

SUPREME COURT OF SOUTH CAROLINA

In re Harrison

356 S.C. 1 (2003) · Decided September 29, 2003

SUMMARY

The South Carolina Supreme Court accepted an attorney's Agreement for Discipline by Consent and suspended him from practicing law for thirty days. The misconduct involved inadequate communication, failure to provide candid advice, misrepresentations about the status of a case, failure to reduce a contingent fee agreement to writing, and allowing the statute of limitations to expire.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Per Curiam; Chief Justice Toal; Justice Waller; Justice Burnett; Justice Pleicones; Justice Moore
JURISDICTION	South Carolina
DECIDED	September 29, 2003
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding submitted to the Supreme Court of South Carolina pursuant to an Agreement for Discipline by Consent under Rule 21, RLDE.
PRECEDENTIAL VALUE	Published opinion

TOPICS

administrative law

PRACTICE AREAS

legal ethics attorney discipline professional responsibility

QUESTIONS PRESENTED

1. Whether the court should accept the respondent's Agreement for Discipline by Consent.
2. Whether the admitted conduct violated the cited Rules of Professional Conduct and warranted a thirty-day suspension.

HOLDINGS

1. The court accepted the Agreement for Discipline by Consent and imposed the agreed-upon thirty-day suspension from the practice of law.
2. Respondent's conduct violated Rules 1.3, 1.4, 1.5(c), 1.16(d), 2.1, 3.2, and 8.4(a) of the South Carolina Rules of Professional Conduct.

KEY QUOTATIONS

"We hereby accept the Agreement for Discipline by Consent and suspend respondent from the practice of law in this state for thirty days." (356 S.C. at 4)

FACTUAL BACKGROUND

Harrison represented a client and her children concerning injuries from an automobile accident. He failed to put the contingent-fee agreement in writing, maintained little communication with the client, failed to provide candid advice about the weaknesses of the claim, misrepresented the status of the matter, and failed to advise the client of the applicable statute of limitations. His inaction and lack of timely advice caused the client and her children to lose any potential recovery when the limitations period expired.

PROCEDURAL HISTORY

Respondent David R. Harrison and the Office of Disciplinary Counsel entered into an Agreement for Discipline by Consent. Harrison admitted professional misconduct and consented to a thirty-day suspension. The Supreme Court accepted the agreement, imposed the suspension, and later granted Harrison's request for reinstatement after he filed an affidavit of compliance.

DISPOSITION

other

CASES CITED

- In the Matter of Harrison, 322 S.C. 444, 472 S.E.2d 620 (1996)