

OFFICE OF THE GENERAL COUNSEL
STATE BAR OF GEORGIA
ANNUAL REPORT FOR OPERATIONAL YEAR 2007 – 2008

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ANNUAL REPORT OF THE GENERAL COUNSEL
FOR OPERATIONAL YEAR 2007-2008

By: William P. Smith III, General Counsel

I am pleased to present the 2007-2008 Report of the Office of the General Counsel. Enclosed herein are reports from the Investigative and Review Panels of the State Disciplinary Board, the Clients' Security Fund, the Formal Advisory Opinion Board, the Trust Account Overdraft Notification Program, and the Pro Hac Program. Following the reports is a compilation of Supreme Court Orders issued in disciplinary cases between May 1, 2007 and April 30, 2008.

The enclosed reports document an impressive array of cases handled and services rendered to the Bar and to the public; however, they represent only a fraction of the work done by you and other dedicated Bar volunteers along with the staff of the Office of the General Counsel each year. The Office is indebted to each of you, and to every Georgia lawyer who volunteers his or her time in service to the legal profession.

Staff

The staff of the Office of the General Counsel continues to be its greatest asset. Robert McCormack, Deputy General Counsel for the Bar Counsel unit, is responsible for drafting changes to the Bar Rules and for staffing the Clients' Security Fund. Paralegal Betty Derrickson conducts the initial review of Clients' Security Fund files and coordinates the work of the Fund. Deloise Matthews provides secretarial and administrative assistance, particularly with attorney disciplinary status requests, Fee Arbitration, and Clients' Security Fund matters. John Shiptenko is Assistant General Counsel for all Bar Counsel matters. He

acts as staff liaison to the Formal Advisory Opinion Board and the Fellows Foundation and handles insurance, contractual and employment matters for the Bar.

Deputy General Counsel Paula Frederick continues to serve in the managing attorney role for the OGC in addition to handling her disciplinary caseload. Senior Assistant General Counsel Jenny Mittelman helps manage the office and supervises the lawyers who handle disciplinary cases in addition to her duties as ethics and disciplinary counsel. Senior Assistant General Counsel Jonathan Hewett supervises the grievance counsel in addition to prosecuting disciplinary cases. Assistant General Counsel Kellyn McGee, Rebecca Hall and Christina Petrig continue to serve as ethics and disciplinary counsel to the Bar. Grievance Counsel Carmen Rojas Rafter conducts the preliminary investigation of the grievances that the office receives each year.

As for our non-lawyer staff, Connie Henry, Clerk of the State Disciplinary Board, continues to coordinate the activity of the disciplinary boards. Regina Putnam Kelly serves as Trust Account Overdraft Notification Coordinator. Investigators Dan O'Sullivan and Lamar Jackson, paralegals Carolyn Williams, Kristin Poland, and Kathya St. Louis, legal secretaries Deborah Grant, Cathe Payne, Bobbie Kendall, and Receptionist Jessica Oglesby round out the OGC staff.

Lawyer Helpline

The Office of the General Counsel operates a Lawyer Helpline for members of the State Bar of Georgia to discuss ethics questions on an informal basis with an Assistant General Counsel. This year the Helpline averaged 24 calls each weekday.

Continuing Legal Education

The Office of the General continues to accept requests to speak at CLE seminars. This year OGC lawyers participated in more than 60 presentations on a variety of ethics topics.

Committees

The office staffed several bar-wide committees this year, including a new committee to review lawyer advertisements. OGC staff continues to work with the Disciplinary Rules and Procedures Committee, the Organization of the State Bar Committee, the General Counsel Overview Committee, the Court Futures Committee and the Membership Services Committee.

Thanks

The staff and I remain committed to serving each member of the State Bar of Georgia with efficiency and professionalism. Please call upon us whenever we can be of help to you.

ANNUAL REPORT OF THE INVESTIGATIVE PANEL
STATE DISCIPLINARY BOARD
FOR OPERATIONAL YEAR 2007-2008

By: Christopher A. Townley, Chair

As Chair of the Investigative Panel, I would like to thank each Panel member for their long hours of very hard work in grappling with the serious issues which we have faced this year. The Panel must investigate and review an ever-increasing number of cases and does so more efficiently than ever.

The 2007-2008 Investigative Panel consisted of two lawyers from each judicial district of the state, four public members, and two at-large members. The president-elect of the State Bar and the president-elect of the Younger Lawyers Division served as ex-officio members. The Panel continued its practice of holding its monthly meetings throughout the state; this year we met in Tifton, Forsyth, Eatonton, Helen, Pine Mountain, Americus, Atlanta, Savannah, Cordele and Macon, Georgia, Chattanooga, Tennessee, and at Ponte Vedra, Florida, in conjunction with the 2007 Annual Meeting of the Bar.

The Bar received fewer requests for grievance forms this year (3,562) than last (4,127). The number of grievance forms returned to the Office of the General Counsel also decreased. Last year's figure was 2,794; this year 2,453 forms were returned for screening and further consideration.

After review by an Assistant General Counsel, 2,163 grievances were dismissed for their failure to state facts sufficient to invoke the jurisdiction of the State Bar. A total of 340 grievances contained allegations which, if true, would amount to violations of one or more of the Georgia Rules of Professional Conduct found at Bar Rule 4-102. This represents a

decrease from 395 such grievances in 2007. Each of those grievances was referred to one of the district Panel members for further investigation.

Investigative Panel members who investigated grievances handled an average of 20 cases each during the Bar year. The Panel also set a goal of having each case reported within 180 days. Each case required extensive investigation and time away from the Panel member's law practice, all without compensation. At the end of the investigation the Panel member made a report and recommendation to the full Panel. One hundred and twenty-three grievances were dismissed, 61 of those with a letter of instruction to inform the lawyer about the Bar Rules. One hundred and seventy cases met the "probable cause" test and were returned to the Office of the General Counsel for prosecution. This represents a decrease from 193 such cases last year. One hundred and seventy-three cases are still under consideration by the Panel, an increase from 168 such cases last year.

Sixty-one of the Respondents named in grievances where there was a finding of probable cause received confidential discipline in the form of Formal Letters of Admonition or Investigative Panel Reprimands. In the more serious cases the Panel issued a Notice of Discipline or made a referral to the Supreme Court of Georgia for a hearing before a special master. One case was referred to our Fee Arbitration Division and four to Ethics School.

The Investigative Panel imposed confidential discipline during 2007-2008 as follows:

<u><i>Form of Discipline</i></u>	<u><i>Cases</i></u>
Investigative Panel Reprimands	34
Letters of Formal Admonition	27
Cases Dismissed with Letters of Instruction	61
Interim Suspensions	19

Public discipline imposed by the Supreme Court is described in the Annual Report of the Review Panel of the State Disciplinary Board.

I would like to recognize those members of the Investigative Panel who have unselfishly devoted so much of their personal and professional time to this necessary task.

They are:

Christopher L. Ray, Savannah, District 1
Wade W. Herring, II, Savannah, District 1
Joseph W. Dent, Albany, District 2
Gregory C. Sowell, Tifton, District 2
Sonja B. Profit, Macon, District 3
R. Javoyne Hicks White, Decatur, District 4
Tara Lee Adayanthaya, Atlanta, District 4
Hubert J. Bell, Jr., Atlanta, District 5 (term expiring)
Tywanda L. Harris Lord, Atlanta, District 5 (term expiring)
H. Emily George, Forest Park, District 6 (term expiring)
Andrew J. Whalen, Griffin, District 6 (term expiring)
Christopher A. Townley, Rossville, District 7 (term expiring)
W. Wright Gammon, Cedartown, District 7 (term expiring)
Donald W. Huskins, Eatonton, District 8
Reginal L. Bellury, Milledgeville, District 8
Christine Ann Koehler, Lawrenceville, District 9
Lyle Kilvington Porter, Lawrenceville, District 9
Larry L. Smith, Augusta, District 10
Dennis C. Sanders, Thomson, District 10
Kenneth G. Menendez, Atlanta, At Large
John G. Haubenreich, Atlanta, At Large

We have two ex-officio members, the president-elect of the State Bar of Georgia, Jeffrey O. Bramlett, Atlanta (term expiring), and the president-elect of the Younger Lawyers Division, Joshua C. Bell, Bainbridge (term expiring).

Finally, I want to recognize and thank the six non-lawyer members appointed by the Supreme Court:

Carol Jackson, Cleveland
Eunice L. Mixon, Tifton
Elizabeth King, Atlanta (term expiring)
Michael A. Fuller, Macon

Lynn R. Smith, Newnan (term expiring)
Mark A. Douglas, Atlanta

ANNUAL REPORT OF THE REVIEW PANEL
STATE DISCIPLINARY BOARD
FOR OPERATIONAL YEAR 2007-2008

By: Jeffrey S. Ward, Chair

The role of the Review Panel of the State Disciplinary Board changed effective June 13, 1997. Before that time, the Review Panel was charged with the responsibility of reviewing the complete record in all disciplinary cases that had been heard by a Special Master. As a result of the changes in 1997, the Panel now hears only those cases in which the Respondent lawyer or the Bar asks for review. This means that the Panel reviews fewer cases, but they are by definition the most contentious cases in the process.

The Panel has authority to make findings of fact and conclusions of law based on the record. In all cases in which disciplinary violations have been found, the Panel makes a recommendation of disciplinary action to the Supreme Court. The Court may follow the Panel's recommendation, but may also render an opinion that modifies our recommendation in some way.

In addition, the Review Panel now reviews all matters of reciprocal discipline. The Georgia Supreme Court amended the Bar Rules on June 9, 2004, so that the Review Panel now receives every case in which a Georgia lawyer has been disciplined in another jurisdiction. The Panel is charged with recommending the appropriate disciplinary result in Georgia.

At the present time, the Review Panel is a fifteen-member Panel composed of three lawyers from each of the three federal judicial districts in Georgia, appointed by the Supreme Court of Georgia, and by the President of the State Bar. Two ex-officio members also serve on the Panel in their capacity as officers of the State Bar. Four of the Panel members are nonlawyers who were appointed by the Supreme Court.

