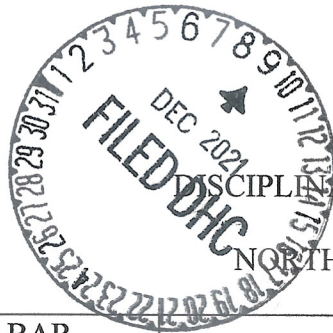


STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
20 DHC 16

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

JANET P. REED, Attorney,

Defendant

ORDER OF DISBARMENT
(CORRECTED COPY)

THIS MATTER was heard on 14 June 2021 by a Hearing Panel of the Disciplinary Hearing Commission composed of Fred W. DeVore, III, Chair, Maya M. Engle, and Jane B. Weathers. Plaintiff, the North Carolina State Bar, was represented by Joshua T. Walthall. Defendant, Janet P. Reed, was not present at the hearing and was not represented by counsel.

On Plaintiff's motion, as a result of Defendant's failure to participate in the discovery process, the Panel entered an Order of Contempt and Sanctions on 22 March 2021 pursuant to Rule 37 of the North Carolina Rules of Civil Procedure. Pursuant to this Order of Contempt and Sanctions, Defendant's Answer was stricken and all of the allegations in the Complaint were deemed admitted. Based upon the pleadings and the evidence presented at the hearing, the Hearing Panel hereby makes 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, Janet P. Reed ("Reed" or "Defendant"), was admitted to the North Carolina State Bar in 1997 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 the relevant period referred to herein, Defendant was actively engaged in the practice of law in Jacksonville, Onslow County, North Carolina.
4. From 8 February 2016 until 24 October 2019, pursuant to a Durable Power of Attorney, Defendant served as the attorney-in-fact for F.D., her stepfather.
5. F.D. was born in 1937.

6. F.D. has dementia.
7. F.D. requires 24-hour nursing care.
8. F.D. is largely homebound.
9. F.D. requires a wheelchair to move about.
10. F.D. lacks capacity to manage his healthcare.
11. F.D. lacks capacity to manage his finances.
12. Despite F.D.'s lack of capacity, Defendant never sought to have a guardian appointed to protect F.D.'s interests.
13. When serving as F.D.'s attorney-in-fact, Defendant was responsible for F.D.'s finances.
14. When serving as F.D.'s attorney-in-fact, Defendant had access to F.D.'s bank accounts.
15. When serving as F.D.'s attorney-in-fact, Defendant was responsible for handling and had access to F.D.'s bank account at Bank of America.
16. F.D.'s pension and retirement monies were deposited into F.D.'s bank account at Bank of America on a monthly basis.
17. F.D.'s pension and retirement income totaled at least \$13,764.62 each month.
18. F.D.'s monthly pension and retirement income of at least \$13,764.62 exceeded F.D.'s monthly expenses and obligations.
19. Upon receiving a complaint from a home-healthcare provider who expressed concerns about *inter alia*, Defendant's possible financial exploitation of F.D., the Onslow County Department of Social Services initiated an investigation into Defendant's conduct as F.D.'s attorney-in-fact.
20. On 12 September 2019, the Onslow County Department of Social Services initiated legal action for the protection of F.D., filing a Petition for Adjudication of Incompetence and Application for Appointment of Guardian in Onslow County Superior Court.
21. On 4 October 2019, the Onslow County Clerk of Court adjudicated F.D. incompetent.

22. On 22 October 2019, the Onslow County Clerk of Court appointed Brett DeSelms (“DeSelms”), an attorney in good standing in Onslow County, to serve as the guardian of F.D.’s estate and the Department of Social Services to serve as the guardian of F.D.’s person.

23. On 24 October 2019, DeSelms revoked the Power of Attorney naming Defendant as F.D.’s attorney-in-fact.

24. Even after DeSelms revoked the Power of Attorney naming Defendant as F.D.’s attorney-in-fact, Defendant continued to falsely hold out to others as F.D.’s attorney-in-fact.

25. On 28 October 2019, four days after DeSelms had revoked the Power of Attorney naming Defendant as F.D.’s attorney-in-fact, Defendant entered into a contract with Pierce Law Group, a law firm in Durham, on F.D.’s behalf, to represent F.D. in appealing the 22 October 2019 adjudication of incompetency.

26. At the time Defendant entered into a contract with Pierce Law Group on F.D.’s behalf, she did not have authority to enter into contracts on F.D.’s behalf.

