

SUPREME COURT OF KENTUCKY

Williams v. Kentucky Bar Ass'n

236 S.W.3d 612 (Ky. 2007) · No. 2007-SC-000499-KB · Decided November 1, 2007

SUMMARY

The Supreme Court of Kentucky permanently disbarred David W. Williams after he moved to resign under terms of permanent disbarment and admitted numerous violations of the Kentucky Rules of Professional Conduct. The violations included lack of diligence and communication, misappropriation of client funds, unauthorized practice of law, false statements to disciplinary authorities and tribunals, and other misconduct. The court also ordered Williams to pay \$1,371.46 in costs and comply with notice and cessation-of-practice requirements.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Joseph E. Lambert, Chief Justice
JURISDICTION	Kentucky
DECIDED	November 1, 2007
DOCKET	2007-SC-000499-KB
DISPOSITION	other
PROCEDURAL POSTURE	Williams petitioned the Supreme Court of Kentucky to enter an order permanently disbarring him from the practice of law under the terms of his motion to resign under permanent disbarment.
PRECEDENTIAL VALUE	Published Kentucky Supreme Court disciplinary opinion and order
PARTIES	David W. Williams, Movant v. Kentucky Bar Association, Respondent

TOPICS

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the Supreme Court of Kentucky should sustain Williams's motion to resign under terms of permanent disbarment based on his admitted violations of the Kentucky Rules of Professional Conduct.
2. What sanctions and related obligations should be imposed upon granting the motion.

HOLDINGS

1. The court sustained Williams's motion to resign under terms of permanent disbarment and permanently disbarred him from practicing law in Kentucky.
2. Williams was ordered to pay \$1,371.46 in certified costs, notify clients and courts of his inability to represent them within ten days where he had not already done so, provide copies of the notices to the Kentucky Bar Association's Director, and immediately cease all advertising activities.

KEY QUOTATIONS

“Movant, David W. Williams is hereby permanently disbarred from the practice of law in the Commonwealth of Kentucky.” (236 S.W.3d at 615-16)

FACTUAL BACKGROUND

Williams admitted numerous instances of professional misconduct involving bankruptcy, civil, transactional, estate, and family-law matters. The misconduct included failure to act diligently, failure to communicate, misappropriation of client or third-party funds, unauthorized practice after suspension, false statements to tribunals and disciplinary authorities, and failure to return files and unearned fees. He acknowledged additional uncharged matters and agreed that permanent disbarment would prevent reinstatement.

PROCEDURAL HISTORY

The movant acknowledged numerous charged and uncharged violations of the Kentucky Rules of Professional Conduct and sought permanent disbarment. The Kentucky Bar Association did not object to the motion. The Supreme Court of Kentucky sustained the motion, permanently disbarred Williams, assessed costs, and imposed related notice and cessation-of-advertising requirements.

DISPOSITION

other