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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 November 9, 2011, the following order was made and entered:

In Re: Petition for Reinstatement of Jennifer D. Hewitt

No. 11-1170

By order entered April 14, 2011, the petitioner was suspended from the practice of law for a period of three months, effective May 14, 2011. Pursuant to the April 14, 2011 order, the petitioner is required to petition for reinstatement pursuant to Rule 3.32, Rules of Lawyer Disciplinary Procedure and prior to petitioning for reinstatement she is required to complete a psychological evaluation to determine her mental and emotional fitness to practice law and her fitness to possess a concealed carry permit.¹ In addition, petitioner was ordered to pay the costs incurred in the disciplinary proceeding.

On August 16, 2011, came the petitioner, Jennifer D. Hewitt, a suspended member of The West Virginia State Bar, by Sherri D. Goodman, her attorney, pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court her petition for reinstatement of her suspended license to practice law in the State of West Virginia.

Thereafter, a hearing was held on September 23, 2011, before the Hearing Panel Subcommittee of the Lawyer Disciplinary Board.

On October 19, 2011, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, and presented to the Court its written report finding that petitioner satisfied each of the requirements for reinstatement and recommending that the petitioner be reinstated to the practice of

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If the evaluation questioned her fitness to possess a concealed carry permit, she would be required to voluntarily surrender said permit.

law subject to certain conditions, as set forth therein.

The Court after review of the petition, record and report, is of opinion to and doth hereby adopt the recommendation of the Hearing Panel Subcommittee and grant said petition for reinstatement with the following conditions: (1) Ms. Hewitt shall attend psychological counseling sessions at least once every two weeks for a period of twelve months beginning within three months of her reinstatement. Ms. Hewitt may seek said counseling from someone chosen by her unless Dr. David Ellis has an objection to her choice. (2) Ms. Hewitt shall be evaluated by Dr. David Ellis two times during the said twelve-month period, once near the conclusion of the six month period of her reinstatement and once near the conclusion of the twelve month period of her reinstatement. The counseling time period may be extended or shortened based upon the evaluation and recommendation of Dr. David Ellis. Ms. Hewitt shall provide a release of information to permit her psychological counselor and Dr. David Ellis to confer. (3) Ms. Hewitt shall file with the Office of Disciplinary Counsel Dr. David Ellis' report from the evaluations at the halfway period of counseling and status report at the conclusion of counseling, said reports will remain under seal.

It is therefore ordered that petitioner, Jennifer D. Hewitt, be, and she hereby is, reinstated to the practice of law in the State of West Virginia, subject to the terms and conditions set forth herein.

Chief Justice Workman and Justice Ketchum would grant the petition for reinstatement with the additional condition that Ms. Hewitt agree to relinquish her concealed carry permit and not carry a concealed weapon.

Service of an attested copy of this order shall constitute sufficient notice of its contents.

A True Copy

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

