



**SUPREME COURT OF GEORGIA**  
Case No. S08Y0337

Atlanta March 10, 2008

The Honorable Supreme Court met pursuant to adjournment.

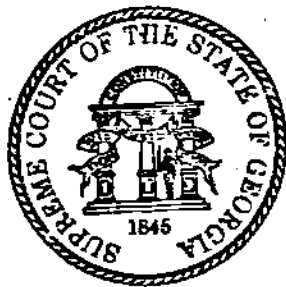
The following order was passed:

**IN THE MATTER OF DERRICK L. WALLACE**

This disciplinary matter is before the Court pursuant to the Report and Recommendation of a Special Master, Marion Thomas Pope III, on Derrick L. Wallace's petition for voluntary discipline which he filed pursuant to Bar Rule 4-227 (c) after the State Bar filed a Formal Complaint. Although the Formal Complaint charged Wallace with violating Rules 1.3, 1.4, 1.8 (a), 1.16 (d) and 9.3, all of the Georgia Rules of Professional Conduct, see Bar Rule 4-102 (d), Wallace does not admit violating Rule 1.3 or 1.4. The maximum sanction for a single violation of Rule 1.8 (a), 1.16 (d) and 9.3 is a public reprimand but given the mitigating circumstances, the special master recommended the imposition of a review panel reprimand in this case.

In his petition for voluntary discipline, Wallace admits that he entered into a "business consulting arrangement" with a individual under which he was to assist the individual in locating and acquiring an investment property or business; that the individual paid him \$10,000; that he drafted Articles of Incorporation and Bylaws for a closely held business, which was to be wholly owned and controlled by the individual and used to acquire and operate a business; and that he signed those documents as the incorporator and filed them with the Secretary of State. Wallace further admits that the drafting and filing of those documents constitutes the practice of law; that he thus provided the individual with legal services aside from any business consulting services; that he entered into a business transaction with the individual at the same time he provided legal services to him and while the individual expected him to exercise professional judgment for the individual's protection; that when the relationship between he and the individual terminated he told the individual that he would refund \$4,000 of the fee paid, but that he failed

to do so. Wallace admits that he acknowledged service of the Notice of Investigation from the Investigative Panel of the State Bar of Georgia but failed to timely answer that Notice. Thus, Wallace admits that he violated Rules, 1.8, 1.16 (d) and 9.3, but offers in mitigation that he had no prior disciplinary record; that he will refund \$4,000 to the individual;<sup>1</sup> and that he is remorseful. Based on all of the above, this Court agrees with the special master and the State Bar that the appropriate level of discipline for Wallace's violations is a review panel reprimand. Therefore, it hereby is ordered that Derrick L. Wallace be administered a review panel reprimand in accordance with Bar Rule 4-102 (b) (4)



**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

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<sup>1</sup> Consistent with Wallace's offer to refund \$4,000, the Court hereby orders that such refund actually be made.