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1984

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
83 BCR 7

IN THE MATTER OF THE PETITION FOR REINSTATEMENT OF JEROME PAUL, Petitioner	)	ORDER OF REINSTATEMENT

THIS CAUSE, coming on to be heard and being heard on April 13, 1984, before the Council of The North Carolina State Bar, pursuant to Article IX, Section 25(A)(4) of the Rules of Discipline and Disbarment of The North Carolina State Bar, upon the Petition For Reinstatement to Practice Law filed by Jerome Paul, with the petitioner appearing in person with his counsel, Wayne Eads, and The North Carolina State Bar appearing through its Counsel, A. Root Edmonson:

AND BASED UPON the report and recommendations of the Disciplinary Hearing Commission dated February 17, 1984, the Council makes the following:

FINDINGS OF FACT

1. Petitioner Jerome Paul was duly licensed to practice law in the Courts of The State of North Carolina in September, 1968, and was at all times prior to his suspension in these cases duly licensed to practice and engaged

in the active practice of law in the State of North Carolina since his admission to practice.

2. The matters leading to The North Carolina State Bar's Order of January 28, 1980 in case number 79-DHC-13 are as stated in the Findings of Fact and Conclusions of Law filed on the same date.

3. The matters leading to The North Carolina State Bar's Order of June 3, 1980 in case number 79-DHC-20 as are stated in the Findings of Fact and Conclusions of Law filed on the same date.

4. Petitioner filed notice of appeal of the orders dated January 28, 1980 and June 3, 1980, such notice of appeal being filed in apt time with the North Carolina Court of Appeals.

5. Petitioner later abandoned his appeal of such matters, and gave notice of dismissal, whereafter his appeals of such matters were duly dismissed by Order dated March 19, 1981.

6. Pursuant to Rule 24(3) of Article IX of the Rules and Regulations of The North Carolina State Bar relating to Discipline and Disbarment matters, the orders of suspension, having been duly served upon petitioner and his counsel, became effective on or about April 2, 1981.

7. The period of suspension in case number 79-DHC-13 became effective on or about April 2, 1981, and remained effective for two (2) years following that date, lasting until on or about April 2, 1983.

8. The period of suspension of case number 79-DHC-20 became effective on or about April 2, 1981, and remained effective for one (1) year following that date, lasting until on or about April 2, 1982.

9. The periods of suspension in both cases have therefore expired by their own terms.

10. In case number 79-DHC-13, the petitioner was taxed by The North Carolina State Bar with costs of $566.17, which costs were paid by the petitioner on or about October 10, 1983.

11. In case number 79-DHC-20, the petitioner was taxed by The North Carolina State Bar with costs of $1,375.83, which costs were paid by the petitioner on or about October 10, 1983.

12. At the time that the petitioner's suspensions herein became effective, the petitioner caused to be filed an affidavit, dated April 7, 1981, in compliance with Article IX, Section 24, concerning notice of suspension to clients and attorneys for adverse parties, inter alia.

13. Since the effective dates of his suspensions, the petitioner has not been accused, arrested, or convicted of any criminal offense under the laws of any state or the United States Government.

13. Since the effective dates of his suspensions, the petitioner has engaged in the teaching of law at City College of New York and at New College of California School of Law, such schools being located in New York City and San Francisco, respectively. Furthermore, the petitioner has, since the effective dates of his suspension, engaged in research and consulting work for other licensed attorneys and organizations, but has in no respect engaged in any activities which would or could arguably constitute the unlicensed practice of law or which would or could arguably be considered a violation of the Orders of The North Carolina State Bar entered herein.

14. Since the effective dates of his suspensions, and prior to that time, the petitioner has sought treatment for medical problems of which he suffered at the time of the occurence of the events which led to his suspensions herein, and has fully and faithfully complied with the prescribed course of treatment advised by his physicians. Such medical problems have been brought under control to the point that they will no longer intervene or interfere with Petitioner's ability to practice law.

15. The Petitioner has presented to this Hearing Committee without refutation by The North Carolina State Bar clear and convincing evidence that he has the moral qualifications, competency, and learning in the law required for admission to practice in the State of North Carolina and that the resumption of the practice of law within this State by the Petitioner will be neither detrimental to the integrity and standing of The North Carolina State Bar, nor will it be detrimental to the administration of justice or subversive of the public interest.

16. Petitioner has faithfully and fully complied with all requirements of the Rules and Regulations of The North Carolina State Bar, and with the terms and conditions of his suspensions since the effective dates of those suspensions, and is entitled to be reinstated effective immediately.

WHEREFORE, based on the foregoing Findings of Fact, the Council makes the following:

CONCLUSIONS OF LAW

1. The Petitioner has demonstrated by clear and convincing evidence that he has the moral qualifications, competency, and learning in the law required for admission to practice law in the State of North Carolina.

2. The Petitioner has demonstrated by clear and convincing evidence that his reinstatement to practice law in the State of North Carolina will neither be detrimental to the integrity of The North Carolina State Bar, nor to the administration of justice, nor subversive of the public interest.

3. The Petitioner has complied with all terms and conditions of his suspensions, the effective dates of which were to expire on or about April 2, 1983, or some ten months prior to the date of the Disciplinary Hearing Commission's hearing, and has continued to comply with such terms and conditions to date.

4. The Petitioner is entitled as a matter of law to be reinstated to the practice of law in the State of North Carolina, and to the reinstatement of his license to engage in such practice, effective immediately.

NOW THEREFORE, upon motion duly made and seconded, it is hereby ORDERED:

1. That Jerome Paul be readmitted to the practice of law in the State of North Carolina.

2. That Jerome Paul be taxed with the costs of this proceeding.

This the 13th day of April, 1984.

Clifton W. Everett, Sr., President
The North Carolina State Bar