



STATE OF NORTH CAROLINA

WAKE COUNTY

THE NORTH CAROLINA STATE BAR, )

Plaintiff, )

v. )

CAMILLE E. HILL, Attorney, )

Defendant. )

BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
21 DHC 13

CONSENT  
ORDER OF DISCIPLINE

THIS MATTER was heard on September 15 and 16, 2022, before a Hearing Panel of the Disciplinary Hearing Commission composed of Stephanie N. Davis, Chair, and members Valencia Applewhite and Irving L. Joyner. J. Cameron Lee and Robert W. Weston represented Plaintiff, the North Carolina State Bar. Alan M. Schneider represented Defendant. The parties stipulate and agree to the findings of fact and conclusions of law recited in this consent order, and consent to the discipline imposed by this Order. By consenting to the entry of this Order, Defendant knowingly, freely, and voluntarily waives her right to appeal this consent Order or to challenge in any way the sufficiency of its contents.

Based on the foregoing and on the consent of the parties, the Hearing Panel hereby enters by clear, cogent, and convincing evidence the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (“State Bar”), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, Camille E. Hill (“Hill”), was admitted to the North Carolina State Bar in 2016, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar, and the Rules of Professional Conduct.

3. During all or part of the relevant periods referred to herein, Hill was engaged in the practice of law in the State of North Carolina in Transylvania, Henderson, and Buncombe Counties.

4. Hill was properly served with process, a hearing in this matter was set, and the matter came before the hearing panel with due notice to all parties.

5. Defendant was an associate attorney at the Neumann Law Firm where she practiced family and criminal law.

6. Defendant was paid a salary and bonuses as an associate attorney at the Neumann Law Firm.

7. Although Defendant received a bonus from the firm once she reached certain total monthly revenue thresholds, Defendant was never entitled to attorney fees that the firm's clients owed to the firm.

8. At the end of December 2019, Laura Miracle retained Defendant and the Neumann Law Firm for representation in a personal injury case (the "Miracle case").

9. On June 18, 2020, the opposing insurance company in the Miracle case accepted a settlement demand Defendant made on Miracle's behalf on the condition that Miracle sign a release.

10. On July 8, 2020, Hill received a wet-ink original of the release signed by Miracle (the "original release").

11. On July 9, 2020, Hill gave Neumann Law Firm oral notice that she would be resigning her employment effective July 24, 2020, to accept a job at an insurance defense law firm.

12. As of July 16, 2020, at the latest, Defendant ceased working substantively on the Miracle case.

13. On July 16, 2020, Defendant called Miracle and discussed referring Miracle's case to attorney Tamara Lee ("Lee") at the Sheffron Law Firm as, due to her new job, Defendant would not be handling that type of case.

14. During her July 16, 2020 call with Miracle, Defendant failed to inform Miracle that Miracle could keep her case with the Neumann Law Firm.

15. Before telling Miracle that her case needed to be referred to Lee, Defendant did not consult with the Neumann Law Firm about who would be taking over her caseload or whether the firm would continue to be able to receive and disburse Miracle's settlement check appropriately.

16. Defendant did not tell anyone affiliated with the Neumann Law Firm that she had referred Miracle's case to Lee.

17. On July 16, 2020, Defendant notified the insurer that Lee now represented Miracle.

18. On July 16, 2020, Lee sent the insurer the original release.

19. As of July 16, 2020, the only work remaining in the Miracle case was awaiting receipt of the settlement funds from the insurer and processing and disbursing the same.

20. Defendant's last day with the Neumann Law Firm was July 24, 2020.

21. Although Defendant had questions about whether she was entitled to a portion of the attorney fees from the Miracle matter, she never consulted with the Neumann Law Firm about the issue or disclosed that she had referred Miracle's case to Lee.

22. On July 29, 2020, when Defendant mentioned to her new supervisor, K.H., that she had an issue regarding an attorney fee, K.H. told Defendant to contact the State Bar's Ethics Department for an answer.

