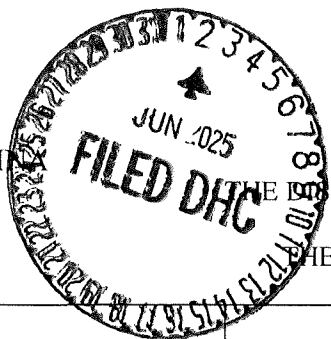


STATE OF NORTH CAROLINA  
WAKE COUNTY



BEFORE  
THE DISCIPLINARY HEARING COMMISSION  
OF  
THE NORTH CAROLINA STATE BAR  
24 DHC 19

THE NORTH CAROLINA STATE BAR,  
Plaintiff

v.

JOHN D. MANSFIELD, Attorney,  
Defendant

CONSENT ORDER of DISCIPLINE

This matter was considered by a Hearing Panel of the Disciplinary Hearing Commission composed of DeWitt F. McCarley, Chair, and members, Lawrence J. Shaheen and Scarlett Hargis. G. Patrick Murphy represented Plaintiff, the North Carolina State Bar. Alan M. Schneider represented Defendant, John D. Mansfield. Defendant waives a formal hearing, the parties stipulate and agree to the findings of fact and conclusions of law recited in this order, and consent to the discipline imposed by this order. By consenting to the entry of this order, Defendant knowingly, freely, and voluntarily waives his right to appeal this consent order or to challenge in any way the sufficiency of the findings and conclusions herein.

Based on the stipulated facts, and with the consent of the parties, the Hearing Panel hereby finds by clear, cogent, and convincing evidence the following

#### FINDINGS OF FACT

1. Plaintiff, 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 (Chapter 1 of Title 27 of the North Carolina Administrative Code).
2. Defendant, John D. Mansfield, (hereinafter “Defendant” or “Mansfield”), was admitted to the North Carolina State Bar on December 18, 1992, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar, and the Rules of Professional Conduct.
3. During all or part of the relevant periods referred to herein, Defendant was engaged in the practice of law in Raleigh, Wake County, North Carolina.
4. Defendant and K.F. began a dating relationship in 2019.
5. After the relationship began, K.F. retained Defendant to represent her in a domestic matter.

6. Defendant and K.F. agreed that Defendant's legal fee for the domestic matter would be a flat fee of \$2,000.00.
7. Defendant invoiced K.F. for the flat fee and K.F. paid Defendant's fee of \$2,000.00.
8. During their relationship, K.F. and Defendant attended a spa together.
9. At the spa, Defendant had a treatment that cost \$1,200.00.
10. K.F. agreed that Defendant could charge to her spa account the \$1,200.00 treatment on the condition that he pay her back.
11. Defendant agreed to reimburse K.F. for the \$1,200.00 Botox treatment and made a partial payment of \$200.00 to K.F. for the charge to her spa account.
12. Defendant later refused to pay K.F. the remaining \$1,000.00, telling K.F. that she owed him money for additional legal fees associated with her domestic matter.
13. K.F. did not owe Defendant any additional legal fees.
14. On June 7, 2020, Defendant and K.F. had a disagreement during a phone call.
15. In phone calls and text messages the afternoon and evening of June 7, 2020, K.F. told Defendant that she did not want to get together with him that evening as they had earlier planned.
16. Defendant later sent K.F. a text that he was in her neighborhood.
17. After discussing Defendant's behavior with a friend that evening, K.F. placed a barricade against her front door to prevent Defendant from entering her residence.
18. At or about 11:00 p.m. on June 7, 2020, Defendant went to K.F.'s residence, entered her residence and engaged in an altercation with K.F.
19. During the altercation, K.F. sustained an injury to her wrist and a chest contusion.
20. On June 8, 2020, K.F. obtained a Domestic Violence Protection Order ("DVPO") against Defendant.
21. On or about June 10, 2020, Defendant was charged with assault on a female in Wake County District Court file 20 CR 209020, based on the June 7, 2020 incident.
22. On July 9, 2020, the Wake County District Court entered a consent DVPO in Wake County District Court file 20 CVD 600767.

23. The consent DVPO contained the following term: “The defendant also agrees to not harass, contact, or post about the plaintiff on social media platforms or make any posts directed towards or about the plaintiff on public Internet sites.”

24. The terms of the July 9, 2020, DVPO remained in effect through July 10, 2021.

25. While the DVPO was in effect, Defendant violated its terms by posting about K.F. on Instagram and contacting K.F. by phone.

26. On August 26, 2020, Defendant was convicted of assault on a female based on the June 7, 2020 incident at K.F.’s residence.

27. The judgment in the assault on a female case imposed a 24-month term of supervised probation.

28. As a special condition of probation, the judgment ordered that Defendant: “Not contact or communicate with [K.F.], either directly or through third parties, by any means[.]”

29. While the no contact provision of the criminal judgment was in effect, Defendant called K.F. by phone on October 16 and 17, 2020.

Based upon the foregoing Findings of Fact and with the consent of the parties, the Hearing Panel makes the following:

### **CONCLUSIONS OF LAW**

1. All parties are properly before the Hearing Panel and the DHC has jurisdiction over Defendant, John D. Mansfield, and over the subject matter of this proceeding.

