

HEATHER ANNE SHADE,
Attorney

FINDINGS OF FACT

1. Heather Anne Shade (“Shade”) was admitted to the North Carolina State Bar on April 25, 1997 and is an Attorney at Law licensed to practice law in North Carolina, subject to the rules, regulations, and the Rules of Professional Conduct of the North Carolina State Bar and the laws of North Carolina.
2. By consent order entered November 7, 2011, the Chair of the Grievance Committee of the North Carolina State Bar transferred Shade to disability inactive status in 11D 01 because, in the opinion of Dr. Duncan R. C. Scott II, M.D., Shade suffered from chronic pain caused by a second laminotomy at L5-S1 which had led to depression. Shade was being treated by Dr. Mary Berg with mood stabilizers and anti-depressants. Shade’s condition was disabling.
3. On May 8, 2018, Shade filed a Petition for Reinstatement Transferring from Disability Inactive Status to Active Status with the North Carolina State Bar.
4. On February 27, 2018, Dr. Duncan R. C. Scott II provided his professional opinion that Shade has experienced a significant decrease in her pain, as evidenced by a reduction of one of her pain medications by half of the initial dose, which significantly alleviated her depression to such an extent that Shade is no longer disabled. Dr Scott further opined that Shade suffers from no mental or physical condition which would significantly impair her professional judgment, performance, or competence as an attorney.
5. On May 1, 2018, Ron Shulby, MA.Ed., a Forensic Therapist with 30 years experience in the counseling profession, provided his professional opinion, based upon his work counseling Shade prior to and during the onset of her disability and again since January 22, 2018, that Shade

is functioning well cognitively and treatment has significantly mitigated her depression such that she is no longer disabled.

6. On June 6, 2018, Dr. Mary Berg provided her professional opinion that Shade's depression caused by the pain associated with her second laminotomy was no longer disabling due to the reduction in her pain under Dr. Scott's care, the beneficial effect of counseling provided by Ron Shulby, and Shade having been medication compliant while under Dr. Berg's continuous care. Dr. Berg further opined that Shade's mental and physical conditions are sufficiently treated and do not currently significantly impair her professional judgment, performance, or competence as an attorney.

7. The North Carolina State Bar does not have evidence contrary to the opinions of Drs. Scott and Berg.


BASED UPON the foregoing Findings of Fact, the panel enters the following:

CONCLUSION OF LAW

1. Shade has satisfied the burden set out in 27 NCAC 1B § .0129(c)(3) to show that she is fit to resume the practice of law.

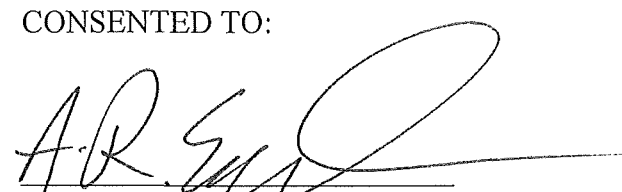
THEREFORE, the panel herewith GRANTS Heather Anne Shade's Petition for reinstatement to active status.

Entered this is the 17 day of July 2018 with the full knowledge and consent of the other members of the panel.

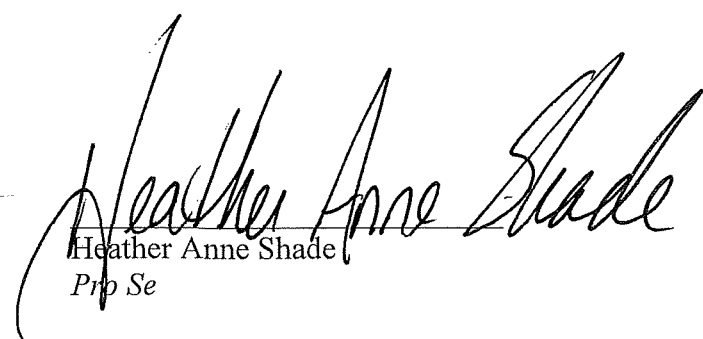


David W. Long, Chair
Hearing Panel

CONSENTED TO:



A. Root Edmonson
Deputy Counsel
North Carolina State Bar



Heather Anne Shade
Pro Se