27. On 28 October 2019, four days after DeSelms had revoked the Power of Attorney naming Defendant as F.D.’s attorney-in-fact, Defendant paid Pierce Law Group out of funds belonging to F.D. to provide legal services to F.D.

28. At the time Defendant paid Pierce Law Group out of funds belonging to F.D., she did not have authority to use F.D.’s money for any purpose.

29. In October of 2019, upon the revocation of Defendant’s Power of Attorney, DeSelms took over the management of F.D.’s finances.

30. Prior to Defendant’s “service” as F.D.’s attorney-in-fact, F.D. had over a \$100,000.00 in savings.

31. Prior to Defendant’s “service” as F.D.’s attorney-in-fact, F.D. did not have any credit card debt.

32. By the time DeSelms was appointed as F.D.’s guardian, F.D.’s savings had been eradicated and F.D. had over \$130,000.00 in non-medical credit card debt in his name.

33. During her tenure as F.D.’s attorney-in-fact, Defendant made purchases with F.D.’s credit cards.

34. During her tenure as F.D.’s attorney-in-fact, Defendant made purchases with F.D.’s credit cards that were not for F.D.’s benefit.

35. In November of 2018, Defendant used approximately \$21,620.00 of F.D.’s money to pay credit card bills Defendant had accrued by using credit cards that were in F.D.’s name.

36. In December of 2018, Defendant used approximately \$23,025.00 of F.D.'s money to pay credit card bills Defendant had accrued by using credit cards that were in F.D.'s name.

37. In January of 2019, Defendant used approximately \$20,406.59 of F.D.'s money to pay credit card bills Defendant had accrued by using credit cards that were in F.D.'s name.

38. In February of 2019, Defendant used approximately \$15,575.00 of F.D.'s money to pay credit card bills Defendant had accrued by using credit cards that were in F.D.'s name.

39. In March of 2019, Defendant used approximately \$9,851.31 of F.D.'s money to pay credit card bills Defendant had accrued by using credit cards that were in F.D.'s name.

40. During her time as F.D.'s attorney-in-fact, Defendant also paid her own credit card bills with F.D.'s money.

41. While the bills from the credit cards in F.D.'s name and in Defendant's name were paid with F.D.'s money, many of the purchases made with the credit cards were not made by F.D. and were not for F.D.'s benefit.

42. For example, credit card charges made in Raleigh for entertainment at the "PNC Arena," at nail and hair salons, and at various out-of-town locations were not for F.D.'s benefit.

43. However, credit card charges made in Raleigh for entertainment at the "PNC Arena," at nail and hair salons, and at various out-of-town locations were paid for with F.D.'s money.

44. In February 2019, Defendant made two payments to "NC Court Payments" with F.D.'s money: one payment on 19 February 2019 for \$205.50 and another payment on 25 February 2019 for \$205.50.

45. These "NC Court Payments" from February 2019 were not for F.D.'s benefit.

46. During her tenure as F.D.'s attorney-in-fact, Defendant allowed F.D.'s bank account to go into overdraft on multiple occasions.

47. During her tenure as F.D.'s attorney-in-fact, Defendant paid herself a stipend of \$500.00 per month out of F.D.'s money.

48. During her tenure as F.D.'s attorney-in-fact, Defendant lived in F.D.'s home.

49. During her tenure as F.D.'s attorney-in-fact, Defendant used F.D.'s vehicles for her personal purposes.

50. During her tenure as F.D.'s attorney-in-fact, Defendant used F.D.'s money to purchase gifts for herself.

51. During her tenure as F.D.'s attorney-in-fact, Defendant used F.D.'s money to purchase gifts for staff working for F.D.

52. Defendant stated that she "had the authority under the [Power of Attorney] to make those gifts and to pay herself as attorney-in-fact for F.D."

53. On 12 November 2019, Wake County Superior Court entered an order enjoining Defendant from serving in any fiduciary capacity, including trustee, escrow agent, settlement agent, personal representative, executor or attorney-in-fact; receiving any funds from or on behalf of clients or other individuals in a fiduciary capacity; writing checks against or otherwise disbursing or withdrawing funds from any account into which client or fiduciary funds have been deposited, including operating or personal accounts into which misappropriated or mishandled fiduciary funds were deposited; and/or directing or permitting any employee or agent to draw a check on or otherwise disburse or withdraw funds from any account in which client or fiduciary funds have been deposited, including operating or personal accounts into which misappropriated or mishandled fiduciary funds were deposited.

