

NORTH CAROLINA  
WAKE COUNTY

BEFORE  
THE GRIEVANCE COMMITTEE  
OF  
THE NORTH CAROLINA STATE BAR  
23G0884

---

IN THE MATTER OF )  
 )  
JOSEPH ERIC ALTMAN, ) CENSURE  
ATTORNEY AT LAW )

---

On October 31, 2024, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by K.D. 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.

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 represented K.D. in a divorce proceeding. Opposing counsel served a notice of deposition on you to take your client's deposition approximately ten days prior to the deposition date. Four days before the deposition, you advised opposing counsel that you had a conflict for the date of the deposition. You did not inform your client about the notice of deposition until two days prior to the scheduled deposition. Opposing counsel did not agree to reschedule the deposition. By not promptly informing your client about the deposition notice, by not promptly informing opposing counsel that you had a conflict for the date of the deposition, and by not moving the court to delay the deposition to protect your client, you did not act with reasonable diligence and promptness in representing your client as required by Rule 1.3 of the Rules of Professional Conduct. Additionally, you did not inform K.D. that opposing counsel filed a motion for sanctions against her relating to her failure to timely respond to discovery and for not attending the noticed deposition. The court heard, and granted, the motion for sanctions in your client's absence and without your client having notice of the motion or its

consequences for her case. By failing to adequately communicate with your client about the motion for sanctions and by failing to inform your client about its ramifications, you violated Rule 1.4 of the Rules of Professional Conduct.

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 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 censure by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this 5<sup>th</sup> day of December, 2024.

  
Kevin G. Williams, Chair  
Grievance Committee

KGW/jms