

BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS



FILED
Sep 25 2026

THE BOARD of DISCIPLINARY APPEALS
Appointed by the Supreme Court of Texas

IN THE MATTER OF §
CHRISTOPHER CASEY TAYLOR § CAUSE NO. 73838
STATE BAR CARD NO. 24080517 §

AFFIDAVIT

THE STATE OF GEORGIA

COUNTY OF CHEROKEE

BEFORE ME, the undersigned authority, on this day personally appeared
FRANK JAMES, who, being by me duly sworn, deposed as follows:

"My name is FRANK JAMES. I am employed by
PHOENIX LEGAL as a PROCESS SERVER. I am over the age of 18
years, of sound mind, capable of making this affidavit, and state the following:

I have no interest pecuniary or otherwise in Cause No. 73838; *In the Matter of Christopher Casey Taylor, State Bar Card No. 24080517*, Before the Board of Disciplinary Appeals, Appointed by the Supreme Court of Texas.

The following documents came to hand for service on SEPT. 8TH, 2026, at
9:11 o'clock A.m.: A letter dated September 1, 2026, addressed to Christopher Casey Taylor an Order to Show Cause on Petition for Reciprocal Discipline issued by the Board of Disciplinary Appeals and a document entitled Petition for Reciprocal Discipline.

On September 21st, 2026, at 12:39 o'clock P.m., I delivered in hand to a person known to me to be Christopher Casey Taylor at 3324 Peachtree Road Northeast Unit 2405 Atlanta, GA 30326 (full address, city, state and zip code), a letter dated September 1, 2026, addressed to Christopher Casey Taylor, an Order to Show Cause on Petition for Reciprocal Discipline issued by the Board of Disciplinary Appeals and a document entitled Petition for Reciprocal Discipline."

FURTHER Affiant saith not.

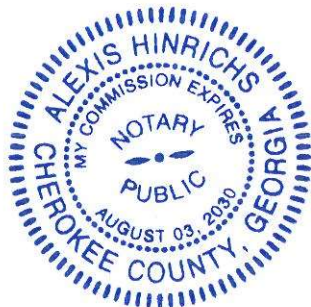
(Signature)

FRANK JAMES

(Printed Name)

SWORN AND SUBSCRIBED before me on the 24th day of SEPT., 2026.

(stamp or seal)



NOTARY PUBLIC IN AND FOR
THE STATE OF GEORGIA

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

September 1, 2026

Via Personal Service

Christopher Casey Taylor
6855 Jimmy Carter Boulevard, Suite 2150
Norcross, GA 30071-1239

Re: Cause No. 73838; *In the Matter of Christopher Casey Taylor, State Bar Card No. 24080517*, Before the Board of Disciplinary Appeals, Appointed by the Supreme Court of Texas

Dear Mr. Taylor:

Attached please find the following documents in connection with the above-styled and numbered cause:

1. Order to Show Cause on Petition for Reciprocal Discipline issued by the Board of Disciplinary Appeals which includes Notice of Hearing setting this matter for 9:00 a.m., Friday, October 30, 2026, in the courtroom of the Supreme Court of Texas, Austin, Texas; and
2. Petition for Reciprocal Discipline, which includes Supreme Court of Texas, Board of Disciplinary Appeals Internal Procedural Rules.

The Chief Disciplinary Counsel is required to proceed with the initiation of reciprocal discipline as set out in the Texas Rules of Disciplinary Procedure, Part IX, Reciprocal Discipline, which states:

Rule 9.01 Orders From Other Jurisdictions: Upon receipt of information indicating that an attorney licensed to practice law in Texas has been disciplined in another jurisdiction, the Chief Disciplinary Counsel shall diligently seek to obtain a certified copy of the order or judgment of discipline from the other jurisdiction, and file it with the Board of Disciplinary Appeals along with a petition requesting that the attorney be disciplined in Texas. A certified copy of the order or judgment is prima facie evidence of the matters contained

Christopher Casey Taylor
September 1, 2026
Page Two

therein, and a final adjudication in another jurisdiction that an attorney licensed to practice law in Texas has committed Professional Misconduct is conclusive for the purposes of a Disciplinary Action in this state...

