

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
12G1144

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IN THE MATTER OF )

Jeffrey G. Marsocci, )  
Attorney At Law )

REPRIMAND )

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On April 18, 2013 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by M. L.

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 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.

You are associated with the National Institute for Domestic Partner Estate Planning, LLC (Institute). You indicated on the website that you were a founding member of the Institute, although you claim that there were several program graduates of the Institute who are also founding members. You put out conflicting and misleading information as to the founders of this organization, in violation of Rule 7.1(a)(1).

The Institute was administratively dissolved in 2010 for failure to comply with requirements of the North Carolina Secretary of State's office. Yet, you kept the website up. The Grievance Committee found that this was a misleading communication about the Institute and your services in violation of Rule 7.1(a)(1).

You indicated on your website that you were the senior attorney in your law firm when you are the only attorney in your law firm. This is a false or misleading communication in violation of Rule 7.1(a)(1).

You stated that you were an education specialist. The North Carolina State Bar does not certify specialists in education law. Your statement about being an education specialist violated Rule 7.4(b).

You stated on your website that you were a leading trust attorney. You cannot make such a statement unless you can factually substantiate it. Your statement that you are a leading trust attorney violated Rule 7.1(a)(3).

Your URL for your law firm's website is not registered with the North Carolina State Bar as a trade name for your firm in violation of Rule 7.5(a).

The Olympic Golden Retirement Organization sponsored estate planning seminars and an organization representative implied that you were an expert in estate law. Although you indicated that you didn't authorize the organization to make that statement, the representations of your expertise violated Rule 7.4(b) and 8.4(a).

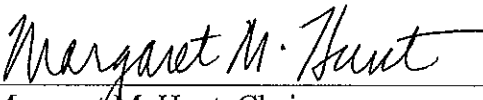
You have a designation of "Legal Master of Estate Preservation." This designation would lead one to believe that you have some expertise or specialization in estate planning. You are not a board certified specialist in estate planning and to designate yourself as a Legal Master for Estate Preservation violates Rule 7.1(a)(1)(2) and 7.4(b).

The Grievance Committee appreciated your willingness to revise your website in order to comply with the rules of ethics. The Grievance Committee advises you to consult the ethics counsel of the North Carolina State Bar about any future advertising.

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 6<sup>th</sup> day of May, 2013.



Margaret M. Hunt, Chair  
Grievance Committee

MMH/lr