

NORTH CAROLINA

WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
19G1169 and 20G0243

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IN THE MATTER OF

VALERIE B. QUEEN,  
ATTORNEY AT LAW

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REPRIMAND

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On October 21, 2020, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by L.I. and the North Carolina State Bar. The grievances were assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of these matters.

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 responses to the letters 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.

Mr. I retained you to represent him in a personal injury case in April 2019. Mr. I settled his claim in July 2019. You indicated that you received a cashier's check made payable to you and Mr. I from the insurance company. You cashed the check and gave him his portion of the settlement in cash. The cashier's check should have gone into a trust account as you received these funds in trust for your client. Your failure to deposit the cashier's check into a trust account violated Rule 1.15-2(b).

It appears that you do not have a trust account. The N.C. State Bar's IOLTA program has no record of you having a trust account. State Bar deputy counsel asked if you had a trust account, but you did not respond to her question. Your failure to have an IOLTA trust account violated Rule 1.15-2(b). Your failure to respond to the deputy counsel's question about whether you had a trust account violated Rule 8.1(b) and Rule 8.4(d).

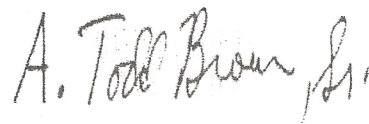
Furthermore, you did not give Mr. I a settlement statement which shows how the funds were disbursed in his personal injury case, in violation of Rule 1.15-3(e). This rule required you to provide a written accounting of the receipt and disbursement of all entrusted funds upon the complete disbursement of the entrusted funds.

You represented Mr. J.U. in a lawsuit against the University of North Carolina in federal court. A show cause hearing was held on February 26, 2020 because you did not comply with local rules and file either a notice of appearance, a notice of substitution of counsel, or a motion to withdraw in Mr. U's case. On February 27, 2020, the court ordered you to (1) attend CM/ECF training on March 18, 2020 in Raleigh, NC; (2) get admitted to the bar of the federal court by March 20, 2020; (3) file notice of appearance by March 20, 2020; and (4) secure competent co-counsel, as was discussed with the judge at the February 26, 2020 hearing. Due to your repeated failures to comply with the court's previous orders and local rules, the court warned you that your failure to comply with the February 27, 2020 order may result in the court referring you to the North Carolina State Bar. You did not comply with the court's February 27, 2020 order. Although you gave reasons for not complying with the court's orders, the Grievance Committee did not find those reasons compelling enough to disregard the court's order. Your failure to obey the court's orders violated Rule 8.4(d).

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 13<sup>th</sup> day of November, 2020.



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A. Todd Brown, Sr., Chair  
Grievance Committee