The following is a brief summary of public disciplinary action taken by the Supreme Court of Georgia during the period from May 1, 2007, to April 30, 2008:

<u>Form of Discipline</u>	<u>Cases</u>	<u>Lawyers</u>
Disbarments/Voluntary Surrenders	63	34
Suspensions	46	34
Public Reprimands	1	1
Review Panel Reprimands	15	6

The foregoing summary does not begin to reflect the voluminous records and important issues that were carefully considered by the Panel over the past year. In addition to attending lengthy meetings, each Panel member must review material for each case prior to the meeting in order to make a fair and well-reasoned decision. This represents a major commitment of time and energy on the part of each Panel member, all of whom acted with the highest degree of professionalism and competency during their terms.

At this time, I would like to recognize the members of the Panel who have unselfishly devoted so much of their time to the implementation of the disciplinary system of the State Bar of Georgia.

Non-lawyer Members

Sadie Dennard, Lithonia (term expiring)

Marlene E. Melvin, Monroe

Clarence Pennie, Kennesaw

P. Alice Rogers, Atlanta

Lawyer Members

Northern District:

Anthony B. Askew, Atlanta

Sharon Chester Barnes, Alpharetta (term expiring)

C. Bradford Marsh, Atlanta

Middle District:

Gregory L. Fullerton, Albany (term expiring)

Oliver Wendell Horne, Macon

Ralph F. Simpson, Tifton

Southern District:

James B. Ellington, Augusta

Jeffrey S. Ward, Brunswick (term expiring)

Judd Thomas Drake, Metter

Ex-Officio Members

J. Vincent Cook, Athens (term expiring)

Jonathan A. Pope, Canton (term expiring)

**ANNUAL REPORT OF THE
FORMAL ADVISORY OPINION BOARD
FOR OPERATIONAL YEAR 2007-2008**

By: Edward Krugman, Chair

The Formal Advisory Opinion Board considers requests for formal advisory opinions and drafts opinions that interpret the Georgia Rules of Professional Conduct. The Board consists of active members of the State Bar of Georgia who are appointed by the President of the Bar, with the approval of the Board of Governors. The membership of the Formal Advisory Opinion Board for the 2007-2008 Bar year was composed of the following lawyers:

<i>Members at Large</i>	<i>Term</i>
Edward B. Krugman, Chair, Atlanta	2007 - 2009
James W. Friedewald, Marietta	2006 - 2008
Harry Raymond Tear, III, Marietta	2007 - 2009
Lance A. Cooper, Marietta	2006 - 2008
Joe Franklin O'Kelley, Jr., Duluth	2006 - 2008
<i>Georgia Trial Lawyers Association</i>	
Jack J. Helms, Jr., Homerville	2007 - 2009
<i>Georgia Defense Lawyers Association</i>	
Christopher Douglas Gunnels, Marietta	2007 - 2009
<i>Georgia Association of Criminal Defense Lawyers</i>	
Christopher A. Townley, Rossville	2006 - 2008
Georgia District Attorney's Association	
Patrick H. Head, Marietta	2006 - 2008

<i>Young Lawyers Division</i>	
Claire C. Murray, Atlanta	2007 - 2009
<i>Emory University</i>	
James B. Hughes, Jr., Atlanta	2006 - 2008
<i>University of Georgia</i>	
Professor C. Ronald Ellington, Athens	2007 - 2009
<i>Mercer University</i>	
Patrick E. Longan, Macon	2007 - 2009
<i>Georgia State University</i>	
Roy M. Sobelson, Atlanta	2006 - 2008
<i>John Marshall Law School</i>	
Jeffrey Alan Van Detta, Atlanta	2007-2009
<i>Investigative Panel</i>	
Donald W. Huskins, Eatonton	2007 - 2008
<i>Review Panel</i>	
James B. Ellington, Vice-Chair, Augusta	2007 - 2008

Factors that the Formal Advisory Opinion Board considers in determining whether a request is accepted for the drafting of an opinion include whether a genuine ethical issue is presented in the request, whether the issue raised in the request is of general interest to the members of the Bar, and whether there are existing opinions that adequately address the issue raised in the request.

On June 12, 2000, the Supreme Court of Georgia issued the Georgia Rules of Professional Conduct, which became effective on January 1, 2001. Beginning in operational

year 2000 - 2001, the Formal Advisory Opinion Board reviewed all 42 previously issued formal advisory opinions to determine to what extent, if any, the adoption of the Georgia Rules of Professional Conduct changed the substance of the current opinions. The Board completed its review, and submitted a “Plan” for the reorganization of the opinions with the Supreme Court of Georgia, for which the Supreme Court had no objections.

The “Plan,” which has been implemented, places all previously issued formal advisory opinions in one of four categories: 1) Opinions issued by the State Disciplinary Board, 2) Formal Advisory Opinions issued by the Supreme Court of Georgia interpreting the Georgia Rules of Professional Conduct, 3) Formal Advisory Opinions issued by the Formal Advisory Opinion Board, and 4) Formal Advisory Opinions issued by the Supreme Court of Georgia interpreting the Standards of Conduct, Directory Rules, and/or Ethical Considerations. The fourth category is broken into two (2) sections. Section 1 is comprised of those opinions the Board deemed to be headnote appropriate. These opinions are preceded by an introductory paragraph explaining the application of the headnote to the opinions. Section 2 is comprised of those thirteen (13) opinions that the Board determined needed to be redrafted in light of the adoption of the Georgia Rules of Professional Conduct. The redrafted opinions address the same issues addressed in the original opinions but do so by interpreting the Georgia Rules of Professional Conduct, which they reference. The redrafted opinions are treated like new opinions, and as such, they are processed and published in compliance with Bar Rule 4-403(c).

The publication/issuance process began in April 2005, and has continued through the 2007-2008 Bar year. The following eleven (11) redrafted Formal Advisory Opinions have been approved and issued by the Supreme Court of Georgia, pursuant to Bar Rule 4-403, and

replace previously issued opinions. These opinions are binding upon all members of the State Bar of Georgia:

- Formal Advisory Opinion No. 05-2 (replaced FAO No. 90-1) - Corporate in-house counsel may enter into a binding “hold harmless” agreement with an employer in lieu of obtaining malpractice insurance.
- Formal Advisory Opinion No. 05-3 (replaced FAO No. 90-2) - Ethical propriety of a part-time law clerk representing a client before a judge who is presently employing the law clerk.
- Formal Advisory Opinion No. 05-4 (replaced FAO No. 91-3) - Ethical propriety of a lawyer paying his or her non-lawyer employees a monthly bonus from the gross receipts of the law practice.
- Formal Advisory Opinion No. 05-5 (replaced FAO No. 92-1) - (1) Ethical propriety of a law firm obtaining a loan to cover advances to clients for litigation expenses; (2) Ethical considerations applicable to payment of interest charged on loan obtained by law firm to cover advances to clients for litigation expenses.
- Formal Advisory Opinion No. 05-6 (replaced FAO No. 92-2) - Ethical propriety of a lawyer advertising for legal business with the intention of referring a majority of that business out to other lawyers without disclosing that intent in the advertisement.
- Formal Advisory Opinion No. 05-7 (replaced FAO No. 93-2) - Ethical considerations of an attorney representing an insurance company on a subrogation claim and simultaneously representing the insured.

- Formal Advisory Opinion No. 05-8 (replaced FAO No. 96-2) - A lawyer shall not make an agreement prospectively limiting the lawyer's liability to a client for malpractice unless permitted by law and the client is independently represented in making the agreement. *NOTE: By order of the Supreme Court of Georgia, this opinion was subsequently modified during the 2007-2008 Bar year to correct an error.*
- Formal Advisory Opinion No. 05-9 (replaced FAO No. 97-1) - Ethical propriety of a law firm or corporate law department hiring attorneys to work for them on a temporary basis.
- Formal Advisory Opinion No. 05-10 (replaced FAO No. 98-1) - A Georgia attorney serving as local counsel can be disciplined for discovery abuses committed by an in-house or other out-of-state counsel when local counsel knows of the abuse and ratifies it by his or her conduct, and when the local counsel has supervisory authority over the out-of-state counsel.
- Formal Advisory Opinion No. 05-12 (replaced FAO No. 00-1) - When the City Council controls the salary and benefits of the members of the Police Department, may a councilperson, who is an attorney, represent criminal defendants in matters where the police exercise discretion in determining the charges?
- Formal Advisory Opinion No. 05-13 (replaced FAO No. 93-1) - (1) Whether the designation "Special Counsel" may be used to describe an attorney and/or law firm affiliated with another law firm for the specific purpose of providing consultation and advice to the other firm in specialized legal areas; (2) and

whether the ethical rules governing conflict of interest apply as if the firm, the affiliated attorney and the affiliated firm constitute a single firm.

Two (2) additional opinions have also been redrafted. One (1) redrafted opinion has been published and filed with the Supreme Court of Georgia. A petition for discretionary review has also been filed with the Court by the Office of the General Counsel asking the Court to approve the redrafted opinion as the replacement for the previously issued opinion addressing the same issue.

- Formal Advisory Opinion No. 05-11 (redrafted version of FAO No. 99-1) -May an attorney ethically defend a client pursuant to an insurance contract when the attorney simultaneously represents, in an unrelated matter, the insurance company with a subrogation right in any recovery against the defendant client?

A decision regarding the redrafted opinion remains pending with the Court.

The second redrafted opinion is in the initial publication phase:

- Formal Advisory Opinion No. 05-1 (redrafted version of FAO No. 87-6) -Ethical propriety of a lawyer interviewing the officers and employees of an organization when that organization is the opposing party in litigation without consent of organization.

During the 2007-2008 Bar year, the Board received three (3) new requests for formal advisory opinions. The issues addressed in the requests and their current status is as follow:

- May public defenders employed by the same agency represent co-defendants who may have antagonistic and conflicting defenses?

A proposed opinion has been drafted for this request, which the Board will review to determine whether to approve it for 1st publication in the Georgia Bar Journal.

