

SUPREME COURT OF GEORGIA

In the Matter of William F. Heitmann III

297 Ga. 280 (2015) · No. S15Y0968 · Decided June 1, 2015

SUMMARY

The Supreme Court of Georgia accepted William F. Heitmann III's petition for voluntary discipline after he admitted violating Georgia Rule of Professional Conduct 5.3 by failing to ensure that an independent contractor complied with restrictions on unsolicited client contacts. The Court imposed a public reprimand, noting mitigating factors including the absence of prior discipline, cooperation, lack of dishonest motive, and remedial steps.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Georgia
DECIDED	June 1, 2015
DOCKET	S15Y0968
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding on Heitmann's petition for voluntary discipline.
PRECEDENTIAL VALUE	Published disciplinary decision
PARTIES	William F. Heitmann III v. State Bar of Georgia

TOPICS

remedies

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the Court should accept Heitmann's petition for voluntary discipline after his admission that he violated Georgia Rule of Professional Conduct 5.3.
2. Whether a public reprimand was an appropriate sanction for the admitted violation.

HOLDINGS

1. The Court accepted Heitmann's petition for voluntary discipline based on his admitted violation of Georgia Rule of Professional Conduct 5.3.
2. A public reprimand was an appropriate sanction for Heitmann's violation of Rule 5.3, and the Court ordered that he receive one.

FACTUAL BACKGROUND

Without Heitmann's prior knowledge or consent, an independent contractor employed by his law office made unsolicited contacts with three individuals who had recently been involved in automobile accidents. Two individuals initially agreed to representation and later terminated it, while the third did not retain Heitmann. After learning of the conduct during the grievance process, Heitmann terminated the contractor, hired a more experienced investigator, and explained the applicable Bar rules to that investigator.

PROCEDURAL HISTORY

Heitmann petitioned the Supreme Court of Georgia for voluntary discipline, admitting that he violated Georgia Rule of Professional Conduct 5.3. The State Bar responded that accepting the petition would serve the public interest, and the Supreme Court accepted the petition and imposed a public reprimand.

DISPOSITION

other

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