23. Defendant failed to follow up and contact the State Bar's Ethics Department about her entitlement to the attorney fees from the Miracle matter.

24. Defendant received her final salary and bonus checks from the Neumann Law Firm for the month of July on July 31, 2020.

25. The insurance company issued the settlement check for the Miracle matter in early August 2020 and mailed it to Lee at the Sheffron Law Firm.

26. The Sheffron Law Firm negotiated the check for the Miracle settlement on August 21, 2020.

27. The funds of the Miracle settlement were disbursed as follows: \$16,750.00 went to Miracle; \$2,722.50 went to the Sheffron Law Firm; and \$5,527.50 went to Defendant.

28. Defendant was not entitled to any portion of the \$5,527.50 fee she retained, nor was she entitled to a bonus for the attorney fee in the Miracle matter, which was paid after Defendant left the Neumann Law Firm and would not have satisfied the monthly revenue threshold in Defendant's employment agreement with the Neumann Law Firm.

29. Instead, the \$5,527.50 fee from the Miracle matter that Defendant retained belonged to the Neumann Law Firm.

30. Defendant did not deposit the attorney fees from the Miracle case into a trust account, despite the fact that, at a minimum, she was not entitled to the entirety of those fees.

31. On September 17, 2020, Plaintiff's investigator interviewed Defendant regarding the Miracle case.

32. At the September 17, 2020 interview, Defendant informed Plaintiff's investigator that, at the time she left the Neumann Law Firm, there was still work to do, beyond distributing the settlement check, to resolve the Miracle case, to include final verification that there were no valid liens to client's case, final explanation to client about payment of expenses although no liens existed, client's execution of the fee split agreement, client receipt of funds and final distribution.

33. Defendant told Lee and the insurer that no liens existed in the Miracle case on July 16, 2020 and signed an attestation to Lee of that fact on September 1, 2020.

34. No lien check was performed in the Miracle case after Defendant received the signed release from Miracle, and no liens existed.

35. Defendant also informed Plaintiff's investigator at the September 17, 2020 interview that she had given Miracle the option to keep her case with the Neumann Law Firm or have her case transferred to Lee and that "Miracle [] agreed to have her case transferred to Tamara [Lee]."

36. On September 30, 2020, Plaintiff sent a Letter of Notice and Substance of Grievance to Defendant regarding her conduct in the Miracle case.

37. After learning of the grievance filed against her regarding the Miracle case, Defendant negotiated a cashier's check for the sum of \$5,527.50 and disbursed this check directly to Douglas Campen, owner of the Neumann Law Firm.

38. In December of 2020, Defendant negotiated another check for \$2,722.50 from her personal bank account and disbursed this check, via mail, to Douglas Campen.

39. During the course of the State Bar's investigation and litigation of this matter, Defendant made the following statements to the State Bar:

- a. that upon receiving the attorney fees from the Miracle case on September 1, 2020, she immediately opened a new, separate bank account with State Employees' Credit Union and deposited the funds into it;
- b. that, after she received the attorney fees from the Miracle case, she disclosed her receipt of the fee to K.H., her supervisor at her new law firm and sought K.H.'s advice about whether she could keep the fee; and
- c. that she had inadequate time following these events to contact the Neumann Law Firm or the State Bar.

40. The representations Defendant made to the State Bar described in paragraphs 39(a)-(c) were inaccurate in their description of the timeline of events.

Based on the foregoing Findings of Fact, the Hearing Panel enters the following:

#### CONCLUSIONS OF LAW

1. All the parties are properly before the Hearing Panel and the Panel has jurisdiction over Defendant, Camille E. Hill, and the subject matter.

