

15549

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
91G0505 (II) R

IN THE MATTER OF )

LINDA M. PITTS )  
ATTORNEY AT LAW )

REPRIMAND )

On July 8, 1993, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Patricia L. Thompson.

Pursuant to section 13(A) of article IX of the Rules and Regulations of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Committee 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, reprimand, or 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 and I am certain that you will understand fully the spirit in which this duty is performed.

You undertook to represent Patricia L. Thompson in a domestic case in December 1990. During this representation, you made a settlement offer of \$100,000 without Mrs. Thompson's knowledge or consent to John Parker who was representing Mrs. Thompson's

00125

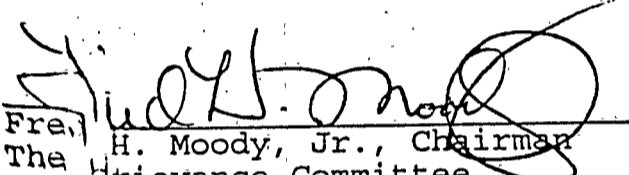
est. changed husband. When Mrs. Thompson later indicated a desire to settle for a much lesser amount you refused to negotiate with the opposing attorneys.

Rule 7.1(C)(1) of the Rules of Professional Conduct requires attorneys to abide by their clients' decisions regarding settlement. Rule 6(B)(2) requires attorneys to provide their clients with sufficient information to permit the clients to make informed decisions regarding the presentation. You violated both of these rules by making a settlement offer without your client's knowledge and consent and by later refusing to convey a settlement offer to the opposing party on her behalf.

You are hereby reprimanded by the North Carolina State Bar due to 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 October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the Administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 10th day of August, 1993.

  
H. Moody, Jr., Chairman  
Grievance Committee  
North Carolina State Bar

#411