- Whether a business entity providing trial presentation services, in the nature of electronic and digital trial presentation media, would qualify as a law-related service under the rules of regulation of the State Bar of Georgia and as such not prohibited as the unauthorized practice of law when provided to non-client third parties, by a law firm? May an attorney or a law firm be a controlling owner operator of a business entity for the provision of case presentation trial services to third parties without being engaged in the unauthorized practice of law?
- Interpreting Rule 3.4(g) as it relates to lawyers using methods of obtaining evidence that violate the legal right of the opposing party or counsel.

The Board will be considering these latter two requests to determine whether to accept or decline them for the drafting of a formal advisory opinion.

Two (2) requests for formal advisory opinions were received and accepted in previous bar years. During the 2007-2008 Bar year, the current Board continued drafting formal advisory opinions for those requests. The issues addressed in the requests and their current status is as follow:

- Is a lawyer obligated to notify a client's creditors or third persons when the lawyer receives the proceeds of a client's settlement or judgment? If the lawyer is obligated to notify a third person, is the lawyer then obligated to pay that third person, even over the client's objections?

The Board has tabled drafting of the opinion, and any other actions regarding the request, pending consideration by the Rules Committee of a possible amendment to Rule 1.15(I)(b), the rule governing the issues raised in the request.

- What is the difference between a “lawyer referral service,” as referenced in Bar Rules 7.3(c)(1) and (2) and a “lay public relations or marketing organization,” as referenced in Bar Rule 7.3(c)(4)?

The Board is still in the process of drafting an opinion for this request.

Also, during the 2007-2008 Bar year, the Board was informed of a proposed bill pending in the legislature that would amend the present “good funds” law. Provisions of the proposed bill, if enacted, would be in conflict with provisions of Advisory Opinion No. 28. The Board was asked to consider amending Advisory Opinion No. 28 to remove the conflict in the event the proposal became law. The proposed legislation passed on April 4, 2008, and was signed into law on May 15, 2008. Accordingly, the Board will be considering an amendment to Advisory Opinion No. 28.

Formal Advisory Opinions can be found in the [2007-2008 State Bar of Georgia Directory & Handbook](#) and on the State Bar of Georgia’s website at www.gabar.org.

I would like to thank the members of the Board for their dedication and service. These members have volunteered their time and knowledge in order to ensure that lawyers are provided with an accurate interpretation of the ethics rules. In addition, it is essential that I express my sincere gratitude and appreciation to Bill Smith, John Shiptenko and Betty Derrickson of the Office of the General Counsel of the State Bar of Georgia. Their unflinching efforts and assistance have been invaluable to the Board.

**ANNUAL REPORT OF THE OVERDRAFT NOTIFICATION
PROGRAM FOR OPERATIONAL YEAR 2007-2008**

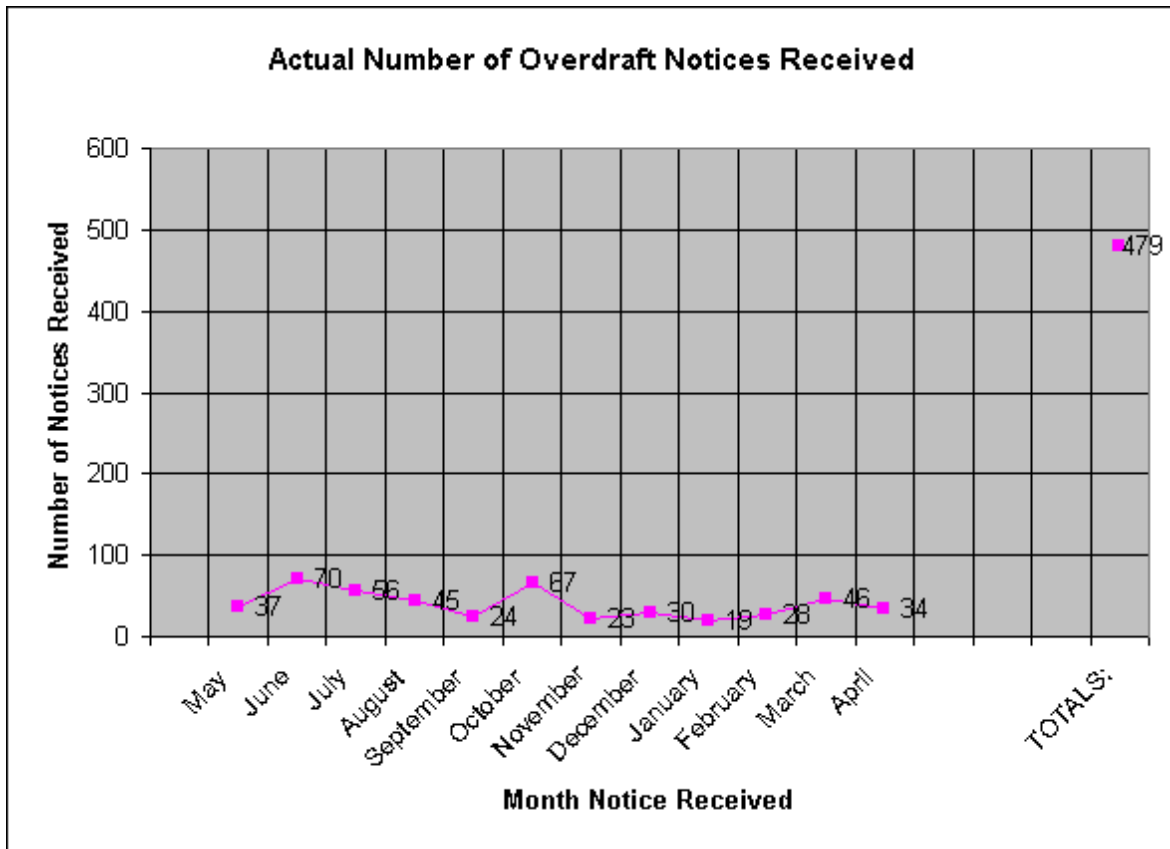
By: Regina M. Putman-Kelley, Overdraft Notification Coordinator

The Overdraft Notification Program received 479 notices from financial institutions approved as depositories for attorney trust accounts. 268 files were dismissed following the initial inquiry, 4 files were referred to Law Practice Management, and 27 files were forwarded to the Investigative Panel of the State Disciplinary Board for possible disciplinary action. (Several attorney files contained more than one overdraft notice. Of the total number of notices received from financial institutions, 2 overdrafts were reported to the State Bar as a result of bank error and 6 overdraft notices were received on the trust accounts of two disbarred attorneys. Some files opened during the latter part of FY 2007 – 2008 remain open, pending dismissal.)

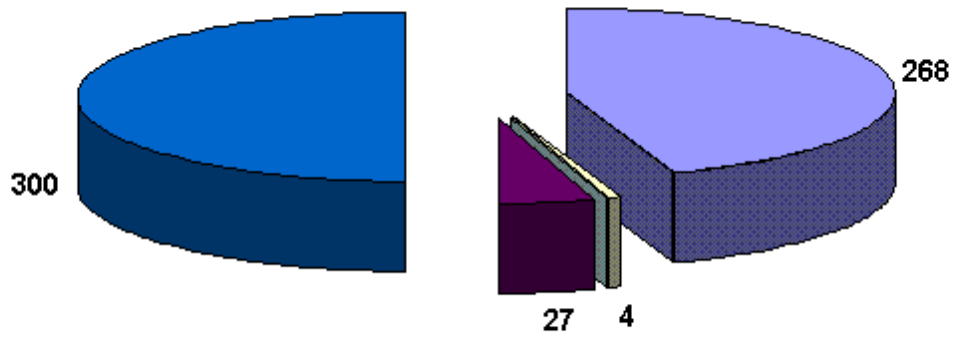
**FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES
FOR ATTORNEY TRUST ACCOUNTS**

There are currently 272 Georgia financial institutions approved as depositories for attorney trust accounts. The *List of Approved Financial Institutions* can be found on the State Bar of Georgia's web site, **www.gabar.org**.

2007/2008	NOTICES RECEIVED	ADEQUATE RESPONSE	LPMP	INITIATED	CLOSED
May	37	29	0	1	31
June	70	23	0	0	23
July	56	15	0	2	17
August	45	25	0	1	26
September	24	26	2	0	28
October	67	38	0	2	40
November	23	18	1	4	23
December	30	27	1	3	31
January	19	5	0	3	8
February	28	14	0	2	16
March	46	23	0	4	27
April	34	25	0	5	30
TOTALS:	479	268	4	27	300
PERCENTAGES:		61%	1.56%	6.91%	68.08%



**Disposition of Overdraft Files
Fiscal Year 2007-2008**



ANNUAL REPORT OF THE
PRO HAC VICE PROGRAM
FOR OPERATIONAL YEAR 2007-2008

By: Kathy St. Louis, *Pro Hac Vice* Paralegal

By order of November 10, 2005, the Supreme Court of Georgia amended Rule 4.4 of the Uniform Rules of Superior Court to require that out-of-state lawyers applying for *pro hac vice* admission in Georgia serve a copy of their application for admission *pro hac vice* on the Office of the General Counsel, State Bar of Georgia. The applicant must pay a \$200 fee to the Bar, unless the applicant seeks pro bono waiver of fee from the court. The Office of the General Counsel may object to the application or request that the court impose conditions to its being granted. Among other reasons, the Bar may object to an application if the lawyer has a history of discipline in his or her home jurisdiction, or if the lawyer has appeared in Georgia courts so frequently that he or she should become a member of the bar in this state. Lawyers admitted *pro hac* agree to submit to the authority of the State Bar of Georgia and the Georgia courts.

During the period of May 1, 2007 through April 30, 2008, the Office of the General Counsel reviewed 719 *pro hac* applications. Sixteen applicants sought exemption from the application fee due to pro bono representation. The Office of the General Counsel has filed four Notices with Georgia courts regarding the eligibility for *pro hac* admission of the applicant.

