



**SUPREME COURT OF GEORGIA**  
Case No. S96Y1031.

Atlanta, July 12, 1996

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

**IN THE MATTER OF: J. L. JORDAN**

This case consists of two consolidated disciplinary proceedings against J. L. Jordan. Jordan does not dispute that he violated Standards 61 and 65 of Bar Rule 4-102 (d) in mismanaging his clients' funds. Based on the record, and the aggravating and mitigating circumstances, we impose a public reprimand, and, further, require that Jordan obtain consultation services from the Law Practice Management Program of the State Bar of Georgia concerning the operation of his law office.

In the first disciplinary matter, Supreme Court Docket 943, Jordan represented three clients in a case against Georgia Farm Bureau. He settled the case and his employee gave the clients post-dated checks from Jordan's escrow account for their shares of the settlements. Jordan never deposited the settlement checks in his escrow account. Two of the clients presented the checks prior to their post date and the checks were returned for insufficient funds. After several calls from personnel at the clients' bank, both before and after the day the escrow checks to the clients were dated, Jordan presented the settlement checks to his bank for cash and wired sufficient funds to the clients' bank in payment of the bad escrow checks.

In the second matter, Supreme Court Docket 944, Jordan represented a client in a personal injury case, settled the case, and his employee deposited the settlement check into Jordan's payroll account. Jordan informed the client that payment would be delayed, and subsequently gave the client a check from his escrow account which was returned for insufficient funds. Within several weeks, Jordan paid the client with certified funds from his personal account.

Based on our review of the record, we agree with the Review Panel that Jordan's conduct in both matters violates Standard 61 of Bar Rule 4-102 in that he failed to promptly deliver settlement funds to his clients, and that his conduct in the second matter violates Standard 65 (A) and 65 (D) in that he commingled client funds with his own and failed to administer funds held for his clients. We also agree with the Review Panel that the evidence does not suggest any intentional or wilful course of conduct on Jordan's part but, rather, shows a failure to maintain and administer a proper accounting system in his office.

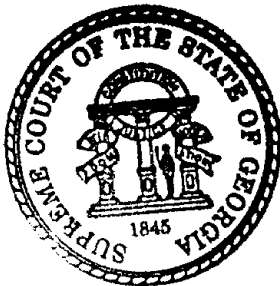
In determining the appropriate sanction to impose, we note the following mitigating and aggravating circumstances. In mitigation, Jordan's clients all received their money within a relatively short period, and, although they were inconvenienced, they were not significantly

damaged; Jordan has cooperated in this disciplinary proceeding and promptly rectified the consequences of his misconduct; and finally, Jordan's misconduct appears to be the result of poor office management rather than any dishonest or selfish move on his part. See ABA Standards for Imposing Lawyer Sanctions, Standards 9.22 (1991).

In aggravation, we note Jordan's substantial experience in the practice of law and the fact that he received a Review Panel reprimand for similar conduct in 1989. In that proceeding, he acknowledged that he had a poor system of bookkeeping and stated he had secured the services of an accounting professional to develop a suitable bookkeeping system for his office. See ABA Standards, Standard 9.32.

In light of the evidence in the record, and the aggravating and mitigating circumstances noted above, we adopt the Review Panel's recommendation that Jordan be administered a public reprimand, to be read in open court by a judge of the superior court of the county of Jordan's residence, and in his presence, pursuant to Bar Rule 4-220 (a) of the State Bar of Georgia. In addition, within three months after the public reprimand is issued, Jordan shall be required to initiate contact with the Law Practice Management Program of the State Bar of Georgia and he shall be required to pay for and complete a full assessment. If the assessment is not completed and paid for by Jordan within three months of the public reprimand, he shall, on notice to this Court that he has failed to comply with those conditions, be subject to immediate suspension.

**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