



SUPREME COURT OF GEORGIA  
Case No. S00Y1417.

Atlanta OCT 26 2000

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

IN THE MATTER OF DAVID H. BUCHANAN

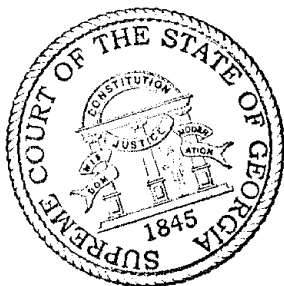
This disciplinary proceeding is before the Court on Respondent David H. Buchanan's Petition for Voluntary Discipline in which Buchanan admits violating Standard 44 (lawyer shall not without just cause to the detriment of his client in effect wilfully abandon or disregard a legal matter entrusted to him) of Bar Rule 4-102 (d), and seeks the imposition of a public reprimand with conditions. Although a violation of Standard 44 may be punished by disbarment, the State Bar and the special master recommend acceptance of the petition. Having reviewed the record in this case, we accept Buchanan's petition and agree that under the circumstances a public reprimand is the appropriate sanction.

Buchanan filed his petition pursuant to Bar Rule 4-227 (c) after the State Bar issued a Formal Complaint against him and after the appointment of a special master, but prior to an evidentiary hearing. In his petition, Buchanan admits that he agreed to represent clients who were injured in an automobile accident. Buchanan filed suit on behalf of the clients but, when the Fulton County Superior Court ordered the action transferred to Floyd County, Buchanan failed to advise his clients to pay the venue transfer fee and he did not himself pay the fee. As a result, the court dismissed the law suit in December 1997, but Buchanan did not inform his clients of the dismissal until February 1999. This Court notes Buchanan's prior disciplinary history consisting of a Review Panel reprimand in 1997, but also notes in mitigation of Buchanan's conduct that he has made full and complete restitution to his clients to compensate them for their loss resulting from the dismissal of their personal injury action, and that he accepts responsibility for his conduct and is deeply remorseful.

Accordingly, it is hereby ordered that for his violation of Standard 44 of Bar Rule 4-102 (d), Respondent David H. Buchanan be administered a public reprimand in open court pursuant to Bar Rule 4-102 (b) (3) by a judge of the superior court where Buchanan resides or where his disciplinary infractions occurred. It is further ordered that Buchanan (1) initiate contact with an entity approved by the Law Practice Management Program and, within six months from the date of this order, pay for and submit to a full assessment by that entity; waive confidentiality

so that the Office of the General Counsel may confirm that he has undergone and paid for the assessment; complete all requirements of the assessment; and no later than three months following review of his practice by the Program, have the Program Director provide to the Office of General Counsel certification of his compliance with the administrative and/or operational changes recommended; and (2) attend the next available session of the State Bar's Ethics School.

**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