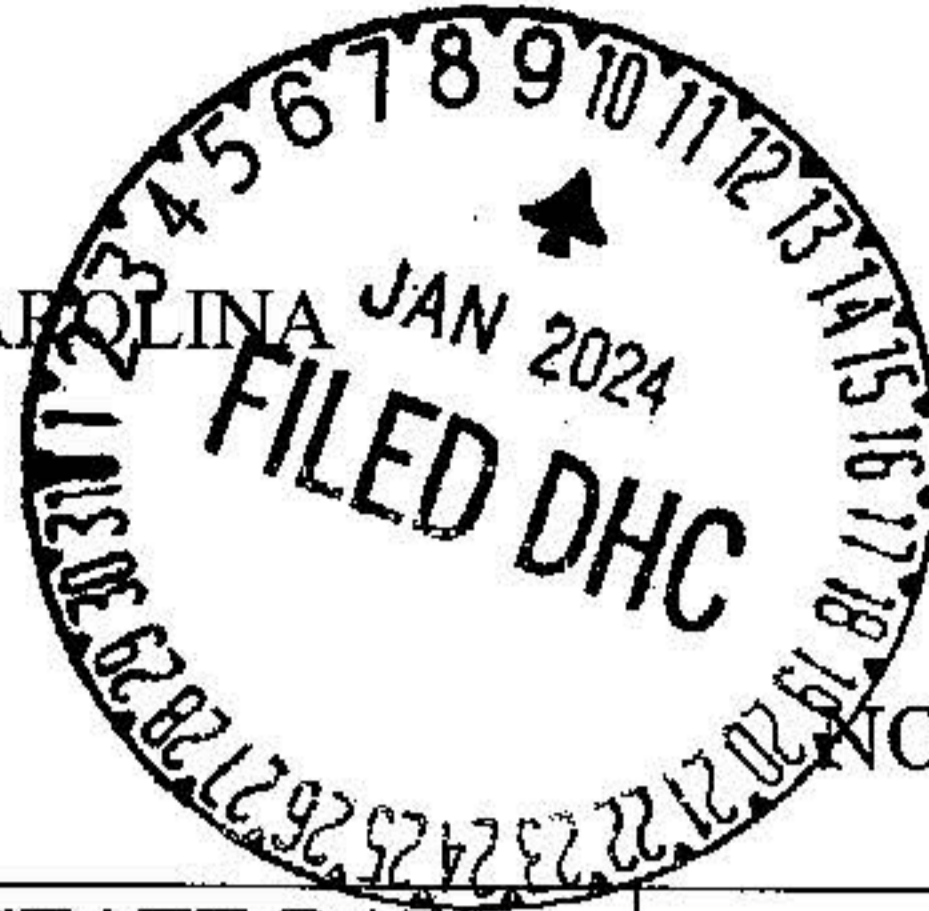


STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING
COMMISSION
OF THE
NORTH CAROLINA STATE BAR
21 DHC 21 R

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

LLOYD T. KELSO, Attorney,

Defendant

CONSENT ORDER OF
REINSTATEMENT

This matter is before the Disciplinary Hearing Commission on Defendant's 5 December 2023 Petition for Reinstatement from the suspension imposed by the 1 November 2022 Order of Discipline in this case. Plaintiff, The North Carolina State Bar, was represented by Carmen Bannon. Defendant, Lloyd T. Kelso, was represented by Douglas Brocker. Plaintiff and Defendant stipulate and agree to the findings of fact and conclusions of law in this Order and to the requirements set forth herein.

Based upon the record in this case, Defendant's Petition for Reinstatement, and the consent of the parties, the Hearing Panel hereby enters the following:

FINDINGS OF FACT

1. Pursuant to the 1 November 2022 Order of Discipline, Defendant's law license was suspended for one year, effective 31 December 2022. The Order of Discipline provided (a) conditions Defendant was required to satisfy to be reinstated; and (b) conditions with which Defendant will be required to comply during the first year following his reinstatement from suspension.

2. Defendant has substantially complied with all conditions precedent to reinstatement set forth in paragraph 8 of the Order section of the Order of Discipline.

CONCLUSIONS OF LAW

1. Defendant, Lloyd T. Kelso, has complied with the necessary conditions for reinstatement and his license to practice law should be reinstated.

2. Defendant's license to practice law shall be subject to certain conditions and requirements for a period of one year following reinstatement, as originally provided in the Order of Discipline.

