

You represented Charles Jolley's wife, Sherry Jolley, in a motion to increase child support. Sonya McGraw represented Mr. Jolley. A hearing was held on October 27, 1998 regarding your client's motion.

You prepared an order for the judge to sign regarding the increased child support. In your response to this grievance, you told the Grievance Committee that the order was prepared based upon an agreement you believed you had with Ms. McGraw.

You faxed a copy of the order you prepared to Ms. McGraw on November 24, 1998 for her review. Apparently you heard nothing from Ms. McGraw in response to your request that she review the proposed order.

You then faxed the proposed order and a letter to Ms. McGraw on December 15, 1998. In your letter of December 15 you state that if you have not heard from her by December 18, you would assume that the order was satisfactory and the order would be submitted to the judge for his signature. Ms. McGraw communicated with you by fax on December 15, 1998 and indicated that she was not in agreement with your proposed order. She said that the new amount of child support seemed too high. She further stated that she would try to contact Mr. Jolley.

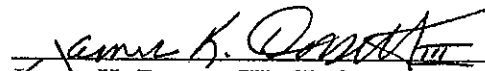
Despite Ms. McGraw's disagreement with your proposed order, you submitted it to the judge for his signature as if Ms. McGraw had agreed to the order as drafted. You filed the order on January 19, 1999. Ms. McGraw did not receive a copy of the signed order until January 29, 1999.

The Grievance Committee found that you violated Rule 8.4(c) of the North Carolina State Bar's Revised Rules of Professional Conduct when you presented the order to the judge when you knew that Mr. Jolley's lawyer did not agree with your proposed order. The Grievance Committee also found that your conduct violated Rule 8.4(d) of the North Carolina State Bar's Revised Rules of Professional Conduct.

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 October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a censure by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this the 17 day of August, 1999.


James K. Dorsett III, Chair
Grievance Committee

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