

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
18G0202 & 18G0458

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IN THE MATTER OF	)	
	)	REPRIMAND
ALTON R. WILLIAMS,	)	
ATTORNEY AT LAW	)	

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On October 25, 2018 the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by T. W. and L. P. 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 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.

In 2014, Mr. T. W. retained you to represent him in driving while impaired and speeding charges. Mr. W. lived out of state and you had to request continuances of his case because he could not be in North Carolina for court hearings. On one occasion, Mr. W. was called and failed for his failure to appear in court. According to Mr. W., you did not tell him that he had been called and failed and he learned about that disposition by calling the clerk's office.

Although you stated that you told Mr. W. that he was called and failed in court, you had no proof that you had communicated this to him.

Mr. W.'s case was finally resolved in October 2018, after Mr. W. filed this grievance against you. The Grievance Committee found that your failure to diligently attend to this case violated Rule 1.3 of the Rules of Professional Conduct. Your failure to diligently communicate with Mr. W., especially about the called and failed entered in court, violated Rule 1.4(a)(3).

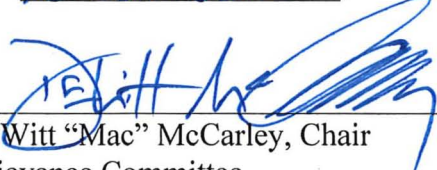
In June 2009, Ms. L. P. retained you to handle a personal injury case. You settled her case in March 2012. You disbursed funds to yourself, medical providers and Ms. P., and you retained \$6,000.00 in your trust account to satisfy a subrogation claim against Ms. P.'s settlement. You indicated that you communicated with the subrogation claim holder, as well as Ms. P. over the six years that you retained the money in your trust account. However, you had no proof that you had communicated with Ms. P. about the status of the funds in your trust account and you had no proof that you had communicated with the subrogation claim holder about the status of the case.

The Grievance Committee found that you failed to diligently attend to Ms. P.'s case in violation of Rule 1.3 and you failed to diligently communicate with Ms. P. in violation of Rule 1.4(a)(2)(3). In issuing this reprimand, the Grievance Committee noted that you were admonished in 2015 for neglect and failure to keep your client informed of the status of his case and you were also admonished in 2016 for failure to communicate with your client regarding the status of his case and failure to respond promptly to deputy counsel's follow-up questions regarding the grievance.

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 14<sup>th</sup> day of November, 2018.

  
DeWitt "Mac" McCarley, Chair  
Grievance Committee

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