2. Defendant's conduct, as set forth in the Findings of Fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

- (a) By failing to obtain in writing Miracle's agreement to the proposed division of attorney's fees between herself, the Neumann Law Firm, and the Sheffron Law

Firm, Respondent engaged in the improper division of fees between lawyers who are not in the same firm in violation of Rule 1.5(e);

- (b) By failing to advise Miracle that Miracle could remain a client of the Neumann Law Firm before transferring Miracle's case to the Sheffron Law Firm, Respondent failed to promptly inform her client of any decision or circumstance with respect to which her client's informed consent is required by the Rules of Professional Conduct in violation of Rule 1.4(a)(1), failed to explain a matter to the extent reasonably necessary to permit her client to make informed decisions regarding the representation in violation of Rule 1.4(b), and engaged in conduct involving misrepresentation in violation of Rule 8.4(c);
- (c) By making misrepresentations to the State Bar Investigator during the investigation and litigation of this matter—to wit: her exculpatory statements regarding segregating the attorney fees and the nature and timing of her communication with K.H.—Respondent engaged in conduct involving misrepresentation in violation of Rule 8.4(c);
- (d) By individually making an agreement for and individually collecting a portion of the attorney fees from the Miracle case, despite not working on the case after July 16, 2020 when she was still working as an employee of the Neumann Law Firm, Defendant collected a clearly excessive fee, in violation of Rule 1.5(a); and
- (e) By failing to deposit the attorney fees she received from the Miracle case into a trust account, despite knowing the Neumann Law Firm was entitled to at least some portion of those fees, Defendant failed to deposit and maintain mixed funds in a trust account until the dispute regarding those funds was resolved, in violation of Rule 1.15-2(g).

Based on the foregoing Findings of Fact and Conclusions of Law, the stipulated facts, and the evidence presented at the hearing, the Hearing Panel hereby finds by clear, cogent and convincing evidence the following additional

#### FINDINGS OF FACT REGARDING DISCIPLINE

1. The findings of fact in paragraphs 1 – 40 above are reincorporated as if set forth herein.
2. It is important that a lawyer communicate fully and candidly with her client when the lawyer is withdrawing from the representation. Failure to do so can result in the client being confused about her rights upon the termination of the representation and the status of her legal representation. Defendant's failure to communicate fully and candidly with Miracle in this case resulted in foreseeable harm to Miracle, namely, to Miracle's confusion about her ability to choose her attorney and on what terms.
3. Defendant's failure to inform the Neumann Law Firm (1) that Defendant intended to refer the Miracle file to Lee and that Lee would receive a portion of the attorney fees and (2)

that Defendant intended to keep a portion of the attorney fees to which she believed she was entitled created significant potential harm to Miracle; Defendant's conduct could potentially have created an adversarial relationship between the Neumann Law Firm and its client, Laura Miracle, with Miracle having paid the entirety of her attorney fees to Hill and Lee, but the Neumann Law Firm having not received the entirety of its agreed-upon fees.

4. It is essential that a lawyer be completely forthright with the State Bar during the grievance process. Defendant's failure to communicate completely candidly with the State Bar during the grievance process had the potential of interfering with the State Bar's ability to regulate its members and undermining the profession's privilege to remain self-regulating.

5. It is important that a lawyer—especially a relatively young and inexperienced lawyer—consult with the State Bar's Ethics Department when she has prospective questions about her ethical obligations. By failing to consult with the State Bar's Ethics Department, even after having been told to do so by a superior, Defendant exacerbated her confusion about her entitlement to the attorney fees from the Miracle case.

6. When a lawyer receives a combination of funds that she believes belong to her and funds that she believes belong to the client or other persons, it is important that the lawyer deposit those mixed funds intact into a trust account and communicate with the other person to discern whether the lawyer's entitlement is disputed.

7. At the time of the conduct at issue in this case, Defendant had been licensed for less than four years.

8. Prior to her employment with the Neumann Law Firm, Defendant had never been in private practice and had never handled a personal injury case.

