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OFFICE OF
DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 14th of April, 2011 the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 35515

Jennifer D. Hewitt, a member of The West Virginia
State Bar, Respondent

On a former day, to-wit, March 3, 2011, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by John R. Lukens, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter, recommending that: (1) the respondent be suspended from the practice of law for a period of three months; (2) respondent be required to petition for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure; (3) as part of respondent's reinstatement, she complete a psychological evaluation to determine her mental and emotional fitness to practice law and her fitness to possess a concealed carry permit prior to her petition for reinstatement. Should the evaluation question her fitness to possess a concealed carry permit, she shall voluntarily surrender said permit and provide the Office of Disciplinary Counsel with proof of doing so; and (4) respondent pay the costs incurred in this disciplinary proceeding.

Thereafter, on March 7, 2011, came the respondent, Jennifer D. Hewitt, by Sherri D. Goodman, her attorney, and presented to the Court her statement that she consents to said recommendation and disposition.

Finally, on March 9, 2011, came the Office of Disciplinary Counsel, by Jessica H. Donahue, Lawyer Disciplinary Counsel, and presented to the Court its statement that it has no objections to said recommendation.

Upon consideration whereof, the Court does concur with the recommendation and doth hereby approve the recommendation of the Hearing Panel Subcommittee. Justice Ketchum does not concur with the recommendation.

It is therefore ordered that: 1) the respondent be, and she hereby is, suspended from the practice of law for a period of three months; with the suspension to take effect thirty days from the date of this order; (2) respondent shall petition for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure; (3) as part of respondent's reinstatement process; respondent must complete a psychological evaluation to determine her mental and emotional fitness to practice law and her fitness to possess a concealed carry permit prior to her petition for reinstatement. If the evaluation questions her fitness to possess a concealed carry permit she shall voluntarily surrender said permit and provide the Office of Disciplinary Counsel proof of doing so; and (4) respondent shall pay the costs incurred in this disciplinary proceeding.

Service of a copy of this order upon all parties herein shall constitute sufficient notice of the contents herein.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court

