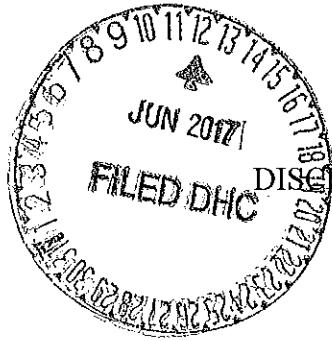


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
17 BSR 1 & 13 DHC 4

| | | |
|---------------------------------|---|---------------|
| IN THE MATTER OF |) | |
| |) | CONSENT ORDER |
| Petition for Reinstatement of |) | OF |
| William Trippe McKeny, Attorney |) | REINSTATEMENT |
| |) | |

THIS MATTER was considered by a Hearing Panel of the Disciplinary Hearing Commission composed of Donald C. Prentiss, Chair, Irvin W. ("Hank") Hankins, III, and Christopher R. Bruffey pursuant to 27 N.C. Admin. Code 1B § .0114. Plaintiff, the North Carolina State Bar, was represented by Carmen Hoyme Bannon. Defendant, William Trippe McKeny, represented himself. Defendant waives a formal hearing in this matter and both parties stipulate and consent to the entry of this order and to the discipline imposed. Defendant waives any right to appeal this consent order or to challenge in any way the sufficiency of the findings.

Based upon the records of the Disciplinary Hearing Commission and the consent of the parties, the Hearing Panel makes the following:

FINDINGS OF FACT

1. In an Order of Discipline filed 21 November 2013, the Disciplinary Hearing Commission suspended McKeny from the practice of law for three years, effective 25 December 2013.
2. On 7 February 2017, McKeny filed a verified Petition for Reinstatement requesting that his license to practice law be reinstated. Therein, he asserted that he had substantially complied with the conditions of reinstatement set forth in the Order of Discipline and satisfied the requirements for reinstatement set forth in 27 N.C.A.C. 1B § .0125(b)(3) ("Rule .0125").
3. The North Carolina State Bar filed a Response to McKeny's Petition for Reinstatement on 27 February 2017. A hearing before the DHC was scheduled pursuant to Rule .0125(b)(7).
4. As indicated in Rule .0125(b)(3)(E), to be reinstated to the practice of law, a suspended lawyer must prove by clear and convincing evidence that he abstained from conduct during the period of suspension that would constitute grounds for discipline pursuant to N.C.G.S. § 84-28(b).

5. The State Bar contends that McKeny engaged in conduct during the period of suspension that constitutes grounds for discipline pursuant to N.C.G.S. § 84-28(b). Its specific allegations were described in a complaint filed in this tribunal on 14 February 2017 (*State Bar v. McKeny*, 17 DHC 5).

6. The parties intend to globally resolve this reinstatement proceeding and the disciplinary proceeding in 17 DHC 5. As part of that global resolution, McKeny admits to the misconduct described in 17 DHC 5 and consents to an additional period of suspension that will be stayed upon compliance with conditions. The Consent Order of Discipline in 17 DHC 5, which is entered contemporaneous with this order, is incorporated herein by reference.

Based on 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 Disciplinary Hearing Commission and the Commission has jurisdiction over Petitioner, William Trippe McKeny, and the subject matter of this proceeding.

2. Although McKeny did not abstain from conduct during the period of suspension that constitutes grounds for discipline under N.C.G.S. § 84-28(b), his post-suspension misconduct should not preclude McKeny from ever returning to the practice of law.

3. The public will be adequately protected if McKeny is permitted to resume practicing law subject to the conditions of the stayed suspension contemporaneously imposed in 17 DHC 5.

4. The protection of the public requires that McKeny have an approved practice monitor in place before his license to practice law is reinstated.

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

ORDER

1. William Trippe McKeny's Petition for Reinstatement is ALLOWED, but his reinstatement shall not be effective until he has arranged for an active member in good standing of the North Carolina State Bar who has been approved by the Office of Counsel and practices in the county of Petitioner's practice to serve as his practice monitor. Before McKeny resumes practicing law, he must supply the Office of Counsel with a letter from the approved monitoring attorney confirming his or her agreement to: (a) meet with McKeny monthly to review McKeny's cases; (b) provide supervision to

ensure that McKeny timely and completely handles client matters; and (c) provide written quarterly reports of this supervision to the Office of Counsel on the following dates as they occur during the duration of the stay of the suspension: January 30, April 30, July 30, and October 30. McKeny will be responsible for the cost, if any, charged by the monitor for this supervision.

2. Upon receipt of the letter from the practice monitor described in paragraph 1, above, the Office of Counsel shall notify the Clerk of the DHC that this condition of reinstatement has been satisfied, and the Clerk shall cause McKeny's membership record with the State Bar to reflect that he is permitted to resume practicing law.

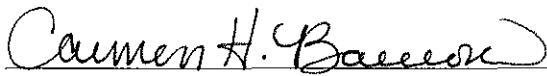
3. When McKeny is permitted to resume practicing law, he will immediately be subject to the conditions of the stay of suspension set forth in the Consent Order of Discipline in 17 DHC 5.

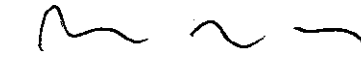
4. McKeny is taxed with the costs and administrative fees of this proceeding, which McKeny shall pay within six months of the date of this Order.

Signed by the undersigned Chair with the knowledge and consent of the other members of the Hearing Panel, this 8 day of June, 2017.


DONALD C. PRENTISS, CHAIR
DISCIPLINARY HEARING PANEL

CONSENTED TO BY:


Carmen Hoyme Bannon
Attorney for Plaintiff


William Trippe McKeny
Defendant