9. Around the time of the conduct at issue in this case, Defendant and her husband had separated. Defendant's ex-husband did not participate, financially or otherwise, in raising the couple's small child. The stress attendant the separation, and to being a single parent, with sole responsibility for the care and maintenance of her young child, impaired Defendant's decision-making process with respect to how she handled her departure from the Neumann Law Firm and, more specifically, how she handled the transfer of and receipt of funds for the Miracle case.

10. Defendant's conduct in this case with respect to her handling of the Miracle fee was not the product of any sort of criminal or dishonest intent, but rather, the result of her inexperience and confusion, particularly regarding personal injury matters, which she had never dealt with prior to representing Miracle.

11. Defendant has a reputation for good character in her community.

12. Defendant has shown sincere remorse for her actions.

13. After Defendant was contacted by the State Bar, but before she received a Letter of Notice in this case, Defendant expressed a willingness to return the attorney fee from the Miracle

Case to the Neumann Law Firm and did, in fact, return the attorney fee from the Miracle case to the Neumann Law firm.

Based on the foregoing Findings of Fact, Conclusions of Law, and Additional Findings Regarding Discipline, the Hearing Panel enters the following

CONCLUSIONS REGARDING DISCIPLINE

1. The Hearing Panel carefully considered all of the different forms of discipline available to it.

2. The Hearing Panel considered all of the factors enumerated in 27 N.C. Admin. Code 1B.0116(f).

3. The Hearing Panel concludes that the following factors from 27 N.C. Admin. Code 1B.0116(f)(1), which are to be considered in imposing suspension or disbarment, are present in this case:

- a. Factor (E), Negative impact of Defendant's actions on client's and public's perception of the profession;
- b. Factor (H), Effect of Defendant's conduct on third parties;
- c. Factor (I), Acts of misrepresentation.

4. The Hearing Panel considered the factors listed in 27 N.C. Admin. Code 1B.0116(f)(2), which if found would warrant consideration of disbarment, and determined that none of those factors were present in this case.

5. The Hearing Panel concludes that the following factors from 27 N.C. Admin. Code 1B.0116(f)(3), which are to be considered in all cases, are present in this case:

- a. Factor (C), Absence of dishonest or selfish motive;
- b. Factor (D), Timely good faith effort to rectify consequences of misconduct;
- c. Factor (H), Effect of any personal or emotional problems on the conduct in question;
- d. Factor (K), Full and free disclosure to the hearing panel or cooperative attitude toward the proceedings;
- e. Factor (N), Submission of misleading statements during the disciplinary process;
- f. Factor (P), Remorse;
- g. Factor (Q), Evidence of Defendant's good character and reputation in her community;

- h. Factor (S), A lack of experience in the practice of law at the time Defendant engaged in the conduct in question;

6. The Hearing Panel considered all the disciplinary options available to it and determined that a stayed suspension with conditions is appropriate and necessary in this case, in light of the harm caused by Defendant's conduct to her client, the profession, and the administration of justice.

7. The Hearing Panel has considered all lesser sanctions and finds that discipline short of a stayed suspension would not adequately protect the public for the following reasons:

- a. Entry of an order imposing less serious discipline would fail to acknowledge the seriousness of the offenses Defendant committed, would fail to provide Defendant with the degree of mentorship and oversight needed to ensure that Defendant understands her professional obligations and comports her practice to those standards, and would send the wrong message to attorneys and the public regarding the conduct expected of members of the Bar of this State.

Based on the foregoing Findings of Fact, Conclusions of Law, and additional Findings of Fact and Conclusions of Law Regarding Discipline, the Hearing Panel hereby enters the following

#### ORDER OF DISCIPLINE

1. Defendant, Camille E. Hill, is hereby suspended from the practice of law for one year.

2. Defendant is taxed with the administrative fees and costs of this proceeding. Defendant shall pay the administrative fees and costs of this proceeding as assessed by the Secretary of the North Carolina State Bar. Defendant shall pay all costs and fees within sixty days of service of a statement of costs upon her.

