



NORTH CAROLINA

STATE BAR

2019 ANNUAL
REPORT

Who We Are

2019-2020 Officers



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President-Elect



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G. Gray Wilson
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Councilors, By Judicial District

- | | | |
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| 3: Charles R. Hardee, Greenville | 16: Dorothy Hairston Mitchell, Durham | 27: Jennifer Davis Hammond, Salisbury |
| 4: Scott C. Hart, New Bern | William S. Mills, Durham | 28: John Webster, Albemarle |
| 5: Kevin Joseph Kiernan, Clinton | 17: Charles E. Davis, Mebane | 29: Richard Costanza, Southern Pines |
| 6: W. Allen Cobb Jr., Wilmington | 18: Charles Gordon Brown, Chapel Hill | 30: H. Ligon Bundy, Monroe |
| 7: Takiya Fae Lewis, Ahoskie | 19: William C. Fields Jr., Raeford | 31: George M. Cleland IV, Winston-Salem |
| 8: Charles S. Rountree III, Tarboro | 20: Joshua Dale Malcolm, Pembroke | Kevin G. Williams, Winston-Salem |
| 9: C. Branson Vickory III, Goldsboro | 21: Richard Buckner, Rockingham | 32: Kimberly S. Taylor, Taylorsville |
| 10: Jule L. Bell, Raleigh | 22: Matthew W. Smith, Eden | 33: Sally Strohacker, Mocksville |
| Heidi C. Bloom, Raleigh | 23: Thomas W. Anderson, Pilot Mountain | 34: John S. Willardson, Wilkesboro |
| Walter E. Brock Jr., Raleigh | 24: Patrice A. Hinnant, Greensboro | 35: Andrea N. Capua, Boone |
| Theodore C. Edwards II, Raleigh | Stephen E. Robertson, Greensboro | 36: M. Alan LeCroy, Morganton |
| Katherine Ann Frye, Raleigh | 24H: Raymond A. Bretzmann, High Point | 37: Clark R. Bell, Asheboro |
| Fred M. Morelock, Raleigh | 25: Jay White, Concord | 38: Timothy L. Patti, Gastonia |
| Robert Rader, Raleigh | 26: David N. Allen, Charlotte | 39: Rebecca J. Pomeroy, Lincolnton |
| Warren Savage, Raleigh | Robert C. Bowers, Charlotte | 40: Anna Hamrick, Asheville |
| 11: James Thomas Burnette, Oxford | A. Todd Brown, Charlotte | 41: H. Russell Neighbors, Marion |
| 12: Eddie S. Winstead III, Sanford | Mark P. Henriques, Charlotte | 42: Michael A. Lovejoy, Hendersonville |
| 13: Dionne Loy Fortner, Smithfield | Dewitt McCarley, Charlotte | 43: Gerald R. Collins Jr., Murphy |



The background image shows the exterior of the North Carolina State Bar building. The building is a large, curved, classical-style structure with columns and a pediment. The words "THE NORTH CAROLINA STATE BAR" are visible on the facade. The sky is blue with scattered white clouds.

What We Do

The North Carolina State Bar is the government agency that regulates the legal profession for the protection of the public. The State Bar currently regulates over 29,000 active North Carolina lawyers. Although the State Bar is responsible for the administration of numerous programs for the improvement of the legal profession, the key regulatory responsibilities of the State Bar are the promulgation of the Rules of Professional Conduct and the investigation and prosecution of lawyers who violate the State Bar's code of ethics.

Protect the Public

The State Bar protects the public by issuing professional discipline to lawyers. Allegations of lawyer misconduct are investigated by the State Bar's professional staff and reviewed by the Grievance Committee of the State Bar Council. Cases that are not resolved at the Grievance Committee level are tried before the Disciplinary Hearing Commission, an independent administrative tribunal composed of lawyers and nonlawyers.

Advise Lawyers on Ethical Questions

The State Bar provides advice to lawyers who are faced with ethical questions through its Ethics Committee and its professional staff. The committee

regularly reviews and recommends changes to the North Carolina Rules of Professional Conduct, the ethical code to which North Carolina lawyers must conform their conduct and pursuant to which a lawyer may receive professional discipline.

Investigate Unauthorized Practice of Law

The State Bar, through its Authorized Practice Committee and professional staff, investigates complaints and obtains injunctions to prevent violations of the statutes prohibiting the unauthorized practice of law. These cases often involve nonlawyers who mislead the public about their ability to provide legal services and who take money from members of the public without providing the offered service.



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Our Programs

Attorney-Client Assistance

Responds to thousands of inquiries each year from members of the public who need assistance with their lawyers.

Client Security Fund

Reimburses clients who suffered financial loss as a result of dishonest conduct by lawyers.

Continuing Legal Education

Establishes annual minimum educational requirements and enforces lawyers' compliance with these standards. nccle.org

Fee Dispute Resolution

Offers clients a way to resolve their fee disputes with their lawyers. All lawyers are required to participate in the process when initiated by a client.