2. Defendant’s conduct, as set out in the stipulated Findings of Fact above, constitutes grounds for discipline as follows:

- a) Pursuant to N.C. Gen. Stat. § 84-28(b)(1), in that Defendant was convicted of assault on a female, a criminal offense showing professional unfitness; and
- b) Pursuant to N.C. Gen. Stat. § 84-28(b)(2), in that Defendant violated the Rules of Professional Conduct in effect at the time of the conduct, as follows:
  - i) By charging K.F. a flat fee for her domestic case and later advising her that he was charging an additional \$1,000 as legal fees to offset the money he owed her, Defendant charged a clearly excessive fee in violation of Rule 1.5;
  - ii) By engaging in the altercation on June 7, 2020, Defendant committed a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in other respects in violation of Rule 8.4(b);

- iii) By posting about K.F. on social media and by contacting her in violation of the terms of the consent DVPO and criminal judgment, Defendant knowingly disobeyed an obligation under the rules of a tribunal in violation of Rule 3.4(c); and engaged in conduct prejudicial to the administration of justice in violation of Rule 8.4(d).

Based upon the consent of the parties, the Hearing Panel also finds by clear, cogent, and convincing evidence the following:

#### **ADDITIONAL FINDINGS REGARDING DISCIPLINE**

1. The findings of fact and conclusions of law above are reincorporated as if set forth herein.
2. Defendant was licensed in North Carolina in 1992 and has substantial experience in the practice of law. At the time of his conduct, Defendant knew or should have known that his actions would result in significant harm or potential harm.
3. Defendant was previously disciplined in North Carolina. In 2017, Defendant received a reprimand for failing to track and properly safeguard a client's entrusted funds in violation of Rules 1.15-2(a) and 1.15-2(d); and, for failing to supervise his nonlawyer assistant in violation of Rule 5.3(b).
4. Defendant has undergone extensive counseling addressing relationship and anger management issues and his therapist reports that he has made good therapeutic progress.

Based upon the Findings of Fact, Conclusions of Law and Additional Findings Regarding Discipline, and with the consent of the parties, the Hearing Panel also enters the following

#### **CONCLUSIONS REGARDING DISCIPLINE**

1. The Hearing Panel has considered all of the factors enumerated in 27 N.C. Admin. Code 1B.0116(f)(1) of the Discipline and Disability Rules of the North Carolina State Bar and concludes that the following factors that warrant suspension or disbarment are present:
  - a) Factor (B): intent of the Defendant to commit acts where the harm or potential harm is foreseeable;
  - b) Factor (D): elevation of Defendant's interest above that of the client; and
  - c) Factor (E) negative impact of Defendant's actions on the client's or public's perception of the profession.
2. The Hearing Panel has considered all of the factors enumerated in 27 N.C. Admin. Code 1B.0116(f)(2) of the Discipline and Disability Rules of the North Carolina State

Bar and concludes that no factor requiring consideration of disbarment is applicable in this matter.

3. The Hearing Panel has considered all of the factors enumerated in 27 N.C. Admin. Code 1B.0116(f)(3) of the Discipline and Disability Rules of the North Carolina State Bar and concludes the following factors are applicable in this matter:

- a) Factor (A): prior disciplinary offenses in this State;
- b) Factor (B): remoteness of prior offenses;
- c) Factor (C): selfish motive;
- d) Factor (G) multiple offenses;
- e) Factor (H): effect of any personal or emotional problems on the conduct in question;
- f) Factor (J): interim rehabilitation;
- g) Factor (P): remorse;
- h) Factor (R): vulnerability of victim;
- i) Factor (S): significant experience in the practice of law; and
- j) Factor (U): imposition of other penalties.

4. The Hearing Panel has considered all forms of discipline available but concludes that discipline less than a stayed suspension would not be sufficient, would fail to acknowledge the seriousness of the violations committed by Defendant, would not sufficiently protect the public and would send the wrong message to attorneys and the public regarding the conduct expected of members of the Bar in this State.

Based upon the foregoing Findings of Fact, Conclusions of Law, Additional Findings Regarding Discipline and Conclusions Regarding Discipline, and based upon the consent of the parties, the Hearing Panel enters the following

#### **ORDER OF DISCIPLINE**

1. Defendant, John D. Mansfield, is hereby suspended from the practice of law for two years, effective sixty days from service of this Order upon Defendant through his attorney.

2. Defendant shall submit his license and membership card to the Secretary of the North Carolina State Bar no later than thirty days following the effective date of this Order.

3. Defendant shall comply with the wind down provisions contained in 27 N.C. Admin. 1B.0128. As provided in 27 N.C. Admin. 1B.0128(d), Defendant shall file an

affidavit with the Secretary of the North Carolina State Bar within ten days after the effective date of this Order, certifying he complied with the wind down provisions.

4. Within thirty days of the effective date of this Order, Defendant shall provide the North Carolina State Bar Office of Counsel with an address and telephone number at which clients seeking their files can communicate with Defendant.

