



# SUPREME COURT OF GEORGIA

Case No. S00Y0967.

Atlanta

APR 28 2000

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

## IN THE MATTER OF BRIAN EDWARD WIKLENDT

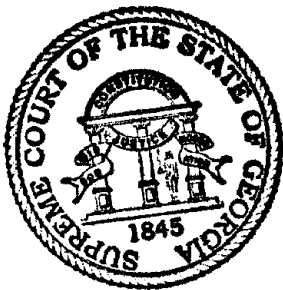
This disciplinary matter is before the Court on Respondent Brian Edward Wiklendt's Petition for Voluntary Discipline, filed pursuant to Bar Rule 4-227 (c), in which Wiklendt admits violating Standard 44 (a lawyer shall not without just cause to the detriment of his client in effect wilfully abandon or wilfully disregard a legal matter entrusted to him) of Bar Rule 4-102 (d) and seeks the imposition of a Review Panel reprimand. The State Bar filed a Formal Complaint alleging a violation of Standard 44 to which Wiklendt filed a timely answer. Although a violation of Standard 44 is punishable by disbarment, both the special master and the State Bar recommend that the Court accept Wiklendt's petition.

In his petition, Wiklendt admits that on January 7, 1998, he agreed to represent a client in a bankruptcy action for a total fee of \$500 and that the client made an initial payment of \$300 for attorney's fees. Wiklendt also executed a legal representation agreement with the client for the \$500 plus filing fees; began working on her case that day; and informed her that her case should be completed in approximately three weeks. During the next month, Wiklendt analyzed the client's financial situation and on February 23, 1998, he received a check from the client, made payable to the United States Bankruptcy Court, in the amount of \$175 for filing fees. Wiklendt did not negotiate the check for any purpose and did not file the bankruptcy petition. Although Wiklendt spoke with the client about the status of her case on several occasions from February 1998 through November 1998, he did not effectively communicate to her that he would not file the bankruptcy petition until she paid the balance due on the attorney's fees. In January 1999, the client wrote and telephoned Wiklendt regarding the status of her case but never paid the outstanding balance and Wiklendt failed to respond to her inquiries. On January 29, 1999, the client discharged Wiklendt.

We have reviewed the record and agree with the special master and the State Bar that Wiklendt's Petition for Voluntary Discipline should be accepted. In mitigation

of discipline, we note that Wiklendt has no prior disciplinary record; has displayed a cooperative attitude toward the proceedings; has engaged in full and free disclosure with the disciplinary board; and expresses deep remorse. Accordingly, it is hereby ordered that for his violation of Standard 44 of Bar Rule 4-102 (d), respondent Brian Edward Wiklendt be administered a Review Panel reprimand pursuant to Bar Rules 4-102 (b) (4) and 4-220 (b).

**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