

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
12G0458

IN THE MATTER OF)	
)	REPRIMAND
C. CALEB DECKER,)	
ATTORNEY AT LAW)	

On October 22, 2015 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.

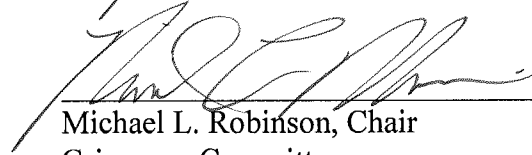
A 2011 random audit of your trust account revealed that you were not in compliance with a number of the Rules of Professional Conduct involving trust accounting. Among the violations were: (a) failure to maintain individual client ledgers for each person on whose behalf you received entrusted funds in violation of Rule 1.15-3(b)(5); (b) failure to conduct required

reconciliations in violation of Rule 1.15-3(d); (c) failure to consistently provide written accountings of your receipt and disbursement of entrusted funds in violation of Rule 1.15-3(e); (d) failure to provide an NSF directive to your bank in violation of Rule 1.15-2(k); (e) occasional failure to promptly disburse entrusted funds in violation of Rule 1.15-2(m); and (f) not maintaining deposit slips in violation of Rule 1.15-3(b)(1). The following factors were determinative in the Committee's decision that a reprimand is the appropriate discipline: (1) that you responded promptly and fully to the State Bar throughout the pendency of this grievance, and (2) that you provided documentation showing corrections of all deficiencies in your trust accounting procedures, including consistent proper reconciliations.

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 6th day of November, 2015.



Michael L. Robinson, Chair
Grievance Committee

MLR/hp