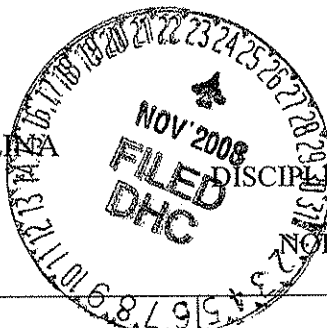


STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
08 DHC 21

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

RACHEL LEA HUNTER., Attorney,

Defendant

COMPLAINT

Plaintiff, complaining of defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar (“plaintiff” or “the State Bar”), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the rules and regulations of the North Carolina State Bar promulgated thereunder.

2. Defendant, Rachel Lea Hunter (“defendant”), was admitted to the North Carolina State Bar on January 25, 2002, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

Upon information and belief plaintiff alleges:

3. During all or a portion of the relevant periods referred to herein, defendant was actively engaged in the private practice of law in the city of Durham, Durham County, North Carolina.

4. Beginning before December 2006 and as of the date of the filing of this complaint, defendant maintains a website on the internet located at www.rachelforjustice.com (“the website”).

5. The website previously served, among other things, as an internet-based advertisement supporting defendant's campaign to be elected as a Justice on the Supreme Court of North Carolina in November 2006.

6. The website also previously served as an internet-based advertisement supporting defendant's campaign to be elected as a Judge on the North Carolina Court of Appeals in November 2008.

7. The website currently serves as an internet-based advertisement supporting defendant's campaign to be elected as a Justice on the Supreme Court of North Carolina in November 2010.

8. Presently and at all times relevant to this complaint, the website contained defendant's political, personal, and legal opinions.

9. From as early as March 10, 2006, defendant referred to herself as "Madame Justice" on the website.

10. From as early as March 10, 2006, the website also contained a forum for visitors to ask questions of defendant entitled, "Ask Madame Justice."

11. On or about February 27, 2006, the North Carolina State Board of Elections informed defendant that it would not list her as a candidate on the ballot for election to the Supreme Court of North Carolina under the nickname "Madame Justice," stating that to do so clearly implied that she was currently a female Justice of the Supreme Court.

12. Defendant was not a female Justice of the Supreme Court on or about February 27, 2006.

13. The State Board of Elections notified defendant that it found defendant's use of the term "Madame Justice" to be misleading to voters.

14. On or before September 11, 2006, the State Bar notified defendant that the use of the term "Madame Justice" was misleading and constituted a violation of the Revised Rules of Professional Conduct.

15. Despite such notice, defendant continued to use the term "Madame Justice" on her website in various ways between December 13, 2006 and June 10, 2008, including but not limited to as follows:

- (a) The website contained a link to the section entitled "Ask Madame Justice."
- (b) The website included references to "Madame Justice," and invited visitors to submit questions and stated "[q]uestions submitted by the campaign will be answered candidly here by 'Madame Justice'."

16. On or about July 24, 2007, the website contained a red circle with a line through it over the words "Ask Madame Justice" and contained the words "[d]eleted by the North Carolina Bar In A [sic] Effort to Suppress the First Amendment and Free Speech."

17. The term "Madame Justice" has historically been used to refer to a female member of the judiciary.

18. The term "Madame Justice" is presently used to refer to a female member of the judiciary.

19. Defendant has never been a member of the judiciary.

20. Specifically, during the time that defendant maintained the website referenced in this complaint she was not a member of the judiciary.

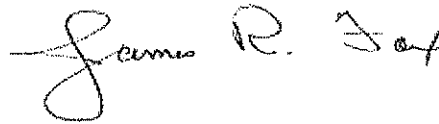
THEREFORE, plaintiff alleges that defendant's foregoing actions constitute grounds for discipline pursuant to N.C.G.S. § 84-28(b)(2) in that defendant violated one or more of the Revised Rules of Professional Conduct in effect at the time of the conduct as follows:

- (a) By referring to herself on the website as "Madame Justice" defendant made a false or misleading communication about herself in violation of Rule 7.1(a); and
- (b) By referring to herself on the website as "Madame Justice" defendant made an intentional and knowing misrepresentation of her identity or qualifications in violation of Canon 7(C)(3) of the Code of Judicial Conduct which is in violation of Rule 8.2(b).

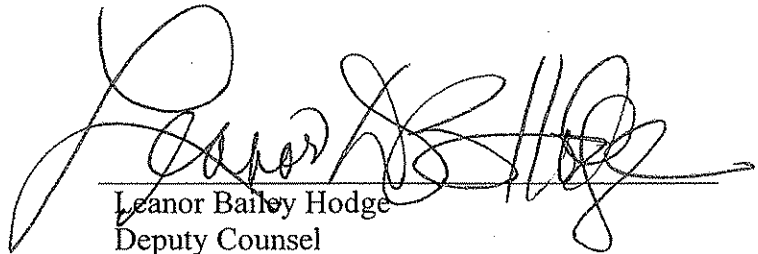
WHEREFORE, plaintiff prays that:

- (1) Disciplinary action be taken against defendant in accordance with N.C. Gen. Stat. § 84-28(c) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114) as the evidence on hearing may warrant;
- (2) Defendant be taxed with all costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

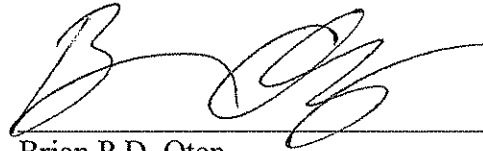
This the 24th day of November, 2008.



James R. Fox, Chair
Grievance Committee



Leonor Bailey Hodge
Deputy Counsel
State Bar Number 27253



Brian P.D. Oten
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