The Texas Rules of Disciplinary Procedure mandate that the Chief Disciplinary Counsel of the State Bar of Texas seek reciprocal discipline against a Texas-licensed lawyer when discipline has been imposed upon him or her in another jurisdiction. Our office has no discretion in this regard under the Rules.

Please contact me if you wish to discuss this matter further.

Sincerely,



Amanda M. Kates
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

AMK/aa

Attachments: Order to Show Cause on Petition for Reciprocal Discipline and Hearing Notice
Petition for Reciprocal Discipline



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY THE
SUPREME COURT OF TEXAS**

**IN THE MATTER OF
CHRISTOPHER CASEY TAYLOR,
STATE BAR CARD NO. 24080517**

§
§
§

CAUSE NO. 73838

**ORDER TO SHOW CAUSE ON PETITION FOR RECIPROCAL DISCIPLINE
AND HEARING NOTICE**

Pursuant to Texas Rules of Disciplinary Procedure (“TRDP”) Part IX, the Commission for Lawyer Discipline, Petitioner, filed its Petition for Reciprocal Discipline against Christopher Casey Taylor, Respondent, on August 27, 2026. The Petition states that on December 23, 2025, an Order Per Curiam was entered by the Supreme Court of the State of Georgia in Case Numbers S24Y1247, S24Y1248, S24Y1249, S24Y1250, S24Y1251, S24Y1252, styled *In the Matter of Christopher Casey Taylor*, in which the Court disbarred Respondent. Across six different matters, Respondent was found in violation of Georgia Rules of Professional Conduct 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), 3.2, and 5.1(a) and (b). A true and correct copy of the Petition for Reciprocal Discipline, which includes the Order Per Curiam, is attached hereto and incorporated herein for all purposes as if set forth in full.

It is, therefore, **ORDERED** that Respondent Christopher Casey Taylor, within thirty (30) days from the date of service, show cause why the imposition of identical discipline, to the extent practicable, in Texas by the Board of Disciplinary Appeals pursuant to Texas Rule of Disciplinary Procedure 9.02, would be unwarranted. If Respondent is served by mail, Respondent shall show cause within thirty (30) days from the date of mailing of this Order to Show Cause. Respondent should consult Part IX of the Texas Rules of Disciplinary Procedure regarding the failure to file

an answer. Failure to file a timely answer may waive Respondent's right to raise the defenses set forth in Texas Rule of Disciplinary Procedure 9.04 and limit the scope of the hearing to exclude presentation of any such defenses. *See* TEX. RULES DISCIPLINARY P. R. 9.01–04; BODA INTERNAL PROCEDURAL RULES R. 7.03.

It is further **ORDERED** that this reciprocal discipline matter is set for hearing before the Board on Friday, October 30, 2026, at 9:00 a.m. in the courtroom of the Supreme Court of Texas, Austin, Texas.

SIGNED this 31st day of August 2026.



CHAIR PRESIDING



BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS

IN THE MATTER OF
CHRISTOPHER CASEY TAYLOR
STATE BAR CARD NO. 24080517

§
§
§

CAUSE NO. 73838

PETITION FOR RECIPROCAL DISCIPLINE

TO THE BOARD OF DISCIPLINARY APPEALS:

The Commission for Lawyer Discipline (hereinafter referred to as the “Commission”), brings this action against Respondent, Christopher Casey Taylor, (hereinafter referred to as “Respondent”), showing as follows:

1. This action is commenced by the Commission pursuant to Part IX of the Texas Rules of Disciplinary Procedure. The Commission is also providing Respondent with a copy of Section 7 of this Board’s Internal Procedural Rules, relating to Reciprocal Discipline Matters.

2. Respondent is a licensed member of the State Bar of Texas and is currently not authorized to practice law in Texas. Respondent may be served with a true and correct copy of this Petition for Reciprocal Discipline at Christopher Casey Taylor, 6855 Jimmy Carter Boulevard, Suite 2150, Norcross, GA 30071-1239.