3. Defendant's one-year suspension is stayed for two years. The stay of Defendant's suspension of her law license will continue in effect only as long as Defendant complies with the following conditions:

- a. Each year of the stay, Defendant completes three additional hours of Continuing Legal Education ("CLE") courses on the subject of trust account management. This CLE requirement is in addition to the CLE requirements set out in North Carolina Administrative Code, Title 27, Chapter 1, Subchapter D § .1518. These courses must be completed within the applicable time period for completing the CLE hours required under North Carolina Administrative Code, Title 27, Chapter 1, Subchapter D § .1518 each year of the stay and must be reported on the annual CLE report forms;
- b. Within thirty days after entry of this Order, Defendant shall arrange for an active member of the North Carolina State Bar to serve as her law practice monitor.

Defendant's monitor shall be an attorney in good standing who practices law in the judicial district in which Defendant practices law and who has been approved in advance by the State Bar Office of Counsel.

- c. Defendant shall pay the costs and/or fees, if any, charged by the monitor for the monitor's supervision. Within five days of the date Defendant reaches an agreement with the monitor to provide the monitoring services, Defendant shall supply the North Carolina State Bar Office of Counsel with a letter from the monitoring attorney confirming his or her agreement to perform the duties listed below for the duration of the stay of this suspension;
- d. Defendant shall make appropriate arrangements for an alternate monitor if the monitoring attorney is not approved by the Office of Counsel or cannot serve or is unwilling to serve through the duration of the stay of this suspension;
- e. Defendant shall meet with the Practice monitor monthly to review all of Defendant's pending cases.
- f. Defendant will ensure that the monitor submits quarterly written reports to the Office of Counsel confirming that the meetings are occurring, and that the Defendant is meeting deadlines and conferring with clients. The reports are due January 15, April 15, July 15, and October 15 for the duration of this stayed suspension.
- g. Defendant will ensure that any agreement for the division of fees that she enters into with a lawyer who is not a member of her firm is done in compliance with Rule 1.5(e).
- h. Defendant timely complies with her State Bar continuing legal education requirements and pays all fees and costs assessed by the applicable deadline. Defendant shall provide proof of the same to the State Bar Office of Counsel within ten calendar days of completing the courses;
- i. Defendant timely pays all Membership fees, including State Bar annual dues and district bar dues, if any, and keeps the State Bar's Membership Department advised of her current business address, which address must be a street address, not a post office box or drawer;
- j. Defendant notifies the State Bar of any change of address within 10 days of such change;
- k. Defendant accepts all certified mail from the State Bar sent to the address on record with the Membership Department of the North Carolina State Bar throughout the period of the suspension and responds to all communications and requests for information from the North Carolina State Bar by the deadline stated therein with

full and complete responses and all requested documentation throughout the period of her suspension;

- l. Defendant participates in good faith in the State Bar's fee dispute resolution process for any petition of which she receives notice after the effective date of this Order; and
- m. Defendant does not violate the Rules of Professional Conduct or the laws of the United States or any state or local government.

4. Unless Defendant's obligations under this Order are modified by further order of the DHC, Defendant's obligations under this Order end two years from the effective date of the Order provided there are no motions or proceedings pending alleging lack of compliance with the conditions of the stay of the suspension. Pursuant to 27 N.C. Admin. Code 1B.0118, the DHC retains jurisdiction until all conditions of the stay of the suspension have been met. If a motion or proceeding alleging lack of compliance with the conditions for the stay of the suspension is pending when the period of the stay of the suspension would otherwise have terminated, the DHC retains the jurisdiction and ability to lift the stay of the suspension and activate the two-year suspension in whole or in part if it finds that any of the conditions of the stay have not been met. The stay of the suspension and Defendant's obligation to comply with the conditions for the stay will continue until resolution of any such pending motion or proceeding.

