

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
20G0886 & 21G0384

IN THE MATTER OF)
)
EDWARD V. WILLIAMS,) CENSURE
ATTORNEY AT LAW)

On October 7, 2021, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by the North Carolina State Bar and G. R. The grievances were assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of these matters.

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.

Your law license was administratively suspended in July 2020. At that time, you represented D.T. in a matter pending in Wake County Superior Court. You filed an answer on D.T.'s behalf in June 2020 and continued to advise D.T. about the case after your license was suspended. You failed to appear at a hearing on behalf of D.T. in December 2020, forcing the matter to be continued. D.T. was unaware of your suspension and expected you to represent him at the December 2020 hearing. You did not notify opposing counsel or the court of your suspension.

In the fall of 2020, T.C. hired you to contest the validity of her estranged mother's will, which disinherited T.C. You contacted the management of the assisted living facility where T.C.'s mother resided to assist T.C. in obtaining her mother's car, original will, and other legal documents. T.C.'s


mother died shortly thereafter, and the administrators of her estate filed suit against T.C. seeking to compel her to produce the original will so it could be probated. At a February 2021 hearing in that case, T.C. told the court you were representing her but could not be there because you had another hearing that day. The matter was continued until April. You accompanied T.C. to the April 2021 hearing. Although you did not identify yourself as her counsel, you wore a suit and tie, carried a briefcase, and sat directly behind T.C. in the courtroom.

By representing D.T. and T.C. when your law license was suspended, you engaged in the unauthorized practice of law in violation of Rule 5.5(a). In D.T.'s matter, you failed to adequately communicate with your client in violation of Rule 1.4(a) and (b), failed to act with reasonable diligence in violation of Rule 1.3, and failed to withdraw in violation of Rule 1.16(b). Your conduct in D.T.'s case wasted court time and resulted in unnecessary delay, thereby prejudicing the administration of justice in violation of Rule 8.4(d). By assisting T.C. in obtaining and secreting her mother's original will you engaged in conduct prejudicial to the administration of justice in violation of Rule 8.4(d). Finally, you failed to respond to the Letters of Notice regarding these two grievances in violation of Rule 8.1(b).

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 the 9th day of November, 2021.



Matthew W. Smith, Chair
Grievance Committee
The North Carolina State Bar

MWS/lb