



SUPREME COURT OF GEORGIA
Case No. S01Y1313.

Atlanta JUN 25 2001

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

IN THE MATTER OF ALEXANDER J. REPASKY

This disciplinary matter is before the Court on Respondent Alexander J. Repasky's petition for voluntary discipline which was filed pursuant to Bar Rule 4-227 (b) after the Investigative Panel found probable cause to file a Formal Complaint, but before the State Bar actually began proceedings. In his petition, Repasky seeks to resolve four separate disciplinary matters pending against him (State Disciplinary Board ("SDB") Nos. 4138, 4139, 4140 and 4177), each of which charges him with a separate violation of Standard 44 (lawyer shall not wilfully abandon or disregard a legal matter entrusted to him without just cause) of Bar Rule 4-102. The violation of Standard 44 may be punished by disbarment.

In his petition, Repasky admits that he violated Standard 44 three times, but asserts in mitigation that he has been cooperative in these disciplinary proceedings. Repasky requests that he: (1) receive a public reprimand; (2) be directed to refund \$1,000 each to the clients involved in SDB Nos. 4138 and 4139; and (3) be required to submit to a consultation with the Law Practice Management Program of the State Bar of Georgia. The State Bar recommends acceptance of the petition and we conclude that the proposed discipline is appropriate under the circumstances of this case.

In his petition, Repasky who has been a member of the Bar since 1967, admits with regard to SDB No. 4138 that he wilfully disregarded a client's case by failing to make a formal appearance on behalf of his client in an immigration matter for over two months despite having accepted a \$1,000 retainer for that case. Moreover, with regard to SDB No. 4139, Repasky admits that he wilfully disregarded a second client's case by failing to communicate adequately with his client and by failing to appear in court in an immigration matter despite again having accepted a

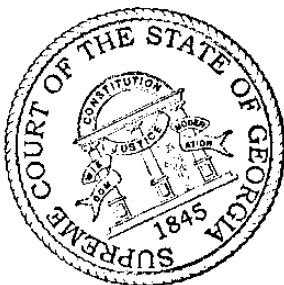
\$1,000 retainer from that client. In connection with SBD No. 4140, Repasky admits that he wilfully disregarded a group of clients' cases by failing to insure that his clients' interests were adequately protected by arranging for competent local counsel to respond to motions during the pendency of Repasky's motion for admission *pro hac vice*. However, Repasky does not admit the violation of any disciplinary rules with regard to SDB No. 4177.

Given these admitted violations and taking into consideration Repasky's cooperativeness during these proceedings, we find that the discipline proposed in the petition is appropriate. Accordingly, for his admitted violations of Standard 44 of Bar Rule 4-102 (d) it hereby is ordered that Alexander J. Repasky: (1) be administered, pursuant to Bar Rules 4-102 (b) (3) and 4-220 (c), a public reprimand in open court from a judge of the superior court where Repasky resides or where his disciplinary infractions occurred; (2) immediately refund \$1,000 each to the clients involved in SDB Nos. 4138 and 4139; and (3) submit within a reasonable time, not to exceed 90 days from this issuance of this order, to a consultation with the Law Practice Management Program of the State Bar of Georgia.

All the Justices concur, except Hunstein and Thompson, JJ., who dissent.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta



I hereby 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

S01Y1313. IN THE MATTER OF ALEXANDER J. REPASKY

HUNSTEIN, dissenting.

I cannot agree with the conclusion reached by the majority that the appropriate level of discipline in this case is a public reprimand and monetary restitution, inasmuch as I believe Repasky's conduct in committing three violations of Standard 44 mandates the sanction of disbarment.

I am authorized to state that Justice Thompson joins in this dissent.