

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
14G0151

IN THE MATTER OF	)	
	)	
Victoria L. Block,	)	REPRIMAND
Attorney At Law	)	
	)	

On July 24, 2014 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by R. S.

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.

R. S. hired you in 2008 to handle the administration of the estate of his brother. You failed to timely file annual accountings, and the clerk of court issued notices regarding those late filings. You stated in your response to the Grievance Committee that you had no explanation for the late filings, other than the press of work and your perception of the court clerks’ lenient attitude toward compliance with filing deadlines. The Grievance Committee found that your

failure to file promptly the annual accountings in the estate violated Rule 1.3 of the Rules of Professional Conduct.

You agreed to handle tax issues associated with the estate. You told Complainant that you would communicate with the IRS about the estate tax issues, but you did not talk with the IRS about those issues. Your failure to diligently attend to the tax accounting issues violates Rule 1.3. You admitted in your response to this grievance that you did not have the expertise to handle the tax issues and that you should have consulted "a more experienced attorney to assist me in handling this estate due to its complexity..." The Grievance Committee found that you violated Rule 1.1 since you were not competent to handle the tax issues without associating with a lawyer who was competent to handle the matter.

The Grievance Committee also found that you failed to adequately and promptly communicate with Mr. S. about the status of his brother's estate, in violation of Rule 1.4(a)(3) and (4).

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 15th day of August, 2014.



John M. Silverstein, Chair
Grievance Committee

JMS/lb