**AMENDMENTS TO THE RULES, REGULATIONS
AND POLICIES OF THE STATE BAR OF GEORGIA**

The following changes have been approved by the Supreme Court of Georgia since the date of the last annual meeting.

1.) Rule 1-501 of Chapter 5 of Part I of the Rules of the State Bar of Georgia regarding license fees was amended by deleting the struck-through portions of the rule and inserting those portions in boldface italics as follows:

Rule 1-501. License Fees

(a) Annual license fees for membership in the State Bar shall be due and payable on July 1 of each year. Upon the failure of a member to pay the license fee by September 1, the member shall cease to be a member in good standing. When such license fees and late fees for the current and prior years have been paid, the member shall automatically be reinstated to the status of member in good standing, except as provided in section (b) of this Rule.

(b) In the event a member of the State Bar is delinquent ~~without reasonable cause~~ in the payment of ***any*** license fees, ***late fee, assessment, reinstatement fee or penalty of any nature*** for a period of one (1) year, the member shall be automatically suspended, and shall not practice law in this state. The suspended member may thereafter lift such suspension only upon the successful completion of all of the following terms and conditions:

(i) **payment of all outstanding dues, assessments, late fees, reinstatement fees, and any and all penalties due and owing before or accruing after the suspension of membership;**

(ii) **provide the membership section of the State Bar the following:**

(A) **a certificate from the Office of General Counsel of the State Bar that the suspended member is not presently subject to any disciplinary procedure;**

(B) a certificate from the Commission on Continuing Lawyer Competency that the suspended member is current on all requirements for continuing legal education;

(C) a determination of fitness from the Board to Determine Fitness of Bar Applicants;

(iii) payment to the State Bar of a non-waivable reinstatement fee as follows:

(A) \$150.00 for the first reinstatement paid within the first year of suspension, plus \$150.00 for each year of suspension thereafter up to a total of five years;

(B) \$250.00 for the second reinstatement paid within the first year of suspension, plus \$250.00 for each year of suspension thereafter up to a total of five years;

(C) \$500.00 for the third reinstatement paid within the first year of suspension, plus \$ 500.00 for each year of suspension thereafter up to a total of five years; or

(D) \$750.00 for each subsequent reinstatement paid within the first year of suspension, plus \$750.00 for each year of suspension thereafter up to a total of five years.

The yearly increase in the reinstatement fee shall become due and owing in its entirety upon the first day of each next fiscal year and shall not be prorated for any fraction of the fiscal year in which it is actually paid.

(c) A member suspended ~~for a license fee delinquency~~ *under subsection (b) above* for a total of five years in succession shall be immediately terminated as a member without further action on the part of the State Bar. The terminated member shall not be entitled to a hearing as set out in section (d) below. The terminated member shall be required to apply for membership to the Office of Bar Admissions for readmission to the State Bar. Upon completion of the requirements for readmission, the terminated member shall be required to pay the total reinstatement fee due under subsection (b)(iii) above plus an additional \$750.00 as a readmission fee to the

(d) Prior to suspending ~~a membership member for a license fee delinquency~~ under subsection (b) above, the State Bar shall send by certified mail a notice thereof to the last known address of the member as contained in the official membership records. It shall specify the years for which the license fee is delinquent and state that either the fee and all penalties related thereto are paid within sixty (60) days or a hearing to establish reasonable cause is requested within sixty (60) days, the membership shall be suspended.

If a hearing is requested, it shall be held at State Bar Headquarters within ninety (90) days of receipt of the request by the Executive Committee. Notice of time and place of the hearing shall be mailed at least ten (10) days in advance. The party cited may be represented by counsel. Witnesses shall be sworn; and, if requested by the party cited, a complete electronic record or a transcript shall be made of all proceedings and testimony. The expense of the record shall be paid by the party requesting it and a copy thereof shall be furnished to the Executive Committee. The presiding member or special master shall have the authority to rule on all motions, objections, and other matters presented in connection with the Georgia Rules of Civil Procedure, and the practice in the trial of civil cases. The party cited may not be required to testify over his or her objection.

The Executive Committee shall (1) make findings of fact and conclusions of law and shall determine whether the party cited was delinquent in violation of this Rule 1-501; and (2) upon a finding of delinquency shall determine whether there was reasonable cause for the delinquency. Financial hardship short of adjudicated bankruptcy shall not constitute reasonable cause. A copy of the findings and the determination shall be sent to the party cited. If it is determined that no delinquency has occurred, the matter shall be dismissed. If it is determined that delinquency has occurred but that there was reasonable cause therefor, the matter shall be deferred for one (1) year at which time the matter will be reconsidered. If it is determined that delinquency has occurred without reasonable cause therefor, the membership shall be suspended immediately upon such determination. An appropriate notice of suspension shall be sent to the clerks of all Georgia courts and shall be published in an official publication of the State Bar. Alleged errors of law in the proceedings or findings of the Executive Committee or its delegate shall be reviewed by the Supreme Court. The Executive Committee may delegate to a special master any or all of its responsibilities and authority with respect to suspending membership for license fee delinquency in which event the special master shall make a report to the Committee of its findings for its approval or disapproval.

After a finding of delinquency, a copy of the finding shall be served upon the Respondent attorney. The Respondent attorney may file with the Court any written exceptions (supported by the written argument) said Respondent may have to the findings of the Executive Committee. All such exceptions shall be filed with the Clerk of the Supreme Court and served on the Executive Committee by service on the General Counsel within twenty (20) days of the date that the findings were served on the Respondent attorney. Upon the filing of exceptions by the Respondent attorney, the Executive Committee shall within twenty (20) days of said filing, file a report of its findings and the complete record and transcript of evidence with the Clerk of the Supreme Court. The Court may grant extensions of time for filing in appropriate cases. Findings of fact by the Executive Committee shall be conclusive if supported by any evidence. The Court may grant oral argument on any exception filed with it upon application for such argument by the Respondent attorney or the Executive Committee. The Court shall promptly consider the report of the Executive Committee, exceptions thereto, and the responses filed by any party to such exceptions, if any, and enter its judgement. A copy of the Court's judgement shall be transmitted to the Executive Committee and to the Respondent attorney by the Court.

Within thirty (30) days after a final judgement which suspends membership, the suspended member shall, under the supervision of the Supreme Court, notify all clients of said suspended member's inability to represent them and of the necessity for promptly retaining new counsel, and shall take all actions necessary to protect the interests of said suspended member's clients. Should the suspended member fail to notify said clients or fail to protect their interests as herein required, the Supreme Court, upon its motion, or upon the motion of the State Bar, and after ten (10) days notice to the suspended member and proof of failure to notify or protect said clients, may hold the suspended member in contempt and order that a member or members of the State Bar take charge of the files and records of said suspended member and proceed to notify all clients and take such steps as seem indicated to protect their interests. Any member of the State Bar appointed by the Supreme Court to take charge of the files and records of the suspended member under these Rules shall not be permitted to disclose any information contained in the files and records in his or her care without the consent of the client to whom such file or record relates, except as clearly necessary to carry out the order of the court.

~~(e) Any member terminated solely for license fee delinquency after January 1, 1997 shall be eligible to apply for reinstatement on the same terms and conditions and in the same manner as a member~~

~~suspended for license fee delinquency may apply for lifting of suspension pursuant to (b) above.~~

The amended rule 1-501 now reads as follows:

Rule 1-501. License Fees

(a) Annual license fees for membership in the State Bar shall be due and payable on July 1 of each year. Upon the failure of a member to pay the license fee by September 1, the member shall cease to be a member in good standing. When such license fees and late fees for the current and prior years have been paid, the member shall automatically be reinstated to the status of member in good standing, except as provided in section (b) of this Rule.

(b) In the event a member of the State Bar is delinquent in the payment of any license fees, late fee, assessment, reinstatement fee or penalty of any nature for a period of one (1) year, the member shall be automatically suspended, and shall not practice law in this state. The suspended member may thereafter lift such suspension only upon the successful completion of all of the following terms and conditions:

(i) **payment of all outstanding dues, assessments, late fees, reinstatement fees, and any and all penalties due and owing before or accruing after the suspension of membership;**

(ii) **provide the membership section of the State Bar the following:**

(A) **a certificate from the Office of General Counsel of the State Bar that the suspended member is not presently subject to any disciplinary procedure;**

(B) **a certificate from the Commission on Continuing Lawyer Competency that the suspended member is current on all requirements for continuing legal education;**

(C) **a determination of fitness from the Board to Determine Fitness of Bar Applicants;**

(iii) **payment to the State Bar of a non-waivable reinstatement fee as follows:**

(A) \$150.00 for the first reinstatement paid within the first year of suspension, plus \$150.00 for each year of suspension thereafter up to a total of five years;

(B) \$250.00 for the second reinstatement paid within the first year of suspension, plus \$250.00 for each year of suspension thereafter up to a total of five years;

(C) \$500.00 for the third reinstatement paid within the first year of suspension, plus \$ 500.00 for each year of suspension thereafter up to a total of five years; or

(D) \$750.00 for each subsequent reinstatement paid within the first year of suspension, plus \$750.00 for each year of suspension thereafter up to a total of five years.

The yearly increase in the reinstatement fee shall become due and owing in its entirety upon the first day of each next fiscal year and shall not be prorated for any fraction of the fiscal year in which it is actually paid.

(c) A member suspended under subsection (b) above for a total of five years in succession shall be immediately terminated as a member without further action on the part of the State Bar. The terminated member shall not be entitled to a hearing as set out in section (d) below. The terminated member shall be required to apply for membership to the Office of Bar Admissions for readmission to the State Bar. Upon completion of the requirements for readmission, the terminated member shall be required to pay the total reinstatement fee due under subsection (b)(iii) above plus an additional \$750.00 as a readmission fee to the State Bar.

(d) Prior to suspending a member under subsection (b) above, the State Bar shall send by certified mail a notice thereof to the last known address of the member as contained in the official membership records. It shall specify the years for which the license fee is delinquent and state that either the fee and all penalties related thereto are paid within sixty (60) days or a hearing to establish reasonable cause is requested within sixty (60) days, the membership shall be suspended.

