

STATE OF NORTH CAROLINA

WAKE COUNTY

THE NORTH CAROLINA STATE BAR,
Plaintiff

v.

JOANNE M. DENISON, Attorney,
Defendant



ORDER OF
RECIPROCAL DISCIPLINE

Pursuant to the authority vested in me as Chair of the Grievance Committee of the North Carolina State Bar by 27 N.C. Admin. Code 1B §§ .0105(a)(12) and .0116(b) of the North Carolina State Bar Discipline and Disability Rules, and based upon the record in this matter, the undersigned finds as follows:

1. Respondent, JoAnne M. Denison, was admitted to the North Carolina State Bar on 8 August 1997 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

2. By order dated 21 September 2015, the Supreme Court of Illinois suspended JoAnne M. Denison from the practice of law in Illinois for a period of three years and until further order of the Court. As a basis for its suspension order, the Court determined by clear and convincing evidence that Denison had engaged in professional misconduct warranting suspension. The Court concluded that:

- (a) Denison posted statements to a public blog in which she accused the judges and attorneys involved in a probate matter of being corrupt and accepting bribes;
- (b) Denison failed to provide an objective factual basis for her statements;
- (c) Denison's statements were false and made without a reasonable basis of belief; and
- (d) Denison's statements led to undue complications and significant delays in resolving the real issues of the probate case.

3. On 3 December 2015, the North Carolina State Bar served Denison with a Notice of Reciprocal Discipline. The Notice advised Denison that the State Bar was considering imposing identical discipline based upon the Illinois Supreme Court's order of suspension.

4. Pursuant to 27 N.C. Admin. Code 1B § .0116(b)(1), Respondent was required to file a response within 30 days of service of the Notice of Reciprocal Discipline if she desired to object to the imposition of identical discipline.

5. Denison failed to respond within 30 days of service of the Notice.

6. On 14 January 2016, the State Bar received Denison's response to the Notice of Reciprocal Discipline, wherein she objected to the imposition of reciprocal discipline. Denison indicated she deposited the response with the U.S. Postal Service on 8 January 2016. Despite the untimely nature of Denison's response, the Grievance Committee took Denison's response into consideration when reviewing this matter.

7. The Grievance Committee concludes that none of the elements set forth in 27 N.C. Admin. Code 1B § .0116(b)(3) exist in this case, and therefore that there are no grounds to conclude that the imposition of identical discipline in North Carolina would be unwarranted. The Grievance Committee further concludes that the identical three-year period of suspension on Denison's license to practice law in North Carolina should be effective thirty days after service of the Order of Reciprocal Discipline and that her reinstatement to the practice of law in North Carolina should be predicated upon her reinstatement to the practice of law in Illinois.

BASED UPON THE FOREGOING FINDINGS the Chair of the Grievance Committee makes the following CONCLUSIONS OF LAW:

1. The North Carolina State Bar has jurisdiction over the subject matter of the proceeding and over the person of the Respondent, JoAnne M. Denison.

2. The Grievance Committee has complied with the procedure for imposition of reciprocal discipline set forth in 27 N.C. Admin. Code 1B § .0116(b) of the N.C. State Bar Discipline and Disability Rules.

3. Pursuant to 27 N.C. Admin. Code 1B § .0116(b)(5), the 21 September 2015 Supreme Court of Illinois Order of Suspension against Denison establishes that Denison engaged in conduct constituting violations of the following North Carolina State Bar Rules of Professional Conduct: Rule 8.2 (a) and Rules 8.4(c) & (d). These Rule violations justify the imposition of reciprocal discipline in this State.

4. The suspension imposed by the Supreme Court of Illinois is the equivalent of a suspension as described and set out in N.C. Gen. Stat. § 84-28(c)(2). Denison's right to practice law in the State of North Carolina shall be suspended for three years effective thirty days after service of the Order of Reciprocal Discipline. Furthermore, Denison should be allowed to petition for reinstatement of her North Carolina law license only after her license to practice law in Illinois is reinstated.

THEREFORE IT IS HEREBY ORDERED THAT:

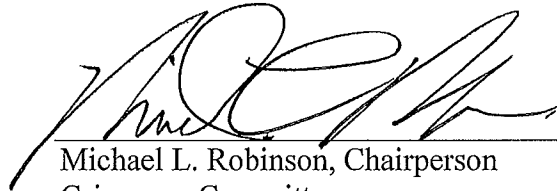
1. The license of Respondent, JoAnne M. Denison, is hereby SUSPENDED from the practice of law for three years effective thirty days from the date this Order of Reciprocal Discipline is served on her.

2. Denison shall submit her license and membership card to the Secretary of the North Carolina State Bar no later than 30 days following the date she is served with this Order. Denison shall comply with the wind down provisions contained in Rule .0124 of the North Carolina State Bar Discipline and Disability Rules, located at 27 N.C. Admin. Code 1B § .0124.

3. In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued discipline by the Grievance Committee, and in accordance with 27 N.C. Admin. Code 1B § .0105(a)(15), an administrative fee in the amount of \$350.00 is hereby taxed to Denison.

4. Denison may not petition for reinstatement to the practice of law in North Carolina until her license to practice law in Illinois is reinstated. Additionally, in petitioning for reinstatement of her North Carolina law license after being reinstated to the practice of law in Illinois, Denison must submit proof of her reinstatement to the practice of law in Illinois and must comply with 27 N.C. Admin. Code 1B § .0125.

This the 8th day of February, 2016.



Michael L. Robinson, Chairperson
Grievance Committee