5. If during the stay of the suspension Defendant fails to comply with any one or more of the conditions stated above, then the stay of the suspension of Defendant's law license may be lifted as provided in 27 N.C. Admin. Code 1B.0118.

6. If the stay of the suspension is lifted and the suspension is activated for any reason, Defendant may apply for reinstatement after serving the activated suspension by filing a petition pursuant to 27 N.C. Admin. Code 1B.0129 demonstrating compliance by clear, cogent, and convincing evidence with the requirements therein as well as the following requirements:

- a. Defendant properly wound down her law practice and complied with the terms of 27 N.C. Admin. Code 1B.0128;
- b. Defendant submitted her law license and membership card to the Secretary of the State Bar no later than 30 days following the effective date of the order lifting the stay;
- c. Within 15 days of the effective date of this Order, Defendant shall have provided the Office of Counsel and the Membership Department of the State Bar with a mailing address and telephone number at which clients seeking return of files can communicate with Defendant and obtain such files. Defendant must have kept this information current with the Membership Department of the State Bar, providing updated information to the State Bar within 15 days of any change;
- d. Defendant shall have promptly returned client files in her possession, custody, or control to clients upon request, within 5 days of receipt of such request. Defendant

will be deemed to have received any such request 3 days after the date such request is sent to Defendant if the request is mailed to the mailing address Defendant provided the Membership Department of the State Bar pursuant to the preceding paragraph;

- e. Defendant disbursed to the proper recipients all identified client funds in any trust account she maintained upon the termination of her representation;
  - f. Defendant kept the Membership Department of the State Bar informed of her current information for her physical address (not a Post Office box), telephone number, and e-mail address throughout the period of her suspension;
  - g. Defendant accepted all certified mail from the State Bar sent to the address on record with the Membership Department of the North Carolina State Bar throughout the period of the suspension;
  - h. Defendant responded to all letters of notice and requests for information from the North Carolina State Bar by the deadline stated therein with full and complete responses and all requested documentation throughout the period of her suspension;
  - i. Defendant was in compliance with any outstanding continuing education or membership obligations at the time of the filing of her petition for reinstatement;
  - j. Defendant did not violate any of the Rules of Professional Conduct in effect during the period of the suspension;
  - k. Defendant did not violate any laws of any state of the United States or of the United States during the period of the suspension;
  - l. Defendant paid all costs and administrative fees of this proceeding as assessed by the Secretary; and
  - m. If Defendant failed to fully comply with 27 N.C. Admin. Code 1B.0128, Defendant shall reimburse the State Bar for all expenses incurred by the State Bar in winding down Defendant's practice. Such expenses may include, but are not limited to, storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses and compensation paid to any appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice of wind-down expenses to Defendant at Defendant's last known address of record with the State Bar. Defendant shall not be eligible for any stay of suspension or reinstatement from suspension until she has reimbursed the State Bar for any wind-down expenses incurred.
6. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C. Admin. Code 1B.0118 until all conditions of the stay of the suspension are satisfied.

Signed by the Chair with the consent of the other Hearing Panel members, this the 29<sup>th</sup>  
day of September, 2022.

Stephanie N. Davis  
Stephanie N. Davis, Chair  
Hearing Panel

CONSENTED TO BY:



J. Cameron Lee, Deputy Counsel  
N.C. Bar No. 47884

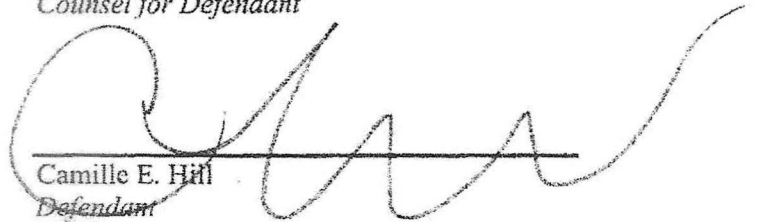


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