

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
10G1211

IN THE MATTER OF	)	
	)	
Camilla J. Davis,	)	CENSURE
ATTORNEY AT LAW	)	
	)	

On April 21, 2011, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar.

Pursuant to section .0113(a) of the Discipline and Disability Rules 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, 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 J.M.C. in a domestic case in which you filed a motion to modify custody, a motion for contempt, and a motion for emergency relief. In November 2009, the court entered an order dismissing all three of those motions. You timely filed a notice of appeal and a request for transcript, but thereafter failed to perfect your client's appeal. You did not advise J.M.C. of this error and instead misled him into believing that the appeal was progressing appropriately for the ensuing eight months.

You failed to respond to some of J.M.C.'s appeal-specific inquiries and when you did respond, you tried to dissuade him from pursuing the appeal. Your failure to pursue your client's appeal constitutes a lack of diligence in violation of Rule 1.3. Your failure to keep J.M.C. reasonably

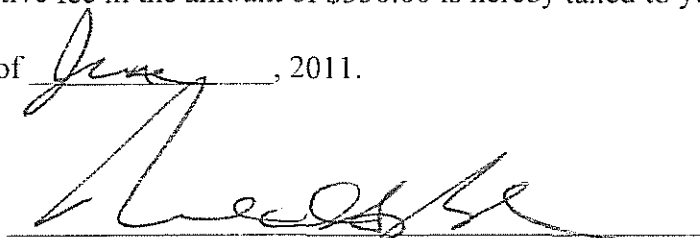
informed about the status of the matter, failure to promptly comply with reasonable requests for information, and failure to explain a matter to the extent necessary to permit your client to make an informed decision about the representation was in violation of Rule 1.4(a) and (b).

By attempting to dissuade your client from pursuing the appeal and lying to him about the status of the appeal, you engaged in conduct involving dishonesty, deceit, or misrepresentation in violation of Rule 8.4(c). Your misconduct caused actual harm to your client in that his right to appeal was compromised. Nonetheless, the Committee found significant mitigating circumstances, including the fact that this was an isolated incident, your lack of prior discipline, and your sincere expression of remorse.

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 2 day of June, 2011.

A handwritten signature in black ink, appearing to read "Ronald G. Baker, Sr.", written over a horizontal line.

Ronald G. Baker, Sr., Chair
Grievance Committee
The North Carolina State Bar