

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
16G0593

IN THE MATTER OF)
)
BERNELL DANIEL-WEEKS,) REPRIMAND
ATTORNEY AT LAW)

On January 26, 2017 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Y. N. 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.

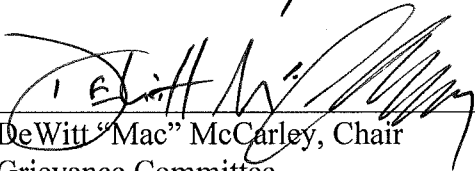
You were hired by your client, YCN, following a car accident with injury that occurred in August 2012. You initiated some of the claims, but did not contact or respond to YCN's insurance company. You were slow to present the demand package to the other driver's insurance company and did not provide YCN with any meaningful information about the settlement until September, 2015. From September, 2015 through May, 2016 you failed to answer YCN's calls or

hold a meeting with her about the settlement. When YCN requested that you deliver the file to a new attorney, you failed to do so and failed to answer the request. The State Bar's Attorney Client Assistance Program attempted to reach you at your known email address and phone numbers and you failed to respond. After being served with notice of the grievance you failed to submit a response. Your conduct in this matter violated Rules 1.3, 1.4(a)(2), (3), and (4), 1.16(d), and 8.1(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 10th day of FEBRUARY, 2017.


DeWitt "Mac" McCarley, Chair
Grievance Committee

DM/lb