If a hearing is requested, it shall be held at State Bar Headquarters within ninety (90) days of receipt of the request by the Executive Committee. Notice of time and place of the hearing shall be

mailed at least ten (10) days in advance. The party cited may be represented by counsel. Witnesses shall be sworn; and, if requested by the party cited, a complete electronic record or a transcript shall be made of all proceedings and testimony. The expense of the record shall be paid by the party requesting it and a copy thereof shall be furnished to the Executive Committee. The presiding member or special master shall have the authority to rule on all motions, objections, and other matters presented in connection with the Georgia Rules of Civil Procedure, and the practice in the trial of civil cases. The party cited may not be required to testify over his or her objection.

The Executive Committee shall (1) make findings of fact and conclusions of law and shall determine whether the party cited was delinquent in violation of this Rule 1-501; and (2) upon a finding of delinquency shall determine whether there was reasonable cause for the delinquency. Financial hardship short of adjudicated bankruptcy shall not constitute reasonable cause. A copy of the findings and the determination shall be sent to the party cited. If it is determined that no delinquency has occurred, the matter shall be dismissed. If it is determined that delinquency has occurred but that there was reasonable cause therefor, the matter shall be deferred for one (1) year at which time the matter will be reconsidered. If it is determined that delinquency has occurred without reasonable cause therefor, the membership shall be suspended immediately upon such determination. An appropriate notice of suspension shall be sent to the clerks of all Georgia courts and shall be published in an official publication of the State Bar. Alleged errors of law in the proceedings or findings of the Executive Committee or its delegate shall be reviewed by the Supreme Court. The Executive Committee may delegate to a special master any or all of its responsibilities and authority with respect to suspending membership for license fee delinquency in which event the special master shall make a report to the Committee of its findings for its approval or disapproval.

After a finding of delinquency, a copy of the finding shall be served upon the Respondent attorney. The Respondent attorney may file with the Court any written exceptions (supported by the written argument) said Respondent may have to the findings of the Executive Committee. All such exceptions shall be filed with the Clerk of the Supreme Court and served on the Executive Committee by service on the General Counsel within twenty (20) days of the date that the findings were served on the Respondent attorney. Upon the filing of exceptions by the Respondent attorney, the Executive Committee shall within twenty (20) days of said filing, file a report of its findings and the complete record and transcript of evidence with the Clerk of the Supreme Court. The Court may grant extensions of time for filing in appropriate cases. Findings of fact by the Executive Committee shall

be conclusive if supported by any evidence. The Court may grant oral argument on any exception filed with it upon application for such argument by the Respondent attorney or the Executive Committee. The Court shall promptly consider the report of the Executive Committee, exceptions thereto, and the responses filed by any party to such exceptions, if any, and enter its judgement. A copy of the Court's judgement shall be transmitted to the Executive Committee and to the Respondent attorney by the Court.

Within thirty (30) days after a final judgement which suspends membership, the suspended member shall, under the supervision of the Supreme Court, notify all clients of said suspended member's inability to represent them and of the necessity for promptly retaining new counsel, and shall take all actions necessary to protect the interests of said suspended member's clients. Should the suspended member fail to notify said clients or fail to protect their interests as herein required, the Supreme Court, upon its motion, or upon the motion of the State Bar, and after ten (10) days notice to the suspended member and proof of failure to notify or protect said clients, may hold the suspended member in contempt and order that a member or members of the State Bar take charge of the files and records of said suspended member and proceed to notify all clients and take such steps as seem indicated to protect their interests. Any member of the State Bar appointed by the Supreme Court to take charge of the files and records of the suspended member under these Rules shall not be permitted to disclose any information contained in the files and records in his or her care without the consent of the client to whom such file or record relates, except as clearly necessary to carry out the order of the court.

2.) Rule 1-703 of Chapter 7 of Part I of the Rules of the State Bar of Georgia regarding the Younger Lawyers Division was amended by deleting the struck-through portions of the rule and inserting those portions set out in boldface italics as follows:

Rule 1-703. Young Lawyers Division

There shall be a division of the State Bar composed of (1) all members of the State Bar who have not reached their thirty-sixth birthday prior to the close of the preceding Annual Meeting of the State Bar and (2) all members of the State Bar who have been admitted to their first bar less than ~~three~~ **five** years. All persons holding an elective office or post in the

Young Lawyers Division who are qualified by age to assume such office or post on the date of his or her election shall remain members of the Young Lawyers Division for the duration of their offices or posts. In the case of a President-elect of the Young Lawyers Division who is qualified by age to assume such office on the date of such person's election, such person shall remain a member of the Young Lawyers Division for the duration of the terms of President and Immediate Past President to which he or she succeeds.

The Young Lawyers Division shall have such organization, powers, and duties as may be prescribed by the Bylaws of the State Bar.

The amended rule 1-703 reads as follows:

Rule 1-703. Young Lawyers Division

There shall be a division of the State Bar composed of (1) all members of the State Bar who have not reached their thirty-sixth birthday prior to the close of the preceding Annual Meeting of the State Bar and (2) all members of the State Bar who have been admitted to their first bar less than five years. All persons holding an elective office or post in the Young Lawyers Division who are qualified by age to assume such office or post on the date of his or her election shall remain members of the Young Lawyers Division for the duration of their offices or posts. In the case of a President-elect of the Young Lawyers Division who is qualified by age to assume such office on the date of such person's election, such person shall remain a member of the Young Lawyers Division for the duration of the terms of President and Immediate Past President to which he or she succeeds.

The Young Lawyers Division shall have such organization, powers, and duties as may be prescribed by the Bylaws of the State Bar.

IV.

3.) Rule 4-103 of Chapter 1 of Part IV of the Rules of the State Bar of Georgia regarding multiple disciplinary violations, and Rules 4-201 and 4-203 of Chapter 2 of Part IV of the Rules of the State Bar of Georgia regarding the State Disciplinary Board were amended as

set out below. In addition, Rule 9.4 of the Georgia Rules of Professional Conduct found in Chapter 1 of Part IV of the Rules of the State Bar of Georgia was amended as set out below

Rule 4-103. Multiple Violations

A finding of a third or subsequent disciplinary infraction under these rules shall, in and of itself, constitute discretionary grounds for suspension or disbarment. The Review Panel may exercise this discretionary power when the question is appropriately before that Panel. *Any discipline imposed by another jurisdiction as contemplated by Rule 9.4 may be considered a disciplinary infraction for the purpose of this Rule.*

The rule in its entirety now reads as follows:

Rule 4-103. Multiple Violations

A finding of a third or subsequent disciplinary infraction under these rules shall, in and of itself, constitute discretionary grounds for suspension or disbarment. The Review Panel may exercise this discretionary power when the question is appropriately before that Panel. Any discipline imposed by another jurisdiction as contemplated by Rule 9.4 may be considered a disciplinary infraction for the purpose of this Rule.

Rule 4-201(b)(5) was amended by deleting the struck-through portions of the rule and inserting those portions set out in boldface italics as follows:

Rule 4-201. State Disciplinary Board

(a) . . .

(b) The Review Panel shall consist of the Immediate Past President of the State Bar, the Immediate Past President of the Young Lawyers Division or a member of the Young Lawyers Division designated by its Immediate Past President, nine members of the State Bar, three from each of the three federal judicial districts of the State appointed as described below, and four public members appointed by the Supreme Court of Georgia.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) The Review Panel shall elect a chairperson and such other officers as it may deem proper in July of each year. ~~A majority~~ *The presence of six members of the Panel shall constitute a quorum. ~~A majority of a quorum~~ Four members of the Panel shall be authorized to act except that a recommendation of the Review Panel to suspend or disbar shall require the affirmative vote of at least six members of the Review Panel, with not more than four negative votes. However, in any case in which one or more Review Panel members are disqualified, the number of members constituting a quorum and the number of members necessary to vote affirmatively for disbarment or suspension, shall be reduced by the number of members disqualified from voting on the case. No recommendation of disbarment or suspension may be made by fewer than four affirmative votes. For the purposes of this rule the recusal of a member shall have the same effect as disqualification.*

Rule 4-201 in its entirety now reads as follows:

4-201. State Disciplinary Board

The powers to investigate and discipline members of the State Bar of Georgia and those authorized to practice law in Georgia for violations of the Standards of Conduct set forth in Bar Rule 4-102 are hereby vested in a State Disciplinary Board and a Consumer Assistance Program. The State Disciplinary Board shall consist of two panels. The first panel shall be the Investigative Panel of the State Disciplinary Board (Investigative Panel). The second panel shall be the Review Panel of the State Disciplinary Board (Review Panel). The Consumer Assistance Program shall operate as described in Part XII of these Rules.

(a) The Investigative Panel shall consist of the President-elect of the State Bar of Georgia and the President-elect of the Young Lawyers Division of the State Bar of Georgia, one member of the State Bar of Georgia from each judicial district of the State appointed by the President of the State Bar of Georgia with the approval of the Board of Governors of the State Bar of Georgia, one member of the State Bar of Georgia

from each judicial district of the State appointed by the Supreme Court of Georgia, one at-large member of the State Bar of Georgia appointed by the Supreme Court, one at-large member of the State Bar of Georgia appointed by the President with the approval of the Board of Governors, and six public members appointed by the Supreme Court to serve as public members of the Panel.

(1) All members shall be appointed for three-year terms subject to the following exceptions:

(i) any person appointed to fill a vacancy caused by resignation, death, disqualification or disability shall serve only for the unexpired term of the member replaced unless reappointed;

(ii) ex-officio members shall serve during the term of their office; and

(iii) certain initial members as set forth in paragraph (2) below.

(2) It shall be the goal of the initial appointments that one-third (1/3) of the terms of the members appointed will expire annually.

(3) A member may be removed from the Panel pursuant to procedures set by the Panel for failure to attend regular meetings of the Panel. The vacancy shall be filled by appointment of the current President of the State Bar of Georgia.