54. In this 12 November 2019 order, Wake County Superior Court ordered Defendant to provide various documents to the State Bar.

55. After its entry, Defendant violated the court's 12 November 2019 injunction order in at least two ways:

- a. Defendant transported F.D., in his wheelchair, into a bank and attempted to have F.D. withdraw money from a bank account to which F.D. but not Defendant had authorized access; and
- b. Defendant did not provide to the State Bar the documents that she was required by the order to submit.

56. Because of Defendant's continued attempts to exploit of the person and assets of F.D. even after the injunction, the Court granted F.D.'s guardian an *ex parte* Domestic Violence Protective Order, prohibiting Defendant from having any unsupervised contact with F.D.

57. During her tenure as F.D.'s attorney-in-fact, Defendant had a fiduciary responsibility to act in F.D.'s best interests.

58. During her tenure as F.D.'s attorney-in-fact, Defendant did not act in a manner that was in F.D.'s best interests.

59. It was not in F.D.'s best interests for his retirement money to be spent on expenditures that were not for his benefit.

60. During her tenure as F.D.'s attorney-in-fact, Defendant had a fiduciary responsibility to manage F.D.'s finances consistent with F.D.'s best interests.

61. During her tenure as F.D.'s attorney-in-fact, Defendant did not manage F.D.'s finances consistent with F.D.'s best interests.

62. During her tenure as F.D.'s attorney-in-fact, Defendant had a fiduciary responsibility to utilize F.D.'s money in an open, fair, and honest manner.

63. During her tenure as F.D.'s attorney-in-fact, Defendant did not utilize F.D.'s money in an open, fair, and honest manner.

64. During her tenure as F.D.'s attorney-in-fact, Defendant was required to be impartial and was prohibited from using her position as F.D.'s attorney-in-fact for personal benefit to herself.

65. During her tenure as F.D.'s attorney-in-fact, Defendant did not act impartially and, instead, used her position as F.D.'s attorney-in-fact for her personal benefit.

66. During her tenure as F.D.'s attorney-in-fact, Defendant had a fiduciary responsibility to avoid self-dealing.

67. During her tenure as F.D.'s attorney-in-fact, Defendant engaged in self-dealing.

68. As a licensed North Carolina attorney, Defendant was required to act in a manner consistent with the Rules of Professional Conduct while serving as F.D.'s attorney-in-fact.

69. During the investigative stage of the preliminary injunction, Defendant claimed to the State Bar that several of the charges that she made using F.D.'s money for her sole benefit were actually for F.D.'s benefit or were made by F.D.

70. Defendant's statements to the State Bar described in the immediately preceding paragraph were materially false.

71. During the investigative stage of the preliminary injunction, Defendant claimed that F.D. consented to Defendant spending his money on expenditures for Defendant's sole benefit.

72. As F.D. was incompetent and lacked capacity to manage his finances during the time Defendant served as his attorney-in-fact, he was incapable of consenting to someone spending his retirement money on expenditures that were not for his benefit.

Based upon the foregoing Findings of Fact, the Hearing Panel enters the following:

CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Panel and the panel has jurisdiction over Defendant, Janet P. Reed, and over the subject matter of this proceeding.

2. Reed's conduct, as set forth in the Findings of Fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct as follows:

- a) By failing to diligently protect F.D.'s interests and finances while serving as his attorney-in-fact, Defendant failed to act with competence or diligence, in violation of Rule 1.1 and 1.3;
- b) By breaching her fiduciary duty and exploiting the assets of F.D. and using F.D.'s money for her own benefit, Defendant misused entrusted funds in violation of Rules 1.15-2(a) and (k); collected an excessive fee from F.D. in violation of Rule 1.5(a); engaged in embezzlement, which is, pursuant to N.C. Gen. Stat. § 14-90, a criminal act reflecting adversely on Defendant's fitness as a lawyer in violation of Rule 8.4(b); engaged in a conflict of interest in violation of Rule 1.7(a); and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c);
- c) By failing to have a guardian appointed for F.D., despite F.D.'s obvious diminished capacity, Defendant violated Rule 1.14(a);
- d) By holding out to others as F.D.'s attorney-in-fact after the Power of Attorney had been revoked, Defendant made misstatements about her services in violation of Rule 7.1(a); knowingly made a false statement of material fact to third persons in violation of Rule 4.1; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c);
- e) By making various charges against or with F.D.'s funds for her sole benefit and falsely claiming to the State Bar that those charges were actually for F.D.'s benefit or were made by F.D., Defendant made misstatements about her fees and services in violation of Rule 7.1(a); knowingly made a false statement of material fact in a disciplinary matter in violation of Rule 8.1(a); and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c);
- f) By holding out to Pierce Law Group as able to enter into contracts on F.D.'s behalf after the Power of Attorney had been revoked and by using F.D.'s funds to pay Pierce Law Group after the Power of Attorney had been revoked, Defendant knowingly made a false statement of material fact to third persons in violation of Rule 4.1; engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c); misused entrusted funds in violation of Rules 1.15-2(a) and (k); and engaged in embezzlement, which is,