5. Defendant shall promptly return client files in his possession, custody, or control to clients within five days after receiving a client's request for the file.

6. Defendant shall pay, within thirty days of service of the statement of fees and costs upon him by the Secretary of the State Bar, the administrative fees and costs of this proceeding.

7. Defendant shall keep the North Carolina State Bar Membership Department advised of Defendant's current physical business address, telephone number and e-mail address, and notify the Bar of any change within ten days of such change during Defendant's suspension.

8. Defendant shall accept all certified mail from the State Bar sent to the address on record with the Membership Department of the State Bar.

9. Defendant shall provide full and complete responses to all letters of notice and requests for information from the North Carolina State Bar within fifteen days of receipt of the communication or by the deadline stated in the communication, whichever is sooner.

10. Defendant shall timely comply with all State Bar continuing legal education requirements and pay all fees and costs assessed by the applicable deadline.

11. Defendant shall pay all membership dues, fees, costs and assessments, including all Client Security Fund assessments and other charges or surcharges the State Bar is authorized to collect from him, including all judicial district dues and assessments, by the applicable deadline.

12. Defendant shall not violate the Rules of Professional Conduct, the laws of the United States or the laws of any state or local government during the period of the suspension.

13. Defendant shall attend regular therapy sessions with a licensed therapist approved by the State Bar during the suspension.

14. On or before September 1, 2025, Defendant shall have his therapist submit a report to the State Bar identifying any mental or emotional condition or diagnosis for Defendant, and the recommended course of treatment and/or therapy for Defendant's condition.

15. Defendant shall have his therapist submit a report to the State Bar two times each year of this suspension following the report required in paragraph 14 above. The reports of Defendant's therapist are due on or before July 1 and January 1 of each year of the suspension. Each report shall identify any diagnosis for Defendant, any recommended treatment and/or therapy for that diagnosis, and shall summarize Defendant's compliance with the recommended treatment and/or therapy since the therapist's last report.

16. Within thirty days of the effective date of this Order, Defendant shall, through his attorney, deliver to the State Bar for forwarding by the State Bar to K.F., a certified check payable to K.F. in the amount of \$1,000 as restitution;

17. Defendant shall not contact K.F. directly or indirectly, by any mode of communication, during the period of suspension.

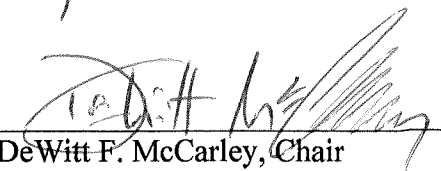
18. Defendant shall not make any reference to, or comment about, K.F. directly or indirectly in any post on any social media platform.

19. After serving six months of active suspension, the remaining part of Defendant's suspension may be stayed by filing a petition with the Secretary of the North Carolina State Bar pursuant to 27 N.C. Admin. Code 1B.0118(c) demonstrating by clear, cogent, and convincing evidence that Defendant has complied with the conditions in paragraphs 2-18 of this section and the provisions for reinstatement listed in 27 N.C. Admin. Code 1B.0129(b) of the North Carolina State Bar Discipline and Disability Rules. Defendant may apply for a stay up to thirty days prior to the end of the six month period but no stay of the suspension shall be entered prior to the expiration of at least six months of active suspension.

20. If Defendant does not seek a stay of the suspension of his law license or if some part of the suspension is stayed and thereafter the stay is revoked, Defendant must comply with the conditions set out in 27 N.C. Admin. Code 1B.0129(b) before seeking reinstatement of his license to practice law, and must provide in his petition for reinstatement clear, cogent, and convincing evidence showing his compliance with the conditions in paragraphs 2-18 above.

21. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C. Admin. Code 1B.0118 throughout the suspension, and any stay thereof, and until all conditions of this Order have been satisfied.

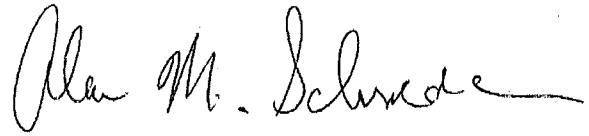
Signed by the Disciplinary Hearing Panel Chair with the consent of the other hearing panel members, this the 23<sup>rd</sup> day of May, 2025.

  
DeWitt F. McCarley, Chair  
Disciplinary Hearing Panel

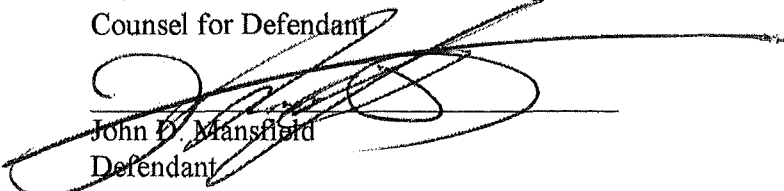
AGREED TO AND CONSENTED TO BY:



\_\_\_\_\_  
G. Patrick Murphy, Sr. Deputy Counsel  
Counsel for Plaintiff



\_\_\_\_\_  
Alan M. Schneider  
Counsel for Defendant



\_\_\_\_\_  
John D. Mansfield  
Defendant