(4) The Investigative Panel shall annually elect a chairperson, a vice-chairperson, or a vice-chairperson for any subcommittee for which the chairperson is not a member to serve as chairperson for that subcommittee, and such other officers as it may deem proper. The Panel shall meet in its entirety in July of each year to elect a chairperson. At any time the Panel may decide to divide itself into subcommittees or to consolidate after having divided. A majority shall constitute a quorum and a majority of a quorum shall be authorized to act. However, in any matter in which one or more Investigative Panel members are disqualified, the number of members constituting a quorum shall be reduced by the number of members disqualified from voting on the matter.

(5) The Investigative Panel is authorized to organize itself into as many subcommittees as the Panel deems necessary to

conduct the expeditious investigation of disciplinary matters referred to it by the Office of the General Counsel. However, no subcommittee shall consist of fewer than seven (7) members of the Panel and each such subcommittee shall include at least one (1) of the public members.

(b) The Review Panel shall consist of the Immediate Past President of the State Bar, the Immediate Past President of the Young Lawyers Division or a member of the Young Lawyers Division designated by its Immediate Past President, nine members of the State Bar, three from each of the three federal judicial districts of the State appointed as described below, and four public members appointed by the Supreme Court of Georgia.

(1) The nine members of the Bar from the federal judicial districts shall be appointed for three year terms so that the term of one Panel member from each district will expire each year. The three vacant positions will be filled in odd years by appointment by the President, with the approval of the Board of Governors, and in even years by appointment by the Supreme Court of Georgia.

(2) The Panel members serving at the time this rule goes into effect shall continue to serve until their respective terms expire. New Panel members shall be appointed as set forth above.

(3) Any person appointed to fill a vacancy caused by resignation, death, disqualification or disability shall serve only for the unexpired term of the member replaced unless reappointed.

(4) Ex-officio members shall serve during the term or terms of their offices.

(5) The Review Panel shall elect a chairperson and such other officers as it may deem proper in July of each year. The presence of six members of the Panel shall constitute a quorum. Four members of the Panel shall be authorized to act except that a recommendation of the Review Panel to suspend or disbar shall require the affirmative vote of at least six members of the Review Panel, with not more than four negative votes. However, in any case in which one or more Review Panel members are disqualified, the number of members constituting a quorum and the number of members necessary to vote affirmatively for disbarment or suspension, shall be reduced by the number of members disqualified from voting on the case. No

recommendation of disbarment or suspension may be made by fewer than four affirmative votes. For the purposes of this rule the recusal of a member shall have the same effect as disqualification

Rule 4-203(b)(7) was amended by inserting those portions set out in boldface italics as follows:

Rule 4-203. Powers and Duties

(a)

(b) In accordance with these rules, the Review Panel or any subcommittee of the Panel shall have the following powers and duties:

(1) To receive reports from special masters, and to recommend to the Supreme Court the imposition of punishment and discipline;

(2) To adopt forms for subpoenas, notices, and any other written instruments necessary or desirable under these rules;

(3) To prescribe its own rules of conduct and procedure;

(4) (Reserved).

(5) Through the action of its chairperson or his or her designee and upon good cause shown, to allow a late filing of the respondent's answer where there has been no final selection of a special master within thirty days of service of the formal complaint upon the respondent;

(6) Through the action of its chairperson or his or her designee, to receive and pass upon challenges and objections to special masters;

(7) To receive Notices of Reciprocal Discipline and to recommend to the Supreme Court the imposition of punishment and discipline pursuant to Bar Rule 9.4(b)(3).

Rule 4-203 in its entirety now reads as follows:

Rule 4-203. Powers and Duties

(a) In accordance with these rules, the Investigative Panel shall have the following powers and duties:

(1) To receive and evaluate any and all written grievances against members of the State Bar and to frame such charges and grievances as shall conform to the requirements of these rules. A copy of any grievance serving as the basis for investigation or proceedings before the Panel shall be furnished to the respondent by the procedures set forth in Rule 4-204.2;

(2) To initiate grievances on its own motion, to require additional information from a complainant, where appropriate, and to dismiss and reject such grievances as to it may seem unjustified, frivolous, or patently unfounded. However, the rejection of a grievance by the Investigative Panel shall not deprive the complaining party of any right of action he or she might otherwise have at law or in equity against the respondent;

(3) To issue letters of instruction when dismissing a grievance;

(4) To delegate the duties of the Panel enumerated in subparagraphs (1), (2), (11) and (12) hereof to the chairperson of the Panel or chairperson of any subcommittee of the Panel or such other members as the Panel or its chairperson may designate subject to review and approval by the Investigative Panel or subcommittee of the Panel;

(5) To conduct probable cause investigations, to collect evidence and information concerning grievances, to hold hearings where provided for in these rules, and to certify grievances to the Supreme Court for hearings by special masters as hereinafter provided;

(6) To pass upon petitions for protection of the clients of deceased, disappearing or incapacitated members of the State Bar;

(7) To adopt forms for formal complaints, subpoenas, notices, and any other written instruments necessary or desirable under these rules;

(8) To prescribe its own rules of conduct and procedure;

(9) To receive, investigate, and collect evidence and information; and to review and accept or reject such Petitions for Voluntary Discipline which request the imposition of confidential discipline and are filed with the Investigative Panel prior to the time of issuance of a formal complaint by Bar counsel. Each such petition shall contain admissions of fact and admissions of conduct in violation of Part IV, Chapter 1 of these rules sufficient to authorize the imposition of discipline. Bar counsel shall, upon filing of such petition, file with the Panel its recommendations as to acceptance or rejection of the petition by the Panel, giving the reasons therefor, and shall serve a copy of its recommendation upon the respondent presenting such petition;

(10) To sign and enforce, as hereinafter described, subpoenas for the appearance of persons and for the production of things and records at investigations and hearings;

(11) To extend the time within which a formal complaint may be filed;

(12) To issue letters of formal admonition and Investigative Panel Reprimands as hereinafter provided;

(13) To enter a Notice of Discipline providing that unless the respondent affirmatively rejects the notice, the respondent shall be sanctioned as ordered by the Investigative Panel;

(14) To use the investigators, auditors, and/or staff of the Office of the General Counsel in performing its duties.

(b) In accordance with these rules, the Review Panel or any subcommittee of the Panel shall have the following powers and duties:

(1) To receive reports from special masters, and to recommend to the Supreme Court the imposition of punishment and discipline;

(2) To adopt forms for subpoenas, notices, and any other written instruments necessary or desirable under these rules;

(3) To prescribe its own rules of conduct and procedure;

(4) (Reserved);

(5) Through the action of its chairperson or his or her designee and upon good cause shown, to allow a late filing of the respondent's answer where there has been no final selection of a special master within thirty days of service of the formal complaint upon the respondent;

(6) Through the action of its chairperson or his or her designee, to receive and pass upon challenges and objections to special masters;

(7) To receive Notices of Reciprocal Discipline and to recommend to the Supreme Court the imposition of punishment and discipline pursuant to Bar Rule 9.4(b)(3).

Rule 9.4 of the Georgia Rules of Professional Conduct found in Chapter 1 of Part IV of the Rules of the State Bar of Georgia was amended by deleting the struck-through portions of the rule and inserting those portions set out in boldface italics as follows:

RULE 9.4: JURISDICTION AND RECIPROCAL DISCIPLINE

(a) Jurisdiction. Any lawyer admitted to practice law in this jurisdiction, including any formerly admitted lawyer with respect to acts committed prior to resignation, suspension, disbarment, or removal from practice on any of the grounds provided in Rule ~~4-105~~ *4-104* of the State Bar, or with respect to acts subsequent thereto which amount to the practice of law or constitute a violation of the Georgia Rules of Professional Conduct or any Rules or Code subsequently adopted by the court in lieu thereof, and any Domestic or Foreign Lawyer specially admitted by a court of this jurisdiction for a particular proceeding and any Domestic or Foreign Lawyer who practices law or renders or offers to render any legal services in this jurisdiction, is subject to the disciplinary jurisdiction of the State Bar of Georgia State Disciplinary Board.

(b) Reciprocal Discipline. Upon being ~~disciplined~~ *suspended or disbarred* in another jurisdiction, a lawyer admitted to practice in Georgia shall promptly inform the Office of General Counsel of the State Bar of Georgia of the discipline. Upon notification from any source that a lawyer within the jurisdiction of the State Bar of Georgia has been disciplined in another jurisdiction, the Office of

General Counsel shall obtain a certified copy of the disciplinary order and file it with the ~~Investigative Panel~~ Clerk of the State Disciplinary Board. *Nothing in this Rule shall prevent a lawyer disciplined in another jurisdiction from filing a petition for voluntary discipline under Rule 4-227.*

(1) Upon receipt of a certified copy of an order demonstrating that a lawyer admitted to practice in Georgia has been ~~disciplined~~ *disbarred or suspended* in another jurisdiction, the ~~Investigative Panel~~ Clerk of the State Disciplinary Board shall docket the matter and forthwith issue a notice directed to the lawyer containing:

(i) A copy of the order from the other jurisdiction; and

(ii) ~~An order directing~~ *A notice approved by the Review Panel that the lawyer must inform the Office of General Counsel and the Review Panel, within thirty days from service of the notice, of any claim by the lawyer predicated upon the grounds set forth in paragraph (b)(3) below, that the imposition of the ~~identical~~ *substantially similar* discipline in this jurisdiction would be unwarranted and the reasons for that claim.*

(2) In the event the discipline imposed in the other jurisdiction has been stayed there, any reciprocal discipline imposed in this jurisdiction shall be deferred until the stay expires.

(3) Upon the expiration of thirty days from service of the notice pursuant to the provisions of paragraph (b)(1), the Review Panel shall recommend to the Georgia Supreme Court ~~the identical~~ *substantially similar* discipline, or removal from practice on the grounds provided in Rule 4-104, unless the Office of General Counsel or the lawyer demonstrates, or the Review Panel finds that it clearly appears upon the face of the record from which the discipline is predicated, that:

(i) The procedure was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(ii) There was such infirmity of proof establishing the misconduct as to give rise to the clear

conviction that the court could not, consistent with its duty, accept as final the conclusion on that subject; or

(iii) The discipline imposed would result in grave injustice or be offensive to the public policy of the jurisdiction; or

(iv) The reason for the original disciplinary status no longer exists; or

(v) (a) the conduct did not occur within the state of Georgia; and,

(b) the discipline imposed by the foreign jurisdiction exceeds the level of discipline allowed under these Rules.

