NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
19G0610

IN THE MATTER OF	)	
	)	REPRIMAND
ISABEL L. GUZMAN-URESTY,	)	
ATTORNEY AT LAW	)	

On April 16, 2020, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

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.

Former North Carolina licensed attorney Alexander Lapinski ("Lapinski") pled guilty in federal court to one count of unlawful procurement of citizenship or naturalization. He was disbarred in North Carolina and from practicing before the Board of Immigration Appeals, Immigration Courts, and the Department of Homeland Security.

You were employed as an associate attorney by Lapinski at the time of the acts which resulted in his disbarment and later employed Lapinski as your office manager after his disbarment became effective. In addition to his administrative duties, you permitted Lapinski to provide substantive assistance in the preparation of documents and forms submitted to the immigration courts and other government agencies. Lapinski's substantive assistance in the preparation of these documents and forms constituted law clerk or paralegal work. Your conduct violated Rules 5.5(g) and 8.4(d).

You also employed Lapinski's wife as a legal assistant. You provided excessive compensation to Lapinski and his wife, often greater than the compensation you received as the sole owner and attorney at your firm. Regardless of the specifics of your arrangement with the Lapinskis, or lack thereof, your excessive compensation to the Lapinskis violated Rule 5.4(a)

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 11th day of May, 2020.

A. Todd Brown, Sr.

A. Todd Brown, Sr., Chair
Grievance Committee

ATB/lb