

SUPREME COURT OF GEORGIA

In the Matter of Douglas Grant Exley

296 Ga. 630 (2015) · No. S14Y1542, S14Y1543 · Decided February 16, 2015

SUMMARY

The Supreme Court of Georgia considers disciplinary matters involving Douglas Grant Exley, who accepted fees for two divorce representations but abandoned both clients, failed to communicate, and failed to refund the fees. Because Exley defaulted, the violations were deemed admitted, and the Court ordered his disbarment based on client neglect, communication failures, and related rule violations.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	All the Justices
JURISDICTION	Georgia
DECIDED	February 16, 2015
DOCKET	S14Y1542, S14Y1543
DISPOSITION	other
PROCEDURAL POSTURE	The State Bar of Georgia filed Notices of Discipline seeking disbarment in two disciplinary matters. The attorney was served by publication, failed to file Notices of Rejection and timely responses, and proceeded in default.
STANDARD OF REVIEW	The Court reviewed the disciplinary record and determined the appropriate sanction based on facts deemed admitted by default.
PRECEDENTIAL VALUE	Published opinion
PARTIES	State Bar of Georgia

TOPICS

family law procedure divorce family law

PRACTICE AREAS

attorney discipline legal ethics family law representation

QUESTIONS PRESENTED

1. Whether Exley's failure to file Notices of Rejection after proper service placed him in default and waived his right to an evidentiary hearing.
2. Whether disbarment was the appropriate sanction for abandoning two client representations, failing to communicate, failing to refund fees, and failing to respond to the State Bar's investigations.

HOLDINGS

1. An attorney who is properly served, fails to file a Notice of Rejection, and thereby defaults waives the right to an evidentiary hearing and becomes subject to the discipline and further proceedings determined by the Supreme Court.
2. Disbarment is the appropriate sanction for Exley's misconduct in abandoning two divorce representations, neglecting client matters, failing to communicate, failing to refund fees, and failing to respond to disciplinary investigations.

KEY QUOTATIONS

"Having reviewed the record, we conclude that disbarment is the appropriate sanction in this matter." (at 632)

"Accordingly, it is hereby ordered that the name of Douglas Grant Exley be removed from the rolls of persons authorized to practice law in the State of Georgia." (at 632)

FACTUAL BACKGROUND

In one matter, Exley accepted \$500 to represent a client in a divorce action, failed to communicate or take action, abandoned the representation, and failed to refund the fee. In the second matter, he accepted \$1,000 for a divorce representation, delayed sending documents, failed to file signed documents with the superior court, again abandoned the client, and failed to refund the fee. In both matters, he failed to provide timely sworn responses to Notices of Investigation.

PROCEDURAL HISTORY

The matters came before the Supreme Court of Georgia on the State Bar's Notices of Discipline. The State Bar had previously obtained an interim suspension in one matter. After personal service failed, service by publication was completed, but Exley filed no Notice of Rejection and waived an evidentiary hearing by default. The Court reviewed the admitted facts and ordered disbarment.

DISPOSITION

other

CASES CITED

- In the Matter of Exley, S14Y0972 (Ga. Apr. 14, 2014)