pursuant to N.C. Gen. Stat. § 14-90, a criminal act reflecting adversely on Defendant's fitness as a lawyer in violation of Rule 8.4(b);

- g) By trying to have F.D. withdraw money from an account to which Defendant did not have authorized access and by refusing to provide to the State Bar the requisite documents after Wake County Superior Court entered an order enjoining Defendant from handling any money belonging to F.D. and requiring Defendant to produce various documents to the State Bar, Defendant knowingly violated an order of a tribunal in violation of Rule 3.4(c) and engaged in conduct that is prejudicial to the administration of justice in violation of Rule 8.4(d); and
- h) By taking advantage of F.D. through her position as attorney-in-fact such that DeSelms had to revoke F.D.'s Power of Attorney and obtain an *ex parte* Domestic Violence Protective Order prohibiting Defendant from having unsupervised contact with F.D., Defendant engaged in conduct prejudicial to the administration of justice in violation of Rule 8.4(d).

Based upon the pleadings, the foregoing Findings of Fact and Conclusions of Law, and the evidence presented at the hearing in this matter, the Hearing Panel hereby finds by clear, cogent, and convincing evidence the following additional:

FINDINGS OF FACT REGARDING DISCIPLINE

1. The Findings of Fact in paragraphs 1 through 72 above are reincorporated as if set forth herein.
2. Defendant has two prior disciplinary offenses since joining the North Carolina Bar in 1997:
 - a. In 2007, Defendant received a five year Suspension, stayed five years, for incompetent representation, failing to inform the court of all relevant facts, making false statements of material fact to a tribunal, engaging in conduct involving dishonesty, fraud, deceit, and misrepresentation, engaging in conduct prejudicial to the administration of justice, and intentionally harming a client during the course of the professional relationship.
 - b. In 2010, Defendant received an active five year Suspension for incompetent representation, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct prejudicial to the administration of justice.
3. Defendant was reinstated to the active practice of law in North Carolina in February 2016, the same month she became F.D.'s attorney-in-fact.

4. During Defendant's tenure as F.D.'s attorney-in-fact and additional course of misconduct following the revocation of F.D.'s Power of Attorney as set forth in this order, Defendant not only engaged in a pattern of repeated similar acts of misconduct but also engaged in a wide variety of Rule violations.

5. F.D. was exceptionally vulnerable to the type of exploitation perpetrated by Defendant. F.D. is adjudicated incompetent and lacks capacity to manage his health and finances. As F.D.'s stepdaughter and attorney-in-fact, Defendant was aware of F.D.'s vulnerabilities. By failing to have a guardian appointed for F.D., Defendant intentionally created a foreseeable risk of harm to F.D. Instead of protecting F.D., Defendant capitalized on her fiduciary relationship with F.D. and preyed on his incapacity.

6. By making various charges against or with F.D.'s funds, Defendant financially exploited F.D. Likewise, by entering into a contract with Peirce Law Group on F.D.'s behalf in an effort to appeal F.D.'s adjudication of incompetency, Defendant acted for her own financial benefit to the detriment of F.D.'s legal interests.

7. Defendant used the fiduciary relationship as a foundation for obtaining money she had not earned from F.D., who lacked the capacity to question her actions or suspect her selfish motive. By elevating her own interests above the interests of F.D., Defendant compromised the fiduciary relationship.

8. Clients are entitled to attorneys they can trust to act with commitment and dedication to their interests. Defendant violated the trust inherent in the fiduciary relationship by prioritizing her own financial benefit over the best interests of F.D. By repeatedly exploiting F.D., Defendant has shown herself to be untrustworthy.

