McCarley, Chair  
Grievance Committee

DM/lb