



SUPREME COURT OF GEORGIA

Case No. S06Y2140

Atlanta November 20, 2006

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed.

IN THE MATTER OF STEPHEN W. ADKINS, JR.

This disciplinary matter is before the Court on Respondent Stephen W. Adkins, Jr.'s petition for voluntary discipline filed subsequent to the issuance of a formal complaint and in which he requests the imposition of a review panel reprimand for his admitted violations of Rules 1.4 and 1.16 (d) of Bar Rule 4-102 (d) of the Georgia Rules of Professional Conduct. The maximum penalty for a violation of either Rule 1.4 or 1.16 is a public reprimand. The State Bar of Georgia and the special master recommend this Court accept Adkins's petition.

In his petition, Adkins admits he was retained by a couple in March 2005 to represent them in a dispute with their homebuilder and he received a retainer in the amount of \$3,000. Although Adkins filed the lawsuit, he subsequently sent a bill to the clients reflecting he also filed interrogatories to the defendants, which Adkins had not done. When the clients brought the billing error to his attention, Adkins promised to correct the error but failed to do so. He also failed to inform the clients the defendant had served interrogatories and requests for production; failed to serve the defendant with a response to the interrogatories and requests for production; failed to respond to his clients' phone calls and e-mails regarding the status of their lawsuit; and failed to promptly return the unearned portion of the retainer after the clients terminated his services in June 2005. Adkins has now made restitution to the clients in the amount of the full \$3,000 retainer.


After a review of the record, this Court accepts the facts and violations as admitted by Adkins, finds no aggravating circumstances in this case, and finds in mitigation of discipline that Adkins had no prior discipline, had no dishonest or selfish motive, was dealing with personal problems during the time he represented the clients, and is remorseful. The Court also notes that Adkins has refunded the retainer in its entirety and has sought to improve his practice management. Based on the record, therefore, this Court accepts Adkins' petition for voluntary discipline and imposes, pursuant to Bar Rule 4-102 (b) (4), a review panel reprimand for his violation of Rules 1.4 and 1.16 (d) of Bar Rule 4-102 (d) of the Georgia Rules of Professional Conduct.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.



 , Chief Deputy Clerk