

## Georgia's Discipline Process Accused of Racial Bias - Data on Disparities Sought



A Black lawyer, Marsha W. Mignott, has filed a proposed class action lawsuit accusing Georgia disciplinary officials of racial discrimination in handling ethics complaints. Mignott is appealing a recommended two-year suspension for a complaint by a client who presented a forged document to the state bar.

According to Law360, Mignott has been a member of the bar since 2005 without prior disciplinary history. She alleges violation of Section 1981 of the Civil Rights Act of 1866 in the April 23 lawsuit filed in federal court in the Northern District of Georgia. Mignott is pursuing a class action to shed light on the racial injustices that take place inside the State Bar of Georgia Office of General Counsel, which pursues discipline complaints.

In her lawsuit, Mignott cited two instances in which white lawyers won the dismissal of grievances filed against them. In one of the cases, a state bar investigator sent an email to the accused white lawyer that read, "As soon as I receive your response (you don't have to go into great detail), I will draft a dismissal letter and send you a copy." The email showed that the complaining member of the public did not get due process, Mignott's suit said.

"Most notably," the suit says, "African American attorneys are sanctioned for grievances filed by a member of the public, even when the African American attorney provides a plethora of evidence showing that no violations alleged occurred." However, grievances against white attorneys "are dismissed without due process" to the complaining member of the public.

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Mignott is seeking an injunction requiring "complete transparency" by the state bar, including figures on the number of sanctioned African American and white lawyers.

The State Bar of Georgia's director of communications did not immediately respond to the ABA Journal's voicemail and email seeking comment.

The lawsuit highlights the issue of racial discrimination in the legal profession, particularly when it comes to disciplinary actions. Mignott's case is just one example of a larger problem, as many Black lawyers have faced disciplinary actions that their white counterparts have not.

In a statement to the media, Mignott said, "I filed this lawsuit to expose the systemic racism that exists within the State Bar of Georgia and to force the bar to make changes. The racial disparities in the discipline process must be addressed and corrected, and the bar must be held accountable for its actions."

The lawsuit is significant because it could bring about much-needed change in the legal profession. As more Black lawyers come forward with similar stories of discrimination, the issue will likely gain more attention from the legal community and the public at large.

In conclusion, Mignott's proposed class action lawsuit against Georgia disciplinary officials is a bold move in the fight against racial discrimination in the legal profession. It highlights the need for greater transparency and accountability in the disciplinary process and calls attention to the racial disparities that exist in the system. While it remains to be seen what the outcome of the lawsuit will be, it is clear that the issue of racial discrimination in the legal profession is one that needs to be addressed and corrected.