3. On or about December 23, 2025, an Order Per Curium (Exhibit 1) was entered in the Supreme Court of the State of Georgia in a matter styled, *S24Y1247, S24Y1248, S24Y1249, S24Y1250, S24Y1251, S24Y1252, In the Matter of Christopher Casey Taylor*, that states in pertinent part as follows:

These six matters are before the Court on the report and recommendation of the State Disciplinary Review Board ("Review Board"), which reviewed special master LaVonda Rochelle DeWitt's report and recommendation. In each of these six matters, Christopher Casey Taylor (State Bar No. 699696), a member of the Bar since 2002, is charged with violating several provisions of the Georgia Rules of

Professional Conduct ("GRPC") regarding clients of the law firm where he is a partner. Taylor's law practice, and that of his firm, has a heavy focus on immigration matters. Indeed, all six of these disciplinary matters arise out of representation in the context of immigration law. The special master recommended a six-to-twelve-month suspension with a condition on reinstatement, while the Review Board instead recommended disbarment based largely on its conclusion that Taylor's lack of remorse should weigh heavily against him. Taylor initially denied that he was culpable for any misconduct regarding the grievants' cases. But he now concedes the record supports a determination that he violated the Rules concerning supervision of other attorneys, and he asks this Court to impose a suspension consistent with the special master's recommendation of discipline. However, with the benefit of oral argument¹ and having carefully reviewed the record, we conclude that disbarment is warranted.

1. Special Master's Report and Recommendation

(a) Factual Findings

Following an extensive fact-finding process, which involved multiple evidentiary hearings and the parties' submission of documentary and testimonial evidence, the special master made the following findings of fact: Taylor is one of two equity partners at the firm, which has an immigration-focused practice, and he characterizes himself as the "face of the firm." New clients reviewed their firm engagement agreement with a paralegal and did not speak to an attorney about their case until the firm was paid. Taylor generally did not attend court proceedings with clients, but he commonly filed an entry of appearance as counsel for the firm's clients. During the relevant periods, Taylor had approximately 10,000 open cases and consistently filed pleadings in the immigration courts under his name as counsel of record.

Taylor made conflicting representations regarding his degree of oversight of associate attorneys and staff, but evidence established that these individuals were at times permitted to sign Taylor's name to letters and filings related to client matters without Taylor having reviewed those documents before submission. Taylor alternatively claimed both that he did not have supervisory or administrative duties within the firm and that he was a "supervising attorney" who had "supervisory responsibility" over the firm's other attorneys and staff. He entered an appearance in five of the six immigration cases at issue, received court documents addressed to him as counsel of record in those five cases, and in the sixth case referred to himself as "lead counsel" and acknowledged that he reviewed interrogatory responses. The special master found that, despite Taylor's assertions to the contrary, Taylor was each of these clients' attorney and owed them duties under the GRPC.

The special master next considered certain policies and procedures of the immigration courts based on a policy manual published by the federal Executive

¹These matters were orally argued before this Court on September 16, 2025.

Office for Immigration Review ("EOIR"), of which Taylor acknowledged being aware. The EOIR manual provides that when a client retains more than one attorney at a time, all such attorneys are counsel of record and are all responsible as counsel for the client, although only one is recognized as the primary or "notice" attorney. Only individual attorneys, not firms, may represent parties before the immigration courts. And if a firm wishes to re-assign responsibility for a client from one attorney to another, a substitution of counsel must be filed, with the original attorney remaining responsible for the representation until substitution is granted.² Immigration courts also require parties to submit documents supporting certain applications, like those supporting a removal cancellation application, no later than 15 days before the hearing on the matter. Taylor acknowledged awareness of the 15-day timing requirement, the attorney substitution requirement, and the fact that his firm did not follow the latter.