9. Defendant's willingness to deceive third parties and the State Bar, as established by paragraphs (d), (e), and (f) in the Conclusions of Law above, further demonstrate that Defendant is untrustworthy.

10. Defendant's conduct caused significant harm to public perception of the profession by reinforcing the negative stereotype that lawyers are greedy, selfish, and dishonest, and by diminishing the public's expectation that attorneys can be trusted to protect vulnerable clients.

11. Societal order depends in large measure on respect for the rule of law and deference to the decisions of our courts. To maintain this respect and deference, litigants and the general public must have faith in the integrity of our system of justice.

12. Defendant intentionally engaged in conduct that foreseeably undermines public faith in the legal system by exploiting an individual with diminished physical and intellectual capacities.

13. Attorneys, as officers of the court, must avoid conduct that undermines the integrity of the adjudicative process. Defendant's willingness to violate court orders and actions resulting in the court issuing an *ex parte* Domestic Violence Protective Order, as established in paragraphs

(g) and (h) above, foreseeably caused significant harm to the profession and the administration of justice.

14. There is no indication that Defendant has taken ownership of her misconduct or its consequences. Defendant has not expressed remorse or shown any insight regarding the ways in which she betrayed F.D.'s trust.

15. Defendant has not refunded any of the excessive fees she collected from F.D.

16. During the prosecution of this disciplinary case against Defendant, Defendant failed to respond to various discovery requests from the State Bar, resulting in the Court sanctioning her by striking her Answer, and failed to attend this very hearing. This conduct exemplifies Defendant's unwillingness to comply with the rules or orders of the disciplinary agency and overall failure to participate in the legal profession's self-regulation process.

Based on the foregoing Findings of Fact, Conclusions of Law, and Findings of Fact Regarding Discipline, the Hearing Panel makes the following:

CONCLUSIONS REGARDING DISCIPLINE

1. The Hearing Panel has carefully considered all of the different forms of discipline available to it. In addition, the Hearing Panel has considered all of the factors enumerated in 27 N.C.A.C. 1B § .0116(f) of the Discipline and Disability Rules of the North Carolina State Bar.

2. The Hearing Panel concludes that the following factors from § .0116(f)(1), which are to be considered in imposing suspension or disbarment, are present in this case:

- (A) Intent of Defendant to cause the resulting harm or potential harm;
- (B) Intent of Defendant to commit acts where the harm or potential harm is foreseeable;
- (C) Circumstances reflecting Defendant's lack of honesty, trustworthiness, or integrity;
- (E) Negative impact of Defendant's actions on client's or public's perception of the profession;
- (F) Negative impact of Defendant's actions on the administration of justice;
- (H) Effect of Defendant's conduct on third parties;
- (I) Acts of dishonesty, misrepresentation, deceit, or fabrication; and
- (J) Multiple instances of failure to participate in the legal profession's self-regulation process.

3. The Hearing Panel concludes that the following factors from § .0116(f)(2), which require consideration of disbarment, are present in this case:

- (A) Acts of dishonesty, misrepresentation, deceit, or fabrication;
- (B) Impulsive acts of dishonesty, misrepresentation, deceit, or fabrication without timely remedial efforts; and
- (C) Misappropriation or conversion of assets of any kind to which the Defendant or recipient is not entitled, whether from a client or any other source.

4. The Hearing Panel concludes that the following factors from § .0116(f)(3), which are to be considered in all cases, are present in this case:

- (A) Prior disciplinary offenses in this state or any other jurisdiction;
- (C) Dishonest or selfish motive;
- (E) Indifference to making restitution;
- (F) A pattern of misconduct;
- (G) Multiple offenses;
- (M) Bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with the rules or orders of the disciplinary agency;
- (N) Submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
- (O) Refusal to acknowledge wrongful nature of conduct; and
- (R) Vulnerability of victim.

5. The Hearing Panel has carefully considered all of the different forms of discipline available to it, including admonition, reprimand, censure, suspension, and disbarment.

6. Defendant's course of misconduct in repeatedly exploiting a vulnerable individual, making multiple misrepresentations to the State Bar, and ongoing refusal to participate in the self-regulatory process caused significant harm to F.D., the administration of justice, and the legal profession by making it appear that lawyers are free to disregard the legal and ethical rules concerning the representation of others.