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

ORDER

1. Defendant's law license is hereby reinstated, subject to his compliance with the following conditions for a period of one year following reinstatement:

- a. Defendant shall remain in compliance with his obligations under the 31 October 2023 Wake County Superior Court Order vacating the preliminary injunction regarding his handling of entrusted funds.
- b. Defendant shall comply with the "Official Policies and Procedures for Complying with All Provisions of Rule 1.15-2 and Rule 1.15-3 of the Rules of Professional Conduct," which were attached as Exhibit B to Defendant's Petition for Reinstatement.
- c. Defendant shall provide to the Office of Counsel quarterly trust account reconciliation reports and the quarterly review reports and supporting documents required under Rule 1.15-3(i), using the Quarterly Review Report form from the State Bar's website, no later than 15 days after the end of the quarter, on the following dates as they occur during the first year after his reinstatement: January 15, for the fourth quarter of the prior year; April 15, for the first quarter of the calendar year; July 15 for the second quarter of the calendar year; and October 15, for the third quarter of the calendar year. Defendant shall provide any other trust account related documentation or records requested by the Office of Counsel within 10 days of the request;
- d. Defendant shall not meet or communicate with any female prospective client nor shall he represent any female client unless and until he hires an employee of his law office who will enable him to comply with the conditions described in paragraph e, below. If Defendant hires an employee who will serve in that capacity, Defendant shall immediately notify the State Bar's Office of Counsel and arrange for the Office of Counsel to communicate directly with the employee upon request.
- e. Defendant shall not meet or communicate with any female client unless another person employed by his law office who has been


trained in the obligations of an attorney under the Rules of Professional Conduct is present during all such meetings or copied on all such communications. This requirement shall not apply to interactions that occur in a courtroom during an open session of court or in another public common area of the courthouse. The employee and Defendant shall execute notarized affidavits attesting to whether s/he has been present for all Defendant's meetings and been copied on all communications with female clients and whether those interactions complied with the Rules of Professional Conduct during the previous quarter. Defendant shall ensure that the affidavits are submitted no later than 15 days after the end of each quarter during the first year after his reinstatement. Defendant and the employee shall cooperate with any requests for information from the State Bar concerning all such interactions and shall waive any applicable privileges against providing such information to the Bar upon request.

2. If Defendant fails to comply with any of the conditions set forth in paragraph 1 above during the year following his reinstatement, his license shall be suspended for an additional six months. Defendant consents to using the procedures set forth in 27 N.C. Admin. Code 1B § .0118(a) and (b) if it is necessary to determine whether he violated the reinstatement conditions and is subject to the additional six-month suspension. If Defendant's license is suspended for non-compliance with the conditions in paragraph 1, the State Bar may still investigate and/or bring additional charges against Defendant for any misconduct occurring during the one-year period following his reinstatement.

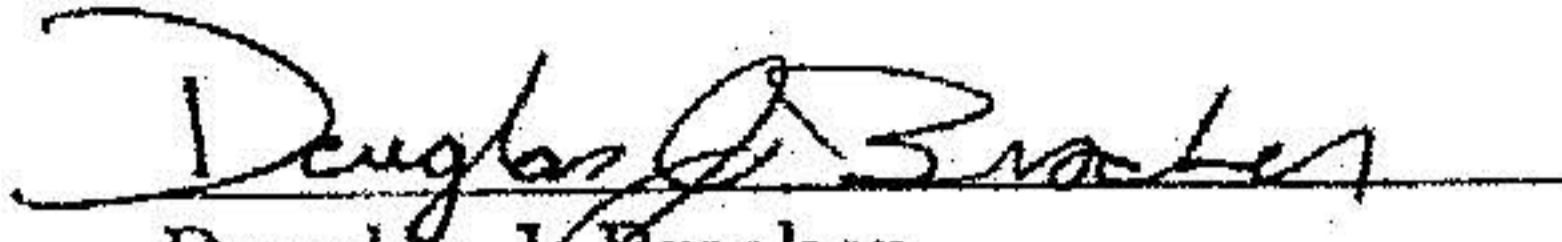
3. The Disciplinary Hearing Commission will retain jurisdiction of this matter, including jurisdiction to enforce the conditions set forth in paragraph 1 above and make any determination regarding compliance with those conditions as described in paragraph 2 above.

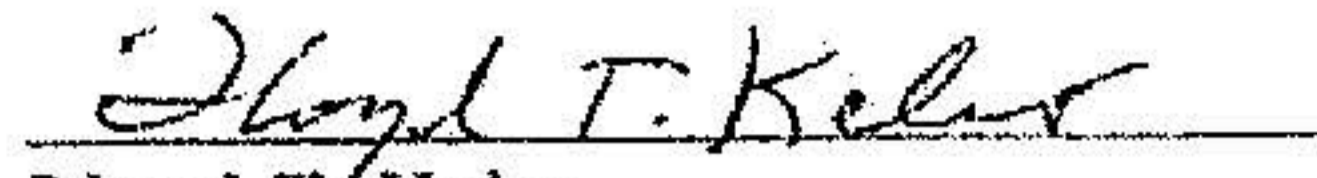
Signed by the undersigned Hearing Panel Chair with the consent of the other Hearing Panel members.

This the 10th day of January, 2024.


_____, Chair
Disciplinary Hearing Panel

Agreed and consented to by:


Douglas J. Brocker
Attorney for Defendant


Lloyd T. Kelso
Defendant


Carmen Hoyme Bannon
Attorney for Plaintiff