STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
OF THE
NORTH CAROLINA STATE BAR

18 D ____

IN RE:

SUSAN R. FRANKLIN, ATTORNEY

CONSENT ORDER
TRANSFERRING MEMBER TO
DISABILITY INACTIVE STATUS

This matter is before the undersigned Chair of the Grievance Committee of the North Carolina State Bar pursuant to 27 N.C. Admin. Code 1B § .0122(b). Regina Jay Wheeler represented the North Carolina State Bar ("State Bar"). Susan R. Franklin was represented by Deanna S. Brocker. Based upon the information presented and with the consent of the member and of the Office of Counsel, the undersigned makes the following

FINDINGS OF FACT

- 1. The North Carolina State Bar ("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. Susan R. Franklin was admitted to the North Carolina State Bar on 23 May 1997 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 the times relevant herein, Franklin was engaged in the practice of law in the State of North Carolina and maintained a law office in Chapel Hill, Orange County, North Carolina.
- 4. Franklin presently suffers from a physical condition (to wit, cancer) which significantly impairs her professional performance as an attorney.
 - 5. Franklin voluntarily consents to being transferred to disability inactive status.
 - 6. The State Bar consents to Franklin's transfer to disability inactive status.

Based on the foregoing Findings of Fact, the undersigned makes the following

CONCLUSIONS OF LAW

- 1. There is clear, cogent and convincing evidence that Franklin is disabled within the meaning of 27 N.C. Admin. Code 1B § .0103(19).
 - 2. Franklin should be transferred to disability inactive status with the State Bar.
- 3. Franklin and the State Bar voluntarily consent to Franklin's transfer to disability inactive status pursuant to 27 N.C. Admin. Code 1B § .0122(b).
- 4. Any pending or future grievances against Franklin should be stayed during the period of disability.

THEREFORE, it is hereby ORDERED

- 1. Susan R. Franklin is transferred to disability inactive status.
- 2. Franklin 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. The reinstatement process shall be as provided in 27 N.C. Admin. Code 1B § .0129(c).
- 3. Any pending or future grievances against Franklin are hereby stayed during the period of disability until such time as Franklin 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 § .0122(e).

THIS the _________, 2018.

DeWitt "Mac" McCarley, Chair

Grievance Committee

CONSENTED TO:

(6)

Susan/R. Franklin

Deanna S. Brocker

Counsel for Susan R. Franklin

Regina Jay Wheeler

Deputy Counsel

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