7. Defendant's course of misconduct, involving the manipulation and exploitation of a vulnerable individual, reflects that Defendant is either unwilling or unable to conform her behavior to the requirements of the Rules of Professional Conduct. Defendant has refused to

acknowledge the wrongfulness of her conduct and there is no evidence suggesting that she intends to modify her behavior. Accordingly, if Defendant were permitted to continue practicing law, she would pose a significant risk of continued harm to clients, the profession, the public, and the administration of justice.

8. Defendant's conduct caused significant harm to the standing of the profession in the eyes of her clients and has the potential to cause significant harm to the standing of the profession in the eyes of the public because it shows her disregard for her duties as an attorney. Such erosion of public confidence in attorneys tends to sully the reputation of, and fosters disrespect for, the profession as a whole. Confidence in the legal profession is a building block for public trust in the entire legal system.

9. Defendant caused significant harm to the profession by repeatedly failing to respond to State Bar inquiries and otherwise failing to participate in the grievance process. Additionally, Defendant submitted false evidence to the State Bar and failed to participate in the present proceeding, including failing to appear at the hearing. Defendant's conduct demonstrates her continued refusal to participate in the self-regulatory process, her bad faith obstruction of the disciplinary agency, and her refusal to acknowledge the wrongful nature of her conduct. Such conduct interferes with the State Bar's ability to regulate its members and undermines the profession's privilege to remain self-regulating.

10. One of the foundational principles of being an attorney is a willingness to subject oneself to the high standards of the profession. In North Carolina, being an attorney means willingly accepting the accountability provided by the attorney's peers on the State Bar Council. This allows the public to trust attorneys with, usually, the most important aspects of their lives. During the course of this disciplinary case, Defendant made it abundantly clear that she does not accept that accountability, that she does not want to participate in the self-regulatory process, and that she does not want to be held to the standards of the profession. In doing so, she has inspired no confidence that she can be trusted to be a licensed attorney going forward.

11. Defendant is a danger to the public due to her repeated misconduct, multiple misrepresentations, and ongoing refusal to participate in the self-regulatory process. Defendant's inability or unwillingness to comply with the Rules of Professional Conduct requires this Panel to disbar Defendant as the only means to adequately acknowledge the wrongfulness of her conduct and protect the public.

12. The Hearing Panel has considered lesser sanctions and concludes that any discipline short of disbarment would not adequately protect the public for the following reasons:

- a. Entry of an order imposing less serious discipline would fail to acknowledge the seriousness of the offense; would not adequately protect the clients, the public, and the administration of justice; and would send the wrong message to attorneys and the public regarding the conduct expected of members of the Bar of this State;

- b. The protection of the public and the legal profession requires that Defendant not be permitted to resume the practice of law until she demonstrates the following: that she has reformed; that she understands her obligations to her clients, the public, the courts, and the legal profession; and that reinstatement will not be detrimental to the public or the integrity and standing of the legal profession. Disbarred lawyers are required to make such a showing before they may resume practicing law, whereas no such showing of reformation is required of attorneys whose license is suspended; thus, disbarment is necessary; and
- c. Defendant has failed to reform her conduct in response to less discipline.

13. Defendant's conduct caused significant harm and potential significant harm to F.D., the administration of justice, and the profession. Due to the nature and extent of Defendant's misconduct, the significant harm caused, and Defendant's prior disciplinary history, the Hearing Panel concludes that disbarment is the only discipline that will adequately protect clients, the public, the administration of justice, and the profession from future transgressions by Defendant.

Based on the foregoing Findings of Fact, Conclusions of Law, Findings of Fact Regarding Discipline, and Conclusions of Law Regarding Discipline, the Hearing Panel hereby enters the following:

ORDER OF DISCIPLINE

1. Defendant, Janet P. Reed, is hereby DISBARRED.
2. Defendant shall submit her license and membership card to the Secretary of the North Carolina State Bar no later than 30 days following service of this order upon Defendant.
3. Defendant shall comply with the wind down provisions contained in 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0128. As provided in § .0128(d), Defendant shall file an affidavit with the Secretary of the North Carolina State Bar within 10 days of the effective date of this order, certifying she has complied with the wind down rule.
4. The administrative fees and costs of this action, including deposition costs, are taxed to Defendant. Defendant shall pay the costs of this action within 30 days of service upon her of the statement of costs by the Secretary.

Signed by the Chair with the consent of the other Hearing Panel members, this the 9th day of December, 2021, nunc pro tunc 28 June 2021.



Fred W. DeVore, III, Chair
Disciplinary Hearing Panel