Interest on Lawyers' Trust Accounts

IOLTA collects interest on lawyers' general, pooled trust accounts and makes grants under the direction of its board, primarily to programs that provide free civil legal aid to low-income North Carolinians. nciolta.org

Law Practice Wind Down

Facilitates the wind down of law practices of lawyers who are unavailable due to death, disappearance,

disability, or disbarment by identifying and providing resources to court-appointed trustees.

Law School Third-Year Practice

Certifies law students as eligible for supervised clinical practice in the courts in accordance with certain criteria.

Lawyer Assistance Program

Protects the public from impaired lawyers, and assists lawyers suffering from and impaired by chemical dependency and/or mental illness. nclap.org

Legal Assistance for Military Personnel

Provides training for military and civilian lawyers to enable them to better serve the legal needs of members of the armed services and their dependents in North Carolina. nclamp.gov

Paralegal Certification

Certifies paralegals who meet certain criteria indicative of special competence in their profession. nccertifiedparalegal.gov

Specialization

Certifies lawyers who satisfy certain criteria demonstrating special substantive knowledge, skill, and proficiency in 13 areas of law. This assists the public to identify a lawyer that more closely matches their needs with available services. nclawsspecialists.gov



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Our Financials and Stats

0% Dues Increase Since 2010—29,800 Members

Income

Dues	\$8,689,115
Penalties, Fines, and Fees	\$521,007
CLE Board Contribution	\$323,099
Board Reimbursements	\$121,559
Publications	\$46,836
Foundation	\$53,984
Rent	\$30,632
Miscellaneous	\$42,641
Interest	\$13,152
Total Income	\$9,842,025

Program Expenses

Discipline and Ethics	\$6,172,419
Administrative	\$2,783,447
Lawyer Assistance	\$699,955
Board Costs	\$289,028
Publications	\$133,793
Total Program Expenses	\$10,078,642

Operating Expenses

Personnel	\$6,340,660
Council & Committees	\$1,244,952
Building Expenses	\$1,426,382
Office Expenses	\$986,982
Misc. Trial Expenses	\$79,666
Total Operating Expenses	\$10,078,642

Disciplinary Results

Admonitions	37
Reprimands	31
Censures	10
Suspensions	18
Disbarments	9

The Grievance Committee resolved 1,211 files.

Answering Questions of Legal Ethics

Advice given to 4,808 ethics inquiries.

Protecting the Public

The Attorney-Client Assistance Program responds to inquiries from members of the public—9,629 calls from clients and other members of the public, 3,001 letters from inmates, and 6,751 email messages from clients and lawyers.

The Authorized Practice Committee resolved 73 investigations.

The Client Security Fund paid 50 claims totaling \$235,140.24 to members of the public.

19 injunctions were sought and obtained against lawyers when prompt action was needed to protect the public.

20 trustees were appointed to protect clients of deceased, disabled, or disbarred lawyers.



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2019 Highlights



State Bar Hosted Opioid Summit

The North Carolina State Bar Opioid Summit was held on October 4, 2019, at the State Bar. Attendees heard from individuals in recovery, impacted family members, leading experts, and practicing lawyers about the opioid epidemic in North Carolina and how it impacts the legal profession. Chief Justice Cheri L. Beasley and then State Bar President Gray Wilson gave introductory remarks, followed by a keynote address from North Carolina Attorney General Josh Stein.

The morning agenda included presentations on the state's response to the epidemic (Anna Stein, NCDHHS), the science of opioid use (Dr. Blake Fagan), a view from the bench (Judge J.H. Corpening), and the prosecutor's perspective (District Attorney Ben David).

During lunch, attendees were inspired by a panel of individuals, most in long-term recovery from opioid misuse, who serve their communities in many ways, including efforts at harm reduction. The afternoon included a heartbreaking account from Charlotte Senior Deputy City Attorney Hope Root, who spoke candidly about her son's struggle with opioid use.

The day concluded with a panel of practicing lawyers discussing representation of clients who suffer from opioid use disorder, which was moderated by Smithfield Lawyer Marci Armstrong and State Bar Ethics Counsel Brian Oten.

Additional Transparency

As part of the State Bar's efforts to increase transparency, we have continued the live streaming of the quarterly meetings of the State Bar Council on Facebook.

Additionally, the State Bar began production of a podcast—BarTalk. The premiere episode, which gives an overview of the January 2020 meeting of the council, is available at bit.ly/32vzWTa.

Increased Legal Education Opportunities

This fall the Supreme Court approved amendments to the rules governing the Continuing Legal Education (CLE) program to eliminate the six hour on demand cap on CLE courses. Education is the primary purpose of CLE, and lawyers should have more opportunities to satisfy their requirements with the removal of the cap.

IOLTA Income Increased over 70%

Participant income received by IOLTA in 2019 exceeded \$5.1 million, an increase of 70% over 2018, and the program's highest annual participant income to date. With improved funds available, IOLTA increased regular grantmaking by 75%, and also made a significant contribution to the board-established grantmaking reserve fund to plan for future economic downturns when income dips.



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