



SUPREME COURT OF GEORGIA

Case No. S97Y1039.

Atlanta OCT 03 1997

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

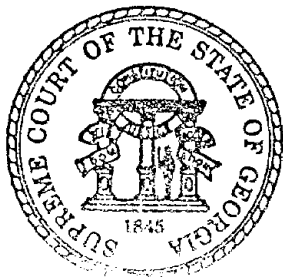
IN THE MATTER OF RICHARD L. MONTGOMERY

Following the State Bar's filing of a formal complaint against respondent Richard D. Montgomery, Montgomery filed a Petition for Voluntary Discipline, admitting he violated Standards 22 (b) (withdrawing from employment without taking reasonable steps to avoid foreseeable prejudice to the rights of the client, and without giving due notice to the client, allowing time for the employment of other counsel, or delivering to the client papers and property to which the client is entitled) and 44 (wilfully abandoning or disregarding a legal matter) of Bar Rule 4-102. Montgomery requests a Review Panel reprimand as sanction. In his Petition, Montgomery admitted that he represented a client, who was a peace officer, in the client's appeal from a demotion and threatened decertification. He admits that he failed to inform his client of a mandatory pre-hearing conference. Because neither Montgomery nor the client appeared at the conference, the administrative law judge to whom the appeal was assigned dismissed the appeal, and the client was decertified as a peace officer.

As sanction for his violations of the foregoing professional standards, respondent requests he be administered a Review Panel reprimand pursuant to Bar Rule 4-102 (b) (4). The State Bar, special master and the unanimous Review Panel all recommend that this Court accept respondent's petition. We agree with the Review Panel, the State Bar and with respondent that the following are mitigating factors for our consideration in imposing the appropriate sanction in this case: (1) respondent was admitted to the Bar in 1990 and has had no prior history of discipline; (2) his conduct was not motivated by dishonesty or selfishness; (3) he has cooperated with disciplinary authorities throughout the course of the investigation of the charges against him; (4) and he regrets the manner in which he handled his client's legal affairs.


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Having reviewed the file and considered the mitigating factors in this case, we agree with the recommendation of the Review Panel that a Review Panel reprimand is the appropriate sanction in this case. Accordingly, we accept respondent's Petition for Voluntary Discipline and it is hereby ordered that the Review Panel administer a reprimand to respondent in accordance with Bar Rules 4-102, and 4-220.



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