(vi) *The discipline would if imposed in identical form be unduly severe or would require action not contemplated by these Rules.*

If the Review Panel determines that any of those elements exists, the Review Panel shall make such other recommendation to the Georgia Supreme Court as it deems appropriate. The burden is on the party seeking different discipline in this jurisdiction to demonstrate that the imposition of the same discipline is not appropriate.

(4) The Review Panel may consider exceptions from either the Office of the General Counsel or the Respondent for the grounds enumerated at Part (b)(3) of this Rule, and may in its discretion grant oral argument. Exceptions and briefs shall be filed with the Review Panel within thirty days from service of the Notice of Reciprocal Discipline. The responding party shall have ten days after service of the exceptions within which to respond.

(4) (5) In all other aspects, a final adjudication in another jurisdiction that a lawyer, whether or not admitted in that jurisdiction, has been guilty of misconduct, or has been removed from practice on any of the grounds provided in Rule 4-104 of the State Bar, shall establish conclusively the misconduct or the removal from practice for purposes of a disciplinary proceeding in this state.

(6) Discipline imposed by another jurisdiction but of a lesser nature than disbarment or suspension may be considered in aggravation of discipline in any other disciplinary proceeding.

The maximum penalty for a violation of this Rule is disbarment.

Rule 9.4 in its entirety now reads as follows:

Rule 9.4 JURISDICTION AND Reciprocal Discipline

(a) Jurisdiction. Any lawyer admitted to practice law in this jurisdiction, including any formerly admitted lawyer with respect to acts committed prior to resignation, suspension, disbarment, or removal from practice on any of the grounds provided in Rule 4-104 of the State Bar, or with respect to acts subsequent thereto which amount to the practice of law or constitute a violation of the Georgia Rules of Professional Conduct or any Rules or Code subsequently adopted by the court in lieu thereof, and any Domestic or Foreign Lawyer specially admitted by a court of this jurisdiction for a particular proceeding and any Domestic or Foreign Lawyer who practices law or renders or offers to render any legal services in this jurisdiction, is subject to the disciplinary jurisdiction of the State Bar of Georgia State Disciplinary Board.

(b) Reciprocal Discipline. Upon being suspended or disbarred in another jurisdiction, a lawyer admitted to practice in Georgia shall promptly inform the Office of General Counsel of the State Bar of Georgia of the discipline. Upon notification from any source that a lawyer within the jurisdiction of the State Bar of Georgia has been disciplined in another jurisdiction, the Office of General Counsel shall obtain a certified copy of the disciplinary order and file it with the Clerk of the State Disciplinary Board. Nothing in this Rule shall prevent a lawyer disciplined in another jurisdiction from filing a petition for voluntary discipline under Rule 4-227.

(1) Upon receipt of a certified copy of an order demonstrating that a lawyer admitted to practice in Georgia has been disbarred or suspended in another jurisdiction, the Clerk of the State Disciplinary Board shall forthwith issue a notice directed to the lawyer containing:

(i) A copy of the order from the other jurisdiction; and

(ii) A notice approved by the Review Panel that the lawyer must inform the Office of General Counsel and the Review Panel, within thirty days from service of the notice, of any claim by the lawyer predicated upon the grounds set forth in paragraph (b)(3) below, that the imposition of the substantially similar discipline in this jurisdiction would be unwarranted and the reasons for that claim.

(2) In the event the discipline imposed in the other jurisdiction has been stayed there, any reciprocal discipline imposed in this jurisdiction shall be deferred until the stay expires.

(3) Upon the expiration of thirty days from service of the notice pursuant to the provisions of paragraph (b)(1), the Review Panel shall recommend to the Georgia Supreme Court substantially similar discipline, or removal from practice on the grounds provided in Rule 4-104, unless the Office of General Counsel or the lawyer demonstrates, or the Review Panel finds that it clearly appears upon the face of the record from which the discipline is predicated, that:

(i) The procedure was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(ii) There was such infirmity of proof establishing the misconduct as to give rise to the clear conviction that the court could not, consistent with its duty, accept as final the conclusion on that subject; or

(iii) The discipline imposed would result in grave injustice or be offensive to the public policy of the jurisdiction; or

(iv) The reason for the original disciplinary status no longer exists; or

(v) (a) the conduct did not occur within the state of Georgia; and,

(b) the discipline imposed by the foreign jurisdiction exceeds the level of discipline allowed under these Rules.

(vi) The discipline would if imposed in identical form be unduly severe or would require action not contemplated by these Rules.

If the Review Panel determines that any of those elements exists, the Review Panel shall make such other recommendation to the Georgia Supreme Court as it deems appropriate. The burden is on the party seeking different discipline in this jurisdiction to demonstrate that the imposition of the same discipline is not appropriate.

(4) The Review Panel may consider exceptions from either the Office of the General Counsel or the Respondent on the grounds enumerated at Part (b)(3) of this Rule, and may in its discretion grant oral argument. Exceptions and briefs shall be filed with the Review Panel within thirty days from service of the Notice of Reciprocal Discipline. The responding party shall have ten days after service of the exceptions within which to respond.

(5) In all other aspects, a final adjudication in another jurisdiction that a lawyer, whether or not admitted in that jurisdiction, has been guilty of misconduct, or has been removed from practice on any of the grounds provided in Rule 4-104 of the State Bar, shall establish conclusively the misconduct or the removal from practice for purposes of a disciplinary proceeding in this state.

(6) Discipline imposed by another jurisdiction but of a lesser nature than disbarment or suspension may be considered in aggravation of discipline in any other disciplinary proceeding.

The maximum penalty for a violation of this Rule is disbarment.

ANNUAL REPORT OF THE
CLIENTS' SECURITY FUND
FOR OPERATIONAL YEAR 2007-2008

By: Charles Lee Davis, Acting Chair

The Clients' Security Fund is a public service of the legal profession in Georgia. The purpose of the Clients' Security Fund is to repay clients who have lost money due to a lawyer's dishonest conduct. Every lawyer in Georgia contributes to this Fund. On behalf of the Trustees of the Clients' Security Fund, it is a pleasure to present the 2007-2008 Clients' Security Fund Annual Report to the Board of Governors of the State Bar of Georgia. The Trustees of the Fund are proud of the efforts put forth to maintain the integrity of the legal profession.

Creation of the Fund

The Board of Governors of the State Bar of Georgia created the Clients' Security Fund by a Resolution on March 29, 1968. The Fund was formed "for the purpose of promoting public confidence in the administration of justice and maintaining the integrity and protecting the good name of the legal profession by reimbursing, to the extent deemed proper and feasible by the Trustees of the Fund, losses caused by the dishonest conduct of members of the State Bar of Georgia." In 1991, the Supreme Court of Georgia adopted the Rules of the Clients' Security Fund (Part X) making it an official part of the Rules of the State Bar of Georgia. That same year, pursuant to the Rules, the Board of Governors assessed each of the members of the State Bar the sum of \$100.00, paid over a five-year period, to fully fund and stabilize the Fund.

Administration of the Fund

The Clients' Security Fund Board of Trustees performs all acts necessary and proper to fulfill the purposes of and effectively administer the Fund. The Rules, as amended on June 28, 2004, by order of the Supreme Court of Georgia, establishes that the Board of Trustees shall consist of six (6) lawyers and one (1) non-lawyer member who are appointed to staggered terms by the President of the State Bar of Georgia. The Trustees serve five-year terms, and receive no compensation or reimbursement for their service. The Trustees select a Chair and Vice-chair to serve as officers for the Fund. The Fund receives part-time assistance from one attorney, one paralegal and one legal secretary from the Office of the General Counsel. In addition to your Chair, the following lawyers served as Trustees for the 2007-2008 operational year:

Andrew J. Hill, III

John T. McGoldrick

William T. McKenzie

Denny C. Galis

Dana F. Braun

John A. Isakson (non-lawyer member).

The Trustees strive to meet at least quarterly during the year. If circumstances warrant, special meetings may be called to ensure that claims are processed in a timely fashion. These Trustees have served tirelessly and their dedication to this program is greatly appreciated.

Funding

The membership of the State Bar of Georgia provides the principal funding for the Clients' Security Fund. These funds are held in the name of the Fund and the Trustees of the Fund maintain exclusive control of disbursements from the Fund.

During the years following the inception of the Fund in 1968, the number of claims filed with the Fund increased dramatically. Reasons for the increase in the number of claims included, but was not limited to, an increased lawyer population and increased disciplinary efforts by the Office of the General Counsel. In response to the certainty that the Fund would very shortly be depleted, in 1989 and 1990 the Trustees and the Executive Committee of the State Bar of Georgia began to study various funding mechanisms. The Trustees also studied measures designed to prevent losses from occurring such as random audit of attorney trust accounts and overdraft notification rules. While these measures helped to identify problems, the Trustees recognized that even these measures would not prevent theft from occurring. The most immediate solution was adequate funding.

For two years, the Trustees studied a number of different funding options, and ultimately proposed an assessment of \$100.00 per lawyer to be paid over a period of five years. New members of the Bar would also be assessed the same amount, again payable over five years. The Board of Governors of the State Bar of Georgia approved this proposal at its June 15, 1991 meeting, and the Supreme Court of Georgia approved the motion to amend the Bar Rules to provide for the assessment on April 2, 1992.

This funding mechanism was a significant development in the life of the Fund. The assessment appeared for the first time on the 1992-93 dues notice. In the first year, the assessment generated \$508,688.26 in revenue for the Fund. Fund revenue is supplemented

by interest income, restitution payments from disbarred lawyers, and miscellaneous contributions.