The special master then addressed what she described as Taylor's "indifference and disregard" towards the disciplinary process. Taylor initially did not cooperate with the discovery process, forcing the Bar to file two motions to compel before he provided discovery responses. Taylor and his counsel also failed to cooperate in advancing these matters, necessitating several calls with the special master on issues as basic as case timelines and Taylor's non-compliance with the discovery process. The special master entered a scheduling order in April 2023, setting the evidentiary hearing for September 19-21, 2023, with the understanding that all parties and witnesses would appear in person. But on September 19, Taylor's counsel appeared without Taylor, who failed to provide prior notice to the Bar or the special master that he would not appear. Taylor instead asked, through counsel, to appear virtually based on a confidential medical situation. The special master ended the proceedings, privately reviewed medical records that Taylor submitted later that day, and entered an order the following morning authorizing Taylor to appear virtually.³ Taylor appeared virtually on the second day of the hearing, but his failure to appear the day before necessitated adding another day to complete the proceedings. After the Bar rested, Taylor left the hearing, stating that he was ill. He did not ask for a continuance or present any evidence or testimony, leaving such matters to his counsel. Taylor then submitted briefs and a proposed order to the special master, seeking to have all the complaints against him dismissed, but the special master explained that post-hearing procedures did not permit her to rule on the proposed order. Taylor then submitted a one-and-a-half-page proposed report and recommendation providing that no discipline be imposed because: Taylor did not do the work at issue; because he did not manage or supervise other attorneys; because his firm did not mishandle the grievants' cases; because the grievants' negative outcomes were foreseeable; and because his firm's administrative issues did not amount to ethical violations.

2 Although immigration courts may define the processes and procedures by which an attorney must conduct themselves in that court, Georgia law (not federal law), as regulated by the State Bar and this Court, defines the practice of law within the state, including the duties that an attorney owes to a client. See *Eckles v. Atlanta Technology Group*, 267 Ga. 801, 804 (1997) ("Only this Court has the inherent power to govern the practice of law in Georgia.").

3 The special master issued the order on the morning of the second day scheduled for the hearing, before Taylor filed a written request to appear virtually. He filed his motion several days later to complete the record.

The special master then analyzed the underlying grievances and found as follows. The client in State Disciplinary Board Docket ("SDBD") No. 7481 (S24Y1247), who was born in Mexico and entered the United States in 1999, retained Taylor's firm in April 2012 regarding his removal proceeding. The client paid \$4,000 in fees, executed his engagement agreement with the assistance of a paralegal, and never met Taylor during the firm's representation. Taylor entered an appearance in the case as the primary attorney and filed on the client's behalf an EOIR 42B Application for Cancellation of Removal and Adjustment of Status- which bore Taylor's signature as the client's attorney and the preparer of the application-and an I-485 Application to Adjust to Permanent Resident Status. G.D., a "self-supervising" attorney employed by the firm, filed an entry of appearance in the case and filed documents supporting the removal cancellation application. Taylor did not attend the client's "master hearing" or speak to G.D. about the case. Around four years later, in 2016, Taylor submitted a request for prosecutorial discretion (which asks immigration officials to exercise their discretion not to pursue removal), signing the document as the client's attorney. But Taylor did not follow up or obtain a decision on the request. In November 2018, Taylor again filed an entry of appearance as the client's primary attorney and submitted documents in the removal cancellation case for the first time since December 2012. Taylor did not appear for a December 2018 hearing, with the client instead represented by C.S., another attorney at Taylor's firm. After the hearing, the immigration judge denied the client's application for cancellation of removal and ordered him removed. Taylor entered an appearance and filed an appeal on the client's behalf, but did not consult with the client, obtain his authorization, or execute a new engagement agreement. The client subsequently terminated Taylor's representation and retained a new attorney.

