NORTH CAROLINA WAKE COUNTY



BEFORE THE GRIEVANCE COMMITTEE CHAIR OF THE NORTH CAROLINA STATE BAR 03G1441, 03G1665, 03G1764, 03G1807, 04G0057 & 04G0242

IN RE:)	CONSENT ORDER TRANSFERRING
)	MEMBER TO DISABILITY INACTIVE
MANLIN M. CHEE)	STATUS

This matter is before the undersigned Chairperson of the North Carolina State Bar's Grievance Committee pursuant to 27 NCAC 1B §.0118(g). Deputy Counsel A. Root Edmonson and Thomas F. Moffitt represented the North Carolina State Bar (the "State Bar"). Manlin M. Chee ("Chee") is represented by her attorney, Locke T. Clifford. As evidenced by the attached Agency Designation, Chee has authorized Clifford to enter into this Consent Order. Based upon the information Chee provided and with her consent through her counsel and the consent of deputy counsel, the undersigned makes the following:

FINDINGS OF FACT

- 1. The State Bar is a body duly organized under the laws of North Carolina and is the proper party to consent to this order 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 (Chapter 1 of Title 27 of the North Carolina Administrative Code ("NCAC").
- 2. Chee was admitted to the North Carolina State Bar in 1978, 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. During all or part of the relevant periods referred to herein, Chee was engaged in the practice of law in the State of North Carolina and maintained a law office in Greensboro, Guilford County, North Carolina.
- 4. Chee presently suffers from mental disorders that significantly impair her professional judgment, performance or competence as an attorney.
- 5. Dr. Parish A. McKinney, M.D., a Board Certified Psychiatrist, has diagnosed that Manlin Chee is suffering from Panic Disorder and Major Depression, Recurrent, Severe with probable psychosis. It is Dr. McKinney's opinion, based on these diagnoses, that

Chee is disabled due to mental disorders that adversely affect her ability to practice law and that Chee is unable to continue in the practice of law.

- 6. Dr. Ellen C. Wilson, Ph.D., a Clinical Psychologist, has been treating Manlin Chee for Major Depression, Severe, with (possible) Psychotic Features since February 9, 2004, and that during the course of this treatment there has been no significant improvement in Chee's mental status. In treating Chee, Dr. Wilson found that Chee has been emotionally labile, cognitively disorganized, and illogical/irrational through the course of their interactions. It is Dr. Wilson's opinion that Chee is disabled and currently is not capable of practicing law due to her mental condition.
- 7. Chee consents to being transferred to disability inactive status.
- 8. There are six grievances pending against Chee, to wit: 03G1441, 03G1665, 03G1764, 03G1807, 04G0057 & 04G0242, all of which involve allegations of neglect of client cases, failure to meaningfully communicate with her clients and/or failure to adequately supervise her non-legal assistants in violation of Revised Rules of Professional Conduct 1.1, 1.3, 1.4 and 5.3.

Based upon the foregoing Findings of Fact, the undersigned makes the following:

CONCLUSIONS OF LAW

- 1. There is clear, cogent and convincing evidence that Chee is disabled within the meaning of 27 NCAC 1B § .0103 (19).
- 2. Chee should be transferred to disability inactive status with the State Bar.
- 3. Chee has voluntarily consented to being transferred to disability inactive status, pursuant to 27 NCAC 1B § .0118 (g).
- 4. The pending grievances against Chee should be stayed during the period of disability, pursuant to 27 NCAC 1B § .0118 (d)(1).
- 5. A trustee should be appointed to inventory Chee's files and take action to protect her interests and the interests of her clients, pursuant to 27 NCAC 1B § .0122.

THEREFORE, it is hereby ORDERED:

- 1. Manlin M. Chee is transferred to disability inactive status.
- 2. Chee 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 NCAC 1B, §.0125(c).

3. The pending grievances against Chee should be stayed during the period of disability, pursuant to 27 NCAC 1B \S .0118 (d)(1).

This is the 2^{-d} day on April 2004.

John B. McMillan, Chair Grievance Committee North Carolina State Bar

CONSENTED TO:

Locke T. Clifford

Locke T. Clifford Counsel for Manlin Chee

A. Root Edmonson Deputy Counsel

Thomas F. Moffitt Deputy Counsel

AGENCY DESIGNATION BY ATTORNEY MANLIN CHEE TO ATTORNEY LOCKE CLIFFORD REGARDING NORTH CAROLINA STATE BAR GRIEVANCES

I, Manlin Chee, Attorney at Law, duly licensed by the North Carolina Sate Bar (NCSB), acknowledge that my lawyer, Locke Clifford has presented to and reviewed with me faxed copies of six grievances filed against me at the NCSB, and that the North Carolina State Bar Rules require that I respond in writing to each grievance with 15 days of its receipt by me. I authorize and direct Mr. Clifford to act as my agent in dealing with these grievances and any additional grievances that may be filed against me as follows:

I hereby authorize and direct Mr. Clifford to act on my behalf in accepting service of these grievances and any additional such grievances that may be filed against me.

For reasons unrelated to these grievances, I hereby authorize and direct Mr. Clifford to negotiate with the NCSB a surrender of my law license in lieu of my responding to these grievances, and to assist any trustee that may be appointed by the NCSB to assist in the orderly termination of my law practice, known as Law Offices of Manlin Chee, with the primary office at BB&T Building, 201 West Market Street, Suite 406, Greensboro, NC 27401 and formerly with secondary offices at Six Woodlawn Green #125, Charlotte, NC and 1516 Market Street, Wilmington NC.

I hereby authorize and direct Mr. Clifford to present each such grievance to my malpractice insurance carrier, Lawyers Mutual Liability Insurance Company of North Carolina in a timely way, in order that the company be put on notice of potential malpractice claims against me and to enable the company to take any steps they deem reasonable and appropriate to correct any problems or mitigate any damages that may arise from any of the allegations contained in these grievances.

This the _____ day of March, 2004.

Manlin Chee aka Manlin Maureen Chee and Manlin M. Forgay