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NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
06 BSR 1 & 02 DHC 17

IN THE MATTER OF
THE REINSTATEMENT OF:

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ORDER OF
REINSTATEMENT

ALICE L. McNEER, Attorney,

THIS MATTER came on to be heard on July 28, 2006 before a hearing committee of the Disciplinary Hearing Commission composed of Karen Eady-Williams, Chair, Tommy W. Jarrett, and Donald G. Willhoit upon the Office of Counsel's objection pursuant to 27 NCAC 1B § .0125(b) (4) to the Secretary reinstating the petitioner, Alice L. McNeer ("McNeer"). Based upon the evidence presented and the arguments of A. Root Edmonson for the North Carolina State Bar and McNeer, the hearing committee makes the following:

FINDINGS OF FACT

1. After a hearing on February 21, 2003, a hearing committee of the Disciplinary Hearing Commission entered its Findings of Fact, Conclusions of Law and Order of Discipline in 02 DHC 17 ("Findings, Conclusions and Order") suspending McNeer from the practice of law for three years.

2. The Findings, Conclusions and Order was served upon McNeer by certified mail on March 20, 2003.

3. Pursuant to paragraph 5(b) of the Order of Discipline in the Findings, Conclusions and Order, to be eligible for reinstatement, McNeer had to prove that she has complied with the following condition during her suspension:

- (b) That she has satisfied the same mandatory continuing legal education requirements of the North Carolina State Bar during the three-year suspension as would have been required if she were actively licensed.

4. According to paragraph 4(E) (ii) of her petition and its attachments, McNeer took most of the CLE hours she was required to take for 2003 and all of the CLE hours she was required to take for 2004 and 2005 in 2006.

5. By not taking CLE during 2003-2005, McNeer did not timely comply with the CLE requirements for 2003-2005 "as would have been required if she were actively licensed."

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6. McNeer's failure to take the CLE on a timely basis was not an intentional disregard of the Order of Discipline.

7. The number of hours of CLE that McNeer took in 2006 satisfied the requirements of 27 NCAC 1B § .0125(b)(3)(H).

BASED UPON the foregoing Findings of Fact, the hearing committee enters the following:

CONSLUSIONS OF LAW

1. McNeer was in substantial compliance with the conditions imposed by the 2003 Order of Discipline for McNeer to be reinstated.

2. Any failure by McNeer to strictly adhere to the specific terms of paragraph 5(b) of the Order of Discipline was not willful.

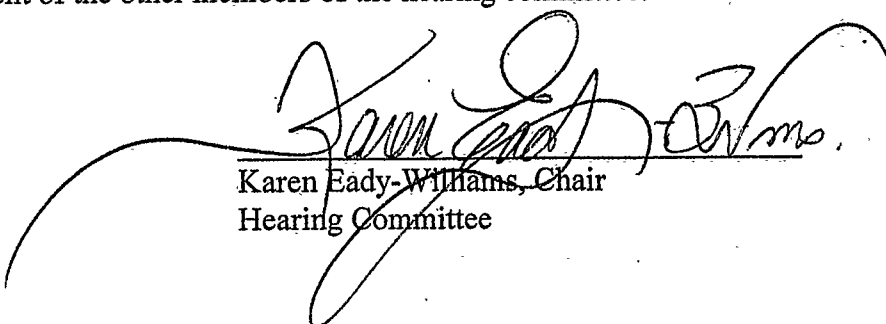
3. McNeer is in substantial compliance with the conditions of the Order of Discipline for reinstatement.

4. McNeer has satisfied all of the other conditions of 27 NCAC 1B § .0125(b) to be eligible for reinstatement.

5. McNeer's license should be reinstated forthwith.

THEREFORE, the hearing committee GRANTS McNeer's Petition for Reinstatement.

Entered this is the 18th day of September 2006, *nunc pro tunc* to July 28, 2006, with the full knowledge and consent of the other members of the hearing committee.


Karen Eady-Williams, Chair
Hearing Committee