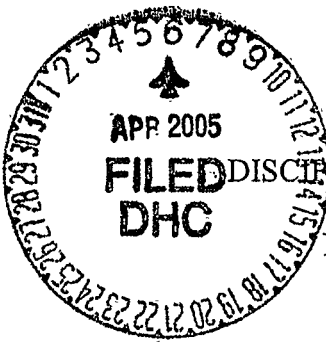


23837

WAKE COUNTY  
NORTH CAROLINA



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
03 DHC 25

THE NORTH CAROLINA STATE BAR	)	
Plaintiff	)	
	)	
v.	)	CONSENT ORDER
	)	TRANSFERRING ATTORNEY
CECELIA LEWIS, ATTORNEY	)	TO DISABILITY INACTIVE
Defendant	)	STATUS
	)	

THIS MATTER came before a Hearing Committee of the Disciplinary Hearing Commission composed of Richard T. Gammon, Ann Reed and Dale Almond pursuant to an order issued by the Chair of the Disciplinary Hearing Commission on Dec. 6, 2004, commanding the Defendant, Cecelia Lewis (Lewis), to appear and show cause why her law license should not be suspended for failing to comply with terms of a disciplinary order entered herein on Jan. 7, 2004. Carolin Bakewell represented the N.C. State Bar. Lewis represented herself. Based upon the consent of the parties, the Hearing Committee hereby enters the following

FINDINGS OF FACT

1. Lewis is a competent adult over the age of 21. She understands the consequences of this order and has agreed to its terms voluntarily and freely.
2. On Jan. 7, 2004, the Disciplinary Hearing Commission entered an order finding that Lewis violated the Revised Rules of Professional Conduct in several respects.
3. The Order of Discipline suspended Lewis' law license for five years but stayed the suspension for five years provided that Lewis complied with certain conditions set out in the order.
4. On or about Nov. 23, 2004, the Office of Counsel filed a motion for order to show cause in which it was alleged that Lewis failed to comply with several conditions of the stayed suspension order.

5. The Chair of the Disciplinary Hearing Commission entered an order directing Lewis to appear on Feb. 9, 2005 and show cause, if any, why the suspension of her law license should not be activated.

6. Prior to Feb. 9, 2005, Lewis contacted Plaintiff's counsel and sought transfer to disability inactive status.

7. On February 15, 2005, the Chair of the Hearing Committee entered an interim consent order transferring Lewis to disability inactive status until the conclusion of the Committee's hearing on her disability transfer petition. The Feb. 15, 2005 order also stayed further proceedings on the show cause motion.

8. Lewis provided evidence that she has is in recovery from addiction to cocaine and other substance abuse. She currently suffers from bipolar disorder, anxiety, depression, panic disorder and social phobias. Lewis' bipolar disorder has improved with medication but her condition has not yet stabilized.

9. Lewis' conditions significantly impair her professional judgment, performance, or competence as an attorney.

10. Lewis has applied for permanent Social Security disability benefits and her treating psychiatrist, Dr. Thomas Fitzgerald, has opined that she is unable to be employed in any capacity.

11. Lewis has completed her out-patient course of treatment with her counselor, Tammy Bell, but continues to see Dr. Fitzgerald monthly or as often as her finances permit.

#### CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Committee and the Committee has jurisdiction over Lewis' person and the subject matter of this proceeding.

2. Lewis is disabled within the meaning of 27 NCAC 1B .0103(19) and should be transferred to disability inactive status pursuant to 27 NCAC 1B .0118.

3. The disciplinary charges against Lewis as set out in the State Bar's motion to show cause should be abated until Lewis demonstrates that she is no longer disabled and is reinstated to the active practice of law in this State by the Disciplinary Hearing Commission.

4. Prior to seeking reinstatement of her license to practice law, Lewis should undergo an independent medical examination (IME) from a physician approved by the N.C. State Bar and present evidence that she no longer suffers from any condition or disorder that impairs her professional judgment, performance or competence as an

attorney. Lewis should provide a written copy of the results of the IME to the Office of Counsel contemporaneously with her reinstatement petition and should execute a written release permitting the Office of Counsel to communicate with the physician who conducts the IME. The IME should be conducted at Lewis' sole expense.

5. Not less than six months next preceding her petition for reinstatement, Lewis should contact the Director of the State Bar Lawyer Assistance Program and should comply with all treatment recommendations of the LAP Director at Lewis' expense. She should provide a written release permitting the Office of Counsel to communicate with the Director of LAP contemporaneously with her reinstatement petition.

#### ORDER

1. The Defendant, Cecelia Lewis, is hereby transferred to disability inactive status.

2. Lewis shall refrain from practicing law in North Carolina until reinstated to active status pursuant to 27 NCAC 1B .0125(c).

3. All pending disciplinary actions against Lewis by the State Bar are hereby abated until such time as Lewis is reinstated to the active practice of law.

4. Prior to seeking reinstatement of her license to practice law, Lewis shall undergo an independent medical examination (IME) from a physician approved by the N.C. State Bar and shall present evidence that she no longer suffers from any condition or disorder that impairs her professional judgment, performance or competence as an attorney. Lewis shall provide a written copy of the results of the IME to the Office of Counsel contemporaneously with her reinstatement petition and shall execute a written release permitting the Office of Counsel to communicate with the physician who conducts the IME. The IME shall be conducted at Lewis' sole expense.

5. Not less than six months next preceding her petition for reinstatement, Lewis shall contact the Director of the State Bar Lawyer Assistance Program and shall comply with all treatment recommendations of the LAP Director at Lewis' expense. She shall provide a written release permitting the Office of Counsel to communicate with the Director of LAP contemporaneously with her reinstatement petition.

6. The terms and conditions of the order of discipline entered herein on Jan. 7, 2004 are hereby extended for a period of 4 years from the date on which Lewis is reinstated to the active practice of law.

Signed by the undersigned chair with the full knowledge and consent of the other members of the Hearing Committee, this the 6<sup>th</sup> day of April, 2005.



Richard T. Gammon, Chair  
Disciplinary Hearing Committee

Seen and agreed to:



Carolin Bakewell  
Plaintiff's attorney



Cecelia Lewis  
Defendant