



### **Public Sanctions Imposed**

**Mediator:** Ronald H. Garber, Esq.

**Sanction:** Public Admonishment

**Date:** February 6, 2020

The Commission's Grievance and Disciplinary Committee met on December 11, 2019, to consider the renewal application submitted on September 27, 2019, by Mr. Ronald Garber. The Revised Rules of the NC Supreme Court for the Dispute Resolution Commission (hereinafter "DRC Rules"), Rule IX.C.(1), provides, in part, that certain matters regarding a mediator's moral character, conduct, or fitness to practice shall be forwarded directly to the Grievance and Disciplinary Committee for review.

Mr. Garber's application provided that the NC State Bar issued a Public Reprimand to Mr. Garber on August 7, 2019, for professional misconduct.

The Revised Rules Implementing Statewide Mediated Settlement Conferences and Other Settlement Procedures in Superior Court Civil Actions (hereinafter "MSC Rules"), Rule 8.E, states that, "[o]nce certified, a mediator shall report to the Commission within (30) days of receiving notice any subsequent criminal convictions(s); any disbarment(s) or revocation(s) of a professional license(s), other disciplinary complaint(s) filed with or action taken by, a professional licensing or regulatory body; and judicial sanction(s); any tax lien(s); any civil judgment(s) or any filing(s) for bankruptcy".

Mr. Garber failed to disclose a pending grievance from the NC State Bar as required by MSC Rules, Rule 8.E. and the DRC Rules, Rule VII.

Pursuant to the DRC Rules, the Grievance and Disciplinary Committee deliberated and determined probable cause existed to believe that the applicant's conduct was inconsistent with good moral character, and in violation of the DRC Rules and the MSC Rules.

The Grievance and Disciplinary Committee takes seriously the Commission's charge to ensure that mediators it certifies and whose certifications it renews are of good moral character. The Committee was concerned about Mr. Garber's lack of candor to the Commission by failing to report the pending grievance and the disciplinary action taken by the NC State Bar and determined to sanction Mr. Garber by imposing a public admonishment.

Mr. Garber declined to appeal the Grievance and Disciplinary Committee's decision to issue a sanction to the full Commission. Therefore, the Grievance and Disciplinary Committee's determination to impose a sanction on Mr. Garber of a public, written admonishment, pursuant to DRC Rule IX.E(10)(b) stands.

You are hereby admonished by the North Carolina Dispute Resolution Commission for your conduct inconsistent with good moral character and violation of DRC Rules, Rule VII and MSC Rules, Rule 8.E., and hereby shall not designate and/or accept mediations that are court-appointed from February 6, 2020 through February 6, 2023. The Commission trusts that you will heed this admonishment, 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 established for mediators serving in North Carolina.