Even with relatively substantial sources of income, there continued to be concerns about the stability of the fund. It was determined that a secure source of funding is essential to the integrity of the Fund. This has been accomplished by the support of the Board of Governors and the Supreme Court. On June 13, 1997, the Supreme Court of Georgia approved an amendment to the Bar Rules that provides for future assessments triggered whenever the fund balance falls below a minimum of \$1,000,000.00. A cap of \$350,000.00 was also placed upon the aggregate amount that could be paid to claimants in any one year.

The Trustees also adopted certain administrative rules to help stabilize and manage the Fund. These rules provided that the maximum amount the Trustees will pay on any individual claim is \$25,000.00. Also, the aggregate amount the Trustees will pay to all claimants victimized by a single lawyer is limited to 10% of the Fund balance as it existed on the date the first claim against the lawyer was paid. Both of these rules may be overridden by a unanimous vote of the Trustees in cases of undue hardship or extreme unfairness.

More recent efforts to maintain the stability of the fund include an amendment to the Bar Rules, which were adopted by the Supreme Court on November 8, 2003. As the result of changes in the admissions rules that allow attorneys in reciprocal states to be admitted to the State Bar of Georgia upon motion, the amended bar rules provide that all members who are admitted to the State Bar of Georgia as a Foreign Law Consultant or who join without taking the Georgia Bar Examination are required to pay the full assessment of \$100.00 prior to or upon registration with the State Bar.

The efforts of the State Bar of Georgia and the Trustees of the Fund have proved successful over the years. The Fund's balance has grown from a low of \$361,823.00 in 1992 to \$2,658,750.00 as of April 30, 2008. The average fund balance has stabilized at approximately \$2,500,000.00.

Loss Prevention Efforts

An important role of the Trustees of the Fund is to promote and endorse rules and educational programs that are designed to prevent losses from occurring. In 1992 and 1993 respectively, the Trustees actively urged the adoption of two significant programs designed to prevent lawyer theft of clients' funds.

Overdraft Notification

In November 1992, the Board of Trustees joined the Investigative Panel of the State Disciplinary Board in urging the Board of Governors to approve amendments to Disciplinary Standard 65, creating a trust account overdraft notification program. The program was approved by the Supreme Court of Georgia on August 22, 1995, and became effective January 1, 1996. The primary purpose of the overdraft notification rules is to prevent misappropriation of clients' funds by providing a mechanism for early detection of improprieties in the handling of attorney trust accounts. See, 2007-2008 State Bar of Georgia Directory & Handbook Rule 1.15(III), p. H-36.

Payee Notification

During the 1993 legislative session, with the urging of the Trustees of the Fund, the Board of Governors endorsed legislation specifically designed to prevent lawyer theft of personal injury settlement funds. As of result of these efforts, the "payee notification rule" was approved in the form of an amendment to the Insurance Code. This statute requires

insurers to send notice to the payee of an insurance settlement at the time the check is mailed to the payee's attorney. This places the client on notice that the attorney has received settlement funds. The adoption of this procedure has substantially reduced claims involving theft of insurance funds.

Claims Process

Before the Clients' Security Fund will pay a claim, the Trustees must determine that the loss was caused by the dishonest conduct of the lawyer who has been disbarred, indefinitely suspended, or has voluntarily surrendered his or her license, and arose out of the client-lawyer relationship. The Rules define "dishonest conduct" as acts "committed by a lawyer in the nature of theft or embezzlement of money, or the wrongful taking or conversion of money, property, or other things of value." Typically, claims filed by corporations or partnerships, government entities, and certain members of the attorney's family are denied. Losses covered by insurance or, that result from malpractice or financial investments are also not considered reimbursable by the Fund. Claimants are responsible for providing sufficient documentation to support their claims.

Following is the statistical report on the operations of the Fund for the 2007-2008 operational year through April 30, 2008.

Annual Statistics for Operational Year 2007-2008

Financial Summary

	<u>As of April 30, 2008</u>
Fund Balance	\$ 2,658,750.00
Assessment Income	\$ 145,357.00
Restitution Income	\$ 48,305.00

Interest Income	\$ 93,861.00
Claims Paid	\$ 46,287.00
Expenses	\$ 61,970.00

Activity Summary

May 1, 2007 – April 30, 2008

Applications Requested	53	
Claims Filed	51	
Total Claims Considered <i>(including reconsidered claims)</i>	62	
Claims Approved for Payment	33	
Total Amount Approved		\$125,734.66
Claims Denied	21	
Claims Deferred	5	
Claims Reconsidered	7	
Claims Administratively Closed	3	
Claims Pending	25	
Inactive Claims	28	
Attorneys Involved in Paid Claims	23	

REVIEW PANEL REPRIMANDS

<u>DATE OF ORDER</u>	<u>RESPONDENT</u>	<u>DOCKET</u>
6/4/07	Newell McAfee Hamilton	5131 5132 5191 5192 5193 5194 5195 5196
9/25/07	Arleen Evans	4845 4846 5096
2/11/08	Janet R. Hightower (out-of-state attorney)	5046
2/25/08	Shirley White Edwards	5341
3/10/08	Derrick L. Wallace	5243
3/31/08	R. James Babson, Jr.	5438

PUBLIC REPRIMANDS

DATE OF ORDER

RESPONDENT

DOCKET

5/14/07

Monique Walker
(and 120 days suspension)

5053

SUSPENSIONS

<u>DATE OF ORDER</u>	<u>RESPONDENT</u>	<u>DOCKET</u>
<i>Indefinite</i>		
6/4/07	Jon Philip Carr	5292
6/25/07	Alice Caldwell Stewart	4840 4981 4991 5107 & 5108 5137 5178
9/24/07	Juan Lopez Morales	4709
10/9/07	John M.B. Lewis, IV	5295
10/29/07	Anson Andrew Adams	5371
1/28/08	Dorothea P. Kraeger	5110
1/28/08	Stephen G. Waldrop	5256
2/11/08	Chase Arthur Caro	5294
3/10/08	Paul Owen Farr	5309
3/10/08	Alice Caldwell Stewart	5346
3/31/08	Kirk Robert Owens	5332
3/31/08	R. James Babson, Jr.	5271
4/21/08	Keino Dwan Campbell	5333
<i>Definite</i>		
5/14/07	Monique Walker (120 days & public reprimand)	5053
9/24/07	Shannon Camille Johnson	5092

	(2 years)	5165 5210
1/28/08	Ike A. Hudson (1 year)	5342 5373
2/11/08	James H. Bone (3 months)	5365
3/31/08	Dennis P. Cronin (11-months 4-days nunc pro tunc to 3/9/07)	5370

Interim Suspensions

6/4/07	James Sheridan Grimes	060333 & 060334
6/4/07	Carin Astrid Burgess	060335
7/10/07	Russell William Pope	060228
8/7/07	Daniel Jonathan Levy	070056
8/7/07	Michael A. Edmunds	060367
9/27/07	Franklin Whitaker Thomas	070097
10/31/07	Jamila Harrison	070121
10/31/07	Wendell S. Henry	070184
11/26/07	Charles Houston Richards	070194
11/27/07	Maurice Brown	070050
11/27/07	Karen Suzanne Wilkes	070065
1/3/08	Russell William Pope	070246
2/1/08	Earl Dean Clark	070280
2/1/08	Nina A. Lambert Roberts	070164
3/7/08	Christopher A. Frazier	070297
3/27/08	Martha F. Dekle	070312

4/4/08	Jan Mealus Smith	070308
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4/4/08	Daniel Loyd Parr	070245
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Interim Suspensions Lifted

7/20/07	Russell William Pope	060228
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7/20/07	Carin Astrid Burgess	060335
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12/12/07	Maurice Brown	070050
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2/21/08	Karen Suzanne Wilkes	070065
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2/22/08	Russell William Pope	070246
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2/22/08	Wendell S. Henry	070184
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4/9/08	Nina A. Lambert Roberts	070164
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DISBARMENTS

<u>DATE OF ORDER</u>	<u>RESPONDENT</u>	<u>DOCKET</u>
7/13/07	Alvin R. Lenoir	5197 & 5198
9/24/07	Terrill Andrew Turner	5213 – 5215
9/24/07	Andrew James McKenna	4850
9/24/07	Curtis Glen Shoemaker	5251 & 5252
10/9/07	Moreton Rolleston, Jr.	5088
10/9/07	Coatsey Ellison	4849 4953 & 4954
10/9/07	Franklin Whitaker Thomas	5020 5090
10/9/07	D. Daniel Kleckley	5283 & 5284 5303
10/9/07	Stevens J. White	4812
10/9/07	Paul Walter David	4543 & 4544 4571 & 4572 4590 – 4594 4615 4658 & 4659 4719 4771 4959
10/29/07	Walter Ryan Dogan	5249
10/29/07	William O. Key, Jr.	5372
10/29/07	Richard O. Smith	5297
10/29/07	Andrew Wolf	5258
10/29/07	W. Grady Pedrick	4947 & 5130
10/29/07	William Alexander Byars	5229 & 5230 5231

11/5/07	William C. Campbell	5142
11/5/07	Tara Gail McNaull	5209
1/28/08	Matthew Brian Bernhard	5184
1/28/08	John Houser Parker	5241
1/28/08	Kurt M. Thomas	5388
1/28/08	Christopher M. Howlette	5408
1/28/08	Mary Kathryn Reagan	5077
2/11/08	Constance L. Thomas	5421
2/11/08	Joseph Edward Sapp	5093 5238 5354 5409
2/11/08	Robert Norman Wilson, Jr.	5127
2/11/08	Michael E. Butler	5026
2/11/08	Earl Antoine Davidson	5378
2/25/08	Imrana Muhammad Ali	5285
3/31/08	Peter Scott Manown	5452
3/31/08	R. Joseph Costanzo	5457
4/21/08	William P. Keenan	5456
4/21/08	Timothy Grant Madison	5453
4/21/08	Arthur Hurst English, IV	5205

REINSTATEMENTS GRANTED

<u>DATE OF ORDER</u>	<u>RESPONDENT</u>	<u>DOCKET</u>
5/14/07	David Lee Judah	3236 3237 3238 3239 3240 3258 3318 3732 3942