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NORTH CAROLINA
WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
90 DHC 1

IN RE: SURRENDER OF LICENSE OF
CHRISTOPHER B. GODWIN, ATTORNEY

CONSENT ORDER
OF DISCIPLINE

BASED UPON the Findings of Fact and Conclusions of Law of even date herewith, and the consent of the parties, the hearing committee makes the following additional Findings:

1. Christopher Bolton Godwin ceased the practice of law on June 30, 1989.
2. There is no evidence that Godwin was involved in either the sale or distribution of cocaine.
3. No complaints were received by the North Carolina State Bar against Godwin indicating that his use of drugs or alcohol affected his practice.
4. The North Carolina State Bar's PALS Committee intervened in December 1988 which resulted in Godwin entering treatment at Pinehurst Treatment Center.
5. Godwin has successfully continued in his treatment since his admission to Pinehurst Treatment Center.
6. Godwin has continued to have urine tests performed as a condition of his probation.

BASED UPON the foregoing Findings and the consent of the parties, the hearing committee enters the following Order of Discipline:

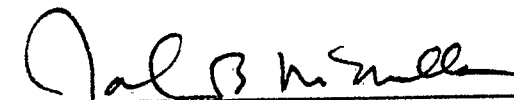
1. Christopher Bolton Godwin shall be suspended from the practice of law in North Carolina for a period of three years, effective June 30, 1989.
2. As much as two years of the suspension may be stayed upon the following conditions:
 - a) Godwin must abstain from the use of alcohol and non-prescribed controlled substances.
 - b) Prior to petitioning for a stay, Godwin must advise Judge W. Earl Britt of his intention to seek the stay in an effort to give Judge Britt an opportunity to express to Godwin or to the State Bar, if he chooses to, whether he intended, by signing the plea agreement, for the three year suspension mentioned in the agreement to prevent any stay.

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- c) Godwin shall apply for a stay by addressing a verified petition to the Secretary of the North Carolina State Bar which shall conform as closely as possible to the requirements of a petition for reinstatement after suspension of license pursuant to Section 25(B). In addition to the requirements of Section 25(B)(3), Godwin's verified petition for the stay shall also aver his continued abstinence from the use of alcohol and non-prescribed controlled substances.
 - d) Godwin's petition for the stay shall be handled by the Secretary and the Office of Counsel of the North Carolina State Bar and the petitioner as though it were a petition for reinstatement of a suspended attorney by conforming as closely as possible to the procedures set out in Section 25(B) of Article IX of the Rules and Regulations of the North Carolina State Bar.
 - e) During the period of any stay of the above referenced suspension, Godwin shall have copies of all drug tests performed as a condition of his probation sent to the Counsel for the North Carolina State Bar.
 - f) If Godwin's requirement to have drug tests performed as a condition of his probation is terminated prior to or during the period of any stay, Godwin shall be subject to having a drug test performed within twelve hours after a telephone request by the Office of Counsel of the North Carolina State Bar. A written notice of request for a drug test shall be filed in this matter giving the date and time of the request and the location where the test is to be performed. A copy shall be sent to Godwin when filed. A notice of compliance with the request and the results of the test shall be filed within ten days of the notice.
 - g) Godwin shall not violate any of the Rules of Professional Conduct during the period of any stay.
3. In the event that Godwin does not seek a stay, then reinstatement at the expiration of the full suspension shall be conditioned upon Godwin having abstained from the use of alcohol and non-prescribed controlled substances for a sufficient period of time to demonstrate that he is fit to resume the practice of law. The burden shall be upon Godwin to prove abstinence and fitness to practice if required by response of counsel pursuant to Section 25(B)(6).
4. Godwin is taxed with the cost of this proceeding as assessed by the Secretary.

Signed by the undersigned chairman of the hearing committee of the Disciplinary Hearing Commission with the full knowledge and consent of the other members of the hearing committee and the consent of the parties affixed to this document, this the 14th day of May, 1990.

June



John B. McMillan, Chairman
Hearing Committee

Consented to:



A. Root Edmonson, Counsel
North Carolina State Bar



Christopher B. Godwin



James R. Parish
Attorney for Christopher B. Godwin

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WAKE COUNTY

IN RE: SURRENDER OF LICENSE OF
CHRISTOPHER B. GODWIN, ATTORNEY

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Christopher Bolton Godwin was convicted of one count of possession of cocaine in the United States District Court for the Eastern District of North Carolina in violation of Title 21 USC Section 844.
2. As a result of his guilty plea to that offense, a judgment and probation order was signed by Chief United States District Court Judge W. Earl Britt on November 7, 1989.

1. While the petition Godwin filed in this matter did not technically comply with Section 17 of Article IX of the Rule and Regulations of the North Carolina State Bar, the defects were cured by Godwin's admissions in the pre-trial order.
2. The offense for which Godwin was convicted is grounds for discipline pursuant to N. C. Gen. Stat. Section 84-28(b) (1).

John B. McMillan, Chairman
Hearing Committee

NORTH CAROLINA

WAKE COUNTY

BEFORE THE SECRETARY
OF THE
NORTH CAROLINA STATE BAR
90 DHC 1

IN RE: REINSTATEMENT OF
CHRISTOPHER B. GODWIN

STAY ORDER

Pursuant to the Consent Order of Discipline entered in 90 DHC 1, this matter is before the Secretary of the North Carolina State Bar upon a Petition for Stay filed on June 12, 1990 by Christopher B. Godwin.

It appears from a review of the Consent Order of Discipline dated June 15, 1990 that the petitioner was ordered suspended from the practice of law for three years effective June 30, 1989, with as much as two years of the suspension subject to being stayed upon certain conditions.

It further appears that the petitioner has complied with:

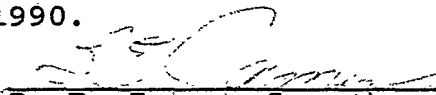
1. Continued abstinence from the use of alcohol and non-prescribed controlled substances.
2. All other conditions of the Consent Order of Discipline.
3. The requirement of abstention from the unauthorized practice of law during the period of suspension.

After conducting necessary investigation regarding the petitioner's compliance with the requirements set forth in Section 25(B)(3) of Article IX of the Rules and Regulations of the North Carolina State Bar, Counsel for the North Carolina State Bar filed no objections to the Petition within the time required by Section 25(B)(4) of Article IX.

Therefore, pursuant to Section 25B(5) of Article IX of the Rules and Regulations of the North Carolina State Bar, it is hereby ordered:

1. Christopher B. Godwin is reinstated to the active practice of law in North Carolina effective July 12, 1990.
2. Christopher B. Godwin's license shall be returned to him forthwith.

This the 12th day of July, 1990.


B. E. James, Secretary
The North Carolina State Bar

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