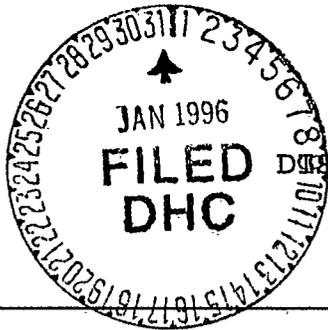


NORTH CAROLINA
WAKE COUNTY



1006

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
95 DHC 18

THE NORTH CAROLINA STATE BAR)
Plaintiff)
v.)
JACK B. CRAWLEY, JR.,)
Attorney)
Defendant)

ORDER OF DISCIPLINE

This cause was heard by a duly appointed Hearing Committee of the Disciplinary Hearing Commission of the North Carolina State Bar on December ~~9, 1990~~
15, 1995

JR7

Based upon the Findings of Fact and Conclusions of Law entered in this matter, and further based upon arguments of counsel for the State Bar and the defendant, Jack B. Crawley, Jr., Esq., pro se, the hearing committee composed of James R. Fox, Chairman; Michael L. Bonfoey, and Anthony E. Foriest, makes the following additional findings regarding the existence of aggravating and mitigating factors in this case and enters the following Order of Discipline.

AGGRAVATING FACTORS

1. A pattern of misconduct;
2. Multiple offenses;
3. A failure to cooperate and comply with the edicts of the State Bar during the grievance investigation;
4. Vulnerability of the victim, with respect to Mr. Toves;
5. Substantial experience in the practice of law, including serving as a special superior court judge;
6. Failing to attend the hearing on the motion for appropriate relief on December 6, 1995 and failing to take action to rectify the situation.

MITIGATING FACTORS

1. Good reputation for character in the legal community;

2. Absence of a prior disciplinary record;
3. Personal and emotional problems which defendant indicated may have contributed to his professional misconduct.

BASED upon all the Findings of Fact, the Conclusions of Law, and the aggravating and mitigating factors listed above, the hearing committee enters the following:

ORDER OF DISCIPLINE

1. Defendant, Jack B. Crawley, Jr., is suspended from the practice of law for a period of three years, commencing 30 days after this order of discipline is served. At any time after one year of the suspension has elapsed, the defendant may apply for an order staying the remaining term of the suspension upon the following conditions:

(a) The defendant shall file a petition pursuant to Section .0125 of the Discipline and Disability Rules of the State Bar.

(b) Defendant shall pay \$11,000.00, with interest at the legal rate on any outstanding balance from May 4, 1990, to the date of complete payment, to Mr. Toves' parents. This is the entire amount he was paid to represent Mr. Toves, both in the investigation of his case and the filing of the motion for appropriate relief.

(c) Defendant shall cooperate fully with any successor counsel that Mr. Toves may retain.

(d) Defendant shall commence immediately receiving treatment from a board certified, licensed psychiatrist. The psychiatrist shall report to the Office of Counsel of the North Carolina State Bar on a quarterly basis, beginning thirty days from the service of this Order of Discipline on defendant about defendant's treatment and progress during the course of treatment. Each report filed after the date specified in the previous sentence shall be due on the last day of the last month of the quarter.

(e) The treatment and reporting required by paragraph 1(d) shall continue during the active and any stayed portions of the three year suspension period.

2. Defendant shall violate no provisions of the Rules of Professional Conduct during the active and any stayed portions of the three-year suspension period.

3. Defendant shall violate no state or federal laws during the active and any stayed portions of the three-year suspension period.

4. Defendant shall immediately submit his law license and membership card to the Secretary of the North Carolina State Bar.

5. Defendant shall fully comply with the provisions of Section .0124 of the Discipline and Disability Rules of the North Carolina State Bar regarding the winding down of his law practice.

6. Defendant shall pay the costs of this proceeding, including \$7.67 which was the cost of the lunches for Mr. Toves and the prison guards who accompanied him.

7. If the defendant does not obtain a stay, the defendant shall have complied with all of the conditions set out in paragraphs 1(a)-(e), 2 and 3 above before obtaining the reinstatement of his license at the end of the three year period of suspension.

Signed by the undersigned chairman with the full knowledge and consent of the other members of the hearing committee, this the 29th day of January, 1996.

James R. Fox
James R. Fox
Chairman