In SDBD No. 7 483 (S24Y1248), a client retained Taylor's firm to represent him in a removal proceeding in 2012. Taylor did not meet with the client, discuss his case with him, or appear at his hearings. In February 2014, G.D. attended the client's master hearing and filed an application for cancellation of removal on the client's behalf. Taylor signed the application as the attorney who had prepared the filing, but he did not prepare or review the application or meet with the client before or after the hearing. At the master hearing, an immigration judge scheduled the client's "individual hearing" for July 2016 and informed the client that any documents on which he wished to rely had to be filed no later than 15 days before the individual hearing. Taylor was aware that the 15- day deadline was the standard practice in immigration courts. The client provided the supporting documents, at G.D.'s request, in May 2016. The individual hearing was rescheduled to March 8, 2018, and K.M., an attorney at Taylor's firm, attended the hearing. The same day, a motion bearing Taylor's signature and seeking the untimely filing of the client's documents was filed with the court. The motion alleged that those documents were not provided to Taylor until February 28, 2018, although the client had in fact provided them in 2016. The immigration judge denied the motion and asked K.M. why the documents had not been timely provided. K.M. responded that the firm had delayed asking the client to bring in the documents. The immigration judge then denied the application for cancellation of removal, and Taylor failed to consult

with the client or K.M. regarding how the case should proceed. Taylor instead filed an appeal and entry of appearance without the client's consent, arguing that the immigration judge had failed to consider the evidence put forward at the hearing. The Board of Immigration Appeals ("BIA") then affirmed the immigration judge's decision. Taylor failed to communicate the outcome of the appeal to the client.

In SDBD No. 7 484 (S24Y1249), an individual entered the United States from Mexico in 1992 at the age of two, and immigration officials detained her in 2011. Her sister paid \$4,000 to retain Taylor's firm to assist the client in obtaining legal status. One of the firm's employees told the client that Taylor would be her attorney. During the disciplinary proceedings, Taylor acknowledged that the client was his client but also stated that she was a client of the firm, asserting that whether he represented her was a "complex" question without a simple answer. Taylor was listed as counsel of record for the client and conceded that he had "some level of responsibility" for the client's representation although he never met or spoke with her. In January 2012, Taylor filed a removal cancellation application on the client's behalf, but no one from the firm explained the requirements of such a filing to the client. A week before her individual hearing, the client met with an unnamed female attorney from the firm to prepare for the hearing. The client testified that the attorney was not prepared for the hearing and knew nothing about the client's case. The client's application was denied after the hearing, but no one from the firm explained the decision to the client. Without obtaining the client's consent or discussing the merits of her case with her, Taylor filed an appeal and entry of appearance on her behalf. He did not personally fill out or supervise the preparation of the notice of appeal, which had a section requiring the client to state in detail the reasons for the appeal. Taylor also failed to file a brief. The BIA dismissed the appeal because the submitted documents failed to "meaningfully apprise [the] Board of the reasons underlying the appeal." Taylor failed to discuss the outcome of the appeal with the client.

In SDBD No. 7632 (S24Y1250), a native of Nicaragua entered the United States in 2017 and paid Taylor's firm \$5,500 to represent her in connection with an application for asylum based on abuse she suffered from her father. Taylor entered an appearance in the client's case and appeared at her master hearing, but neither Taylor nor any other firm attorney spoke with her before the hearing. Taylor filed an application for asylum without preparing or reviewing it and without consulting the client about the application or her chances of success. In the disciplinary proceedings, Taylor said the application was filed simply to delay the client's removal, but this strategy was apparently never communicated to the client. Although Taylor submitted certain documents in support of the client's application, he did not submit other documents that she had provided to him and did not present witness testimony in support of her claim. R.H., an attorney at Taylor's firm, represented the client at her March 2020 individual hearing, but Taylor did not meet with R.H. or the client before the hearing or inquire about why certain documents were not submitted. The client's application was denied, and while R.H. told the client he would represent her on appeal and the client paid the requested filing fee to the firm, no appeal was filed. When the client contacted the firm to inquire about

the appeal, R.H. and another employee falsely told her that the appeal had been filed. Taylor maintained that the appeal was not filed because the client did not execute a new engagement agreement or pay additional attorney fees. There was no evidence that she was asked to do either; the evidence presented in other related matters showed that the firm filed appeals without a new engagement agreement or additional fees. Taylor did not communicate with the client outside of the master hearing or consult about her case with the attorneys who worked on it, whom Taylor failed to supervise. Taylor also did not refund any of the fees the client paid. She subsequently retained new counsel and spent more than \$10,