



STATE OF NORTH CAROLINA
WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
17 DHC 3 D

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

STEPHANIE L. VILLAVER, Attorney,

Defendant

CONSENT ORDER
TRANSFERRING DEFENDANT TO
DISABILITY INACTIVE STATUS

THIS MATTER was considered by a Hearing Panel of the Disciplinary Hearing Commission composed of Shannon R. Joseph, Chair, and members Maya Madura Engle and Kimberly Strach. Jennifer A. Porter represented Plaintiff, the North Carolina State Bar. Defendant, Stephanie L. Villaver, was represented by Douglas J. Brocker.

The parties stipulate and agree to the findings of fact and conclusions of law recited in this Consent Order. By this Consent Order, Defendant gives notice of disability pursuant to 27 N.C. Admin. Code 1B.0122(c)(3) and Plaintiff and Defendant stipulate that the facts establish by clear, cogent, and convincing evidence that Defendant is disabled as defined in 27 N.C. Admin. Code 1B.0103(19), as set out herein. The parties consent to Defendant being transferred to disability inactive status. By consenting to this Order, Defendant knowingly, freely, and voluntarily waives any right to appeal this Consent Order or to challenge in any way the sufficiency of the findings.

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

FINDINGS OF FACT

1. On February 15, 2017, an Order of Discipline (“Order”) was entered in this matter against Defendant, Stephanie L. Villaver (“Villaver”), which imposed a five-year suspension stayed for five years. By consent order entered February 8, 2022, the term of the stay of the suspension was extended for one year, to March 18, 2023, due to circumstances related to making the restitution required in the Order.

2. By consent order entered February 15, 2023, the stay of the suspension was extended for an additional year to allow Villaver to complete making the restitution required by the Order and changes were made allowing certain conditions to be streamlined. These changes were based in part on significant health issues for Defendant that had developed in 2022.

3. Villaver has been diagnosed with cancer and has been undergoing various types of treatment for the cancer beginning in December 2022.

4. As of July 14, 2023, Villaver is receiving radiation therapy daily, Monday through Friday, at Duke University Cancer Center, that requires her to stay at a facility next to the hospital. This treatment is expected to last for at least six weeks and is expected to be followed by additional forms of cancer treatments.

5. As a result of the cancer and the cancer treatments, Villaver is experiencing severe pain that interferes with her physical and cognitive function, which requires additional specialty care. The cancer treatments are also causing other significant health issues and side effects. In addition to the treatments for the cancer, Villaver continues to have various cancer-related medical procedures and tests at Duke Health and other locations that occupy a significant amount of her time.

6. On July 27, 2023, Villaver presented the State Bar with a letter from her primary care physician, Dr. Benjamin C. Mozie, who stated that, in his opinion, Defendant's cancer and other medical conditions, her corresponding ongoing and aggressive treatments, and the various side effects significantly impair her professional performance as an attorney at this time.

7. Villaver presently suffers from physical conditions which significantly impair her professional judgment, performance, or competence as an attorney.

8. Villaver consents to being transferred to disability inactive status.

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

CONCLUSIONS OF LAW

1. All the parties are properly before the Hearing Panel and the Panel has jurisdiction over Defendant, Stephanie L. Villaver, and the subject matter.

2. Villaver is disabled as defined in 27 N.C. Admin. Code 1B.0103(19).

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

ORDER

1. Stephanie L. Villaver is transferred to disability inactive status.

2. Villaver shall refrain from practicing law in North Carolina or holding herself out as able to provide legal services unless and until reinstated to active status.

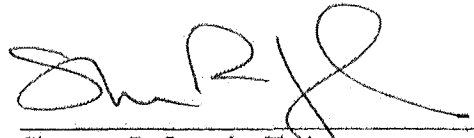
3. Within 15 days of the effective date of this Order, Villaver shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Villaver or a designated agent and obtain such files. If a trustee is appointed, Villaver shall make any necessary arrangements for the trustee to have access to her client files and for clients to be able to contact the trustee.

4. The running of the stayed suspension in this case is tolled, and this disciplinary action, including compliance with the requirements of the stayed suspension, is stayed until such time as Villaver is reinstated to active status.

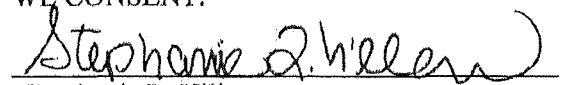
5. Any and all grievances currently pending or which may be opened in the future concerning Villaver shall be abated until such time as Villaver is reinstated to active status.

6. The North Carolina State Bar, pursuant to 27 N.C. Admin. Code 1B.0122(e)(2), may continue to investigate allegations of misconduct against Villaver to preserve evidence, including the issuance of subpoenas to third parties. No further orders of this Hearing Panel shall be necessary to take such actions.

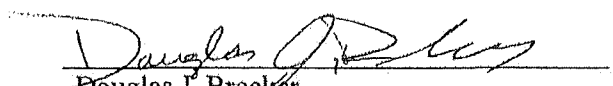
Signed by the Chair with the consent of the other Hearing Panel members, this the 10th day of August, 2023.


Shannon R. Joseph, Chair
Disciplinary Hearing Panel

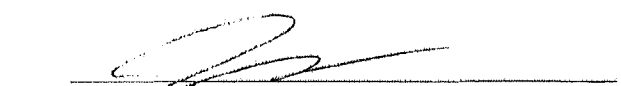
WE CONSENT:


Stephanie L. Villaver
Defendant

8/3/23
Date


Douglas J. Brocker
Attorney for Defendant

8/2/23
Date


Jennifer A. Porter, Deputy Counsel
Attorney for Plaintiff

8-7-23
Date