

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA
BOARD OF LICENSED
PROFESSIONAL COUNSELORS

IN THE MATTER OF:)
)
DALVIS STEVE CONERLY, LPC)
Respondent.)
No. 1482)

CONSENT ORDER

THIS CAUSE, coming on to be heard and being heard before the North Carolina Board of Licensed Professional Counselors (“the Board”), at its meeting on June 11, 2015, pursuant to a charge letter issued by the Board on December 1, 2014, which is now pending; and

IT APPEARING to the Board that the Respondent has stipulated to certain facts and to the entry of a Consent Order in conformity therewith;

IT IS HEREBY STIPULATED by the undersigned Respondent and the Board that:

1. Respondent was at all times relevant to this cause a licensed professional counselor and is subject to the Board’s jurisdiction pursuant to the North Carolina Licensed Professional Counselors Act, Chapter 90, Article 24 of the North Carolina General Statutes.
2. On October 28, 2014, Respondent entered a plea of guilty pursuant to *State v. Alford* (i.e., a guilty plea in which Respondent maintained that in fact he was *not* guilty) to a charge of disorderly conduct in Wake County Superior Court. Respondent was given a 45 day suspended sentence and placed on unsupervised probation for a period of 18 months as a result of a plea agreement with the State in the case.
3. Although Respondent denied in court the allegations against him, he concedes for purposes of this Consent Order that had the State proven the allegations, such conduct would have amounted to a violation of N.C. Gen. Stat. §§ 90-340 (a)(2) and (a)(9) of the Licensed Professional Counselors Act.
4. The Board and Respondent wish to avoid the time and the costs associated with full litigation of this matter and, in lieu of any proceedings, enter into this Consent Order.
5. Respondent expressly waives notice of hearing, a hearing, the making of findings of fact and conclusions of law, and all further proceedings before the Board to which the Respondent may be entitled by law. Respondent further agrees that presentation of this Consent Order to the Board for approval shall not constitute improper ex parte communication between the Board and its counsel, or the Board and its staff, nor require the recusal of the members of the Board from consideration of this matter before the full Board, should a hearing be required in this case.

6. Respondent forever releases the State of North Carolina, the North Carolina Board of Licensed Professional Counselors, and all its members, officials, agents, representatives and employees, both past and present, in their individual or official capacities from any and all liability, suits, claims, and causes of action, arising prior to or as a result of the execution of this Consent Order.

7. Respondent waives the right to seek judicial review or to otherwise challenge the validity of this Consent Order in any court. Respondent understands and agrees that this Consent Order shall be effective only after approval by the full Board and signature of its Chairperson.

8. This Consent Order contains the entire agreement between the undersigned, there being no agreement of any kind, verbal or otherwise, which varies, alters, or adds to this Consent Order.

Based upon the record and the foregoing stipulations,

NOW, THEREFORE IT IS HEREBY ORDERED as follows:

I. Respondent's license as a Licensed Professional Counselor shall be placed on PROBATION for a period of one year or the time it takes to successfully complete the following:

A. For a period of one year, Respondent shall be supervised by a Board approved supervisor, for one hour of individual face to face supervision during every week in which he engages in counseling, with no less than two supervision sessions per month. Respondent must file a supervision contract and the supervisor must be approved by the Board prior to the beginning of supervision. Respondent shall share this consent order, and the charge letter with his supervisor.

B. The Board approved supervisor shall file quarterly supervision reports with the Board at the end of each quarter on the Board's Consent Order Supervision Report form. At the conclusion of the one year of supervision, Respondent's Board approved supervisor shall submit a Final Supervision Report to the Board. Respondent must receive at least average ratings from his supervisor in all of the supervision reports in order to be released from the supervision. If his ratings are not at least average, the period of time for which he did not receive average ratings shall not count for the one year period of supervision, and he shall continue in supervision until he receives at least average ratings for one year. At the conclusion of the one year of supervision, so long as Respondent's ratings are average or above on all supervision reports, the Board Ethics Chair shall provide him with written approval of his release from supervision. Any costs and associated expenses of this supervision shall be borne by the Respondent.

II. The failure of Respondent to abide by any provisions of this Consent Order, if proven true by a preponderance of the evidence following notice and an opportunity for hearing, shall result in the suspension, revocation, or other disciplinary action against Respondent's license, in the discretion of {00056768.DOC;1}

the Board.

III. The Board shall maintain this Consent Order as a public record pursuant to N.C. Gen. Stat. §§132-1 and 90-340(f) and shall provide copies to the American Counseling Association and the National Board of Certified Counselors, and to other agencies or individuals as required by law.

This the 11th day of June, 2015.

CONSENTED TO BY:

NORTH CAROLINA BOARD OF
LICENSED PROFESSIONAL COUNSELORS

BY: Katherine H. Glenn, PhD, LPCS 06/11/2015
Katherine H. Glenn, Ph.D., LPCS, date
Board Chairperson

Dalvis Steve Conerly, LPC 9/22/2015
Dalvis Steve Conerly, LPC date
Respondent

Hardy Lewis 22 May 15
Hardy Lewis date
Blanchard, Miller, Lewis & Isley, P.A.
1117 Hillsborough Street
Raleigh, NC 27603
Attorney for Respondent