STATE OF NORTH CAROL

WAKE COUNTY

BEFORE THE
PLINARY HEARING COMMISSION
OF THE
ORTH CAROLINA STATE BAR
11DHC18

THE NORTH CAROLINA STATE BAR,

v.

Plaintiff

CONSENT ORDER
TRANSFERRING DEFENDANT TO
DISABILITY INACTIVE STATUS

LAURA G. JOHNSON, ATTORNEY

Defendant

THIS MATTER was considered by a hearing panel of the Disciplinary Hearing Commission composed of Fred M. Morelock, Chair, Joshua W. Willey and Patti Head. Leanor Bailey Hodge represented the North Carolina State Bar. Defendant, Laura G. Johnson, represented herself. The parties stipulate and agree to the findings of fact and conclusions of law recited in this consent order and to the transfer of Defendant to disability inactive status. Defendant freely and voluntarily waives any right to appeal the entry of this consent order transferring her to disability inactive status.

Based upon the stipulations of fact and the consent of the parties, the hearing panel hereby finds by clear, cogent and convincing evidence the following:

FINDINGS OF FACT

- 1. The North Carolina State Bar (hereafter "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, Laura G. Johnson (hereafter "Johnson"), was admitted to the North Carolina State Bar on 4 September 1998 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.
- 3. On 12 December 2011, a Consent Order of Discipline was entered in this matter (hereafter, the "Order"). Pursuant to the Order, Johnson was suspended from the practice of law for two years. The suspension of Johnson's law license was stayed for three years upon her compliance with numerous conditions.

- 4. On 14 October 2014, the State Bar filed a Motion for Order to Show Cause alleging that Johnson failed to comply with certain terms of the stay of her suspension.
- 5. On 6 November 2014, the Chair of the Disciplinary Hearing Commission issued an order requiring Johnson to appear and show cause why an order should not be entered by the hearing panel activating suspension of Johnson's license to practice law in North Carolina.
- 6. On 7 October 2013, Johnson informed the State Bar that since 2011 she had "virtually stopped" performing legal services due to illness.
 - 7. The illness from which Johnson suffers is depression.
- 8. Johnson has been receiving treatment for her depression from the Haymount Institute of Psychological Services, PLLC since 2011. Johnson's treatment has not progressed such that she is able to fulfill the responsibilities attendant to the practice of law.
- 9. Johnson's ability to practice law has been impaired by her depression and also by posttraumatic stress disorder.
- 10. Johnson's depression and posttraumatic stress disorder are conditions that significantly impair her performance and competence as an attorney.
 - 11. Johnson requests and consents to be transferred to disability inactive status.

Based on the foregoing Findings of Fact and the consent of the parties, the hearing panel makes the following

CONCLUSIONS OF LAW

- 1. All parties are properly before the Disciplinary Hearing Commission, and the Disciplinary Hearing Commission has jurisdiction over Defendant and over the subject matter of this proceeding.
- 2. Johnson is disabled within the meaning of 27 N.C. Admin. Code 1B § .0103(19) and should be transferred to disability inactive status pursuant to 27 N.C. Admin. Code 1B § .0118 and N. C. Gen. Stat. § 84-28(g).
 - 3. Johnson should be transferred to disability inactive status with the State Bar.
- 4. Johnson and the State Bar voluntarily consent to Johnson's transfer to disability inactive status pursuant to 27 N.C. Admin. Code 1B § .0118.
- 5. Any pending or future grievances against Johnson and this disciplinary proceeding should be stayed during the period of disability.

THEREFORE, it is hereby ORDERED:

1. Laura G. Johnson is transferred to disability inactive status.

- 2. Johnson shall not practice law in North Carolina until she is no longer disabled and has been returned to active status as a member of the North Carolina State Bar pursuant to the procedures set out in 27 N.C. Admin. Code 1B § .0125(c).
- 3. Any pending or future grievances against Johnson and this disciplinary proceeding are hereby stayed during the period of disability until such time as Johnson returns to active status. The State Bar may continue to investigate allegations of misconduct and preserve evidence as necessary pursuant to 27 N.C. Admin. Code 1B § .0118(e).

This, the <u>20</u> day of <u>February</u>, 2015.

Fred M. Morelock, Chair

Hearing Panel

CONSENTED TO:

Leanor Bailey Hodge Deputy Counsel