

SUPREME COURT OF GEORGIA

In re Meyer

277 Ga. 192 (2003) · No. S03Y0187; S03Y0188; S03Y0189; S03Y0280 · Decided October 6, 2003

SUMMARY

The Supreme Court of Georgia disbarred M. Bernt Meyer for multiple violations of the Georgia Rules of Professional Conduct arising from mishandled real estate closing funds, client abandonment, failure to pursue a personal-injury claim, and failure to report felony convictions and prior bar resignation. The court found that Meyer knowingly committed multiple offenses and that the matters demonstrated a pattern of professional deception and client abandonment.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                 |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Georgia                                                                                                                                                                                                                                                        |
| WRITING FOR THE COURT | All the Justices                                                                                                                                                                                                                                                                |
| JURISDICTION          | Georgia                                                                                                                                                                                                                                                                         |
| DECIDED               | October 6, 2003                                                                                                                                                                                                                                                                 |
| DOCKET                | S03Y0187; S03Y0188; S03Y0189; S03Y0280                                                                                                                                                                                                                                          |
| DISPOSITION           | other                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | Four attorney-discipline matters were pending before the Supreme Court of Georgia. Meyer did not file Notices of Rejection or timely respond to the disciplinary proceedings, waiving his right to an evidentiary hearing. The State Bar recommended disbarment in each matter. |
| PRECEDENTIAL VALUE    | Published opinion; precedential disciplinary decision of the Supreme Court of Georgia                                                                                                                                                                                           |
| PARTIES               | State Bar of Georgia v. M. Bernt Meyer                                                                                                                                                                                                                                          |

TOPICS

- real estate
- guardianship procedure
- civil procedure

PRACTICE AREAS

- attorney discipline
- professional responsibility
- real estate transactions
- guardianship procedure

## QUESTIONS PRESENTED

1. Whether Meyer's admitted conduct violated the charged Georgia Rules of Professional Conduct standards and Bar Rule 4-102(d).
2. What disciplinary sanction was warranted for the violations across the four pending matters.

## HOLDINGS

1. Meyer knowingly violated Standards 3, 4, 22, 23, 44, 61, 63, 65, and 66 and Rule 9.3 of the Georgia Rules of Professional Conduct, all incorporated in Bar Rule 4-102(d).
2. Disbarment was warranted because the four matters involved multiple offenses demonstrating a pattern of professional deception and client abandonment.

## KEY QUOTATIONS

*"Accordingly, we agree with the State Bar's recommendation and find that disbarment is the warranted sanction in these cases."* (277 Ga. 193)

*"Meyer hereby is disbarred from the practice of law in Georgia and is reminded of his duties under Bar Rule 4-219 (c)."* (277 Ga. 193)

## FACTUAL BACKGROUND

In two real-estate loan-closing matters, Meyer acted as settlement agent and closing attorney, received seller proceeds, represented that he would pay property liens from his escrow account, and instead commingled and appropriated the funds for his own benefit. In a personal-injury representation, he failed to communicate with clients, failed to pursue the matter, and allowed the statute of limitations to expire. In a fourth matter, he failed to report several Florida felony convictions and his resignation from the Florida Bar, and he did not timely respond to the disciplinary proceedings.

## PROCEDURAL HISTORY

The State Bar of Georgia filed Notices of Discipline alleging violations of multiple Georgia Rules of Professional Conduct standards and Bar Rule 4-102(d). Meyer's guardian acknowledged service, but Meyer did not file Notices of Rejection or timely respond. The matters proceeded to the Supreme Court of Georgia for determination of the appropriate sanction.

## DISPOSITION

other

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