

SUPREME COURT OF SOUTH CAROLINA

In the Matter of Samuel Robert Drose

Opinion No. 27956 (S.C. Mar. 18, 2020) · No. 2020-000016 · Decided March 18, 2020

SUMMARY

The South Carolina Supreme Court accepted an attorney's Agreement for Discipline by Consent and imposed a three-year definite suspension, retroactive to his interim suspension. The discipline arose from misuse of client settlement funds, related trust-account violations, and criminal conduct involving a controlled substance. The court also imposed repayment, education, monitoring, and post-suspension compliance requirements.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Chief Justice Beatty; Justice Kittredge; Justice Hearn; Justice Few; Justice James
JURISDICTION	South Carolina
DECIDED	March 18, 2020
DOCKET	2020-000016
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary matter submitted to the Supreme Court of South Carolina pursuant to an Agreement for Discipline by Consent.
PRECEDENTIAL VALUE	Published opinion; disciplinary disposition

TOPICS

appellate procedure

remedies

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the Agreement for Discipline by Consent should be accepted.
2. What professional-discipline sanction should be imposed for Drose's admitted misconduct.
3. What conditions should govern Drose's potential reinstatement and repayment obligations.

HOLDINGS

1. The court accepted the Agreement for Discipline by Consent after determining that Drose's admitted misconduct warranted discipline.
2. Drose was suspended from the practice of law in South Carolina for three years, retroactive to the date of his interim suspension.
3. Drose was required to repay \$26,437.32 to the Lawyers' Fund or enter into a reasonable repayment plan within thirty days, comply with reinstatement requirements including specified ethics and trust-account courses, enter a two-year monitoring contract upon reinstatement, and file an affidavit concerning post-suspension duties within fifteen days.

FACTUAL BACKGROUND

Drose was arrested in May 2014 for possession of a controlled substance, pleaded guilty, entered pretrial intervention, and later completed probation, resulting in dismissal of the charge. In a separate client matter, he received a \$25,000 settlement, failed to pay the client's medical bills and settlement share, and converted the settlement funds for his own use. When he was placed on interim suspension, less than \$100 remained in his trust account, and the Lawyers' Fund for Client Protection later paid the client \$26,437.32.

PROCEDURAL HISTORY

The Office of Disciplinary Counsel and Samuel Robert Drose entered into an Agreement for Discipline by Consent under Rule 21, RLDE. Drose admitted misconduct and consented to a sanction ranging from a two-year definite suspension to disbarment. The Supreme Court accepted the Agreement and imposed a three-year definite suspension retroactive to Drose's interim suspension.

DISPOSITION

other

CASES CITED

- In re Drose, 408 S.C. 182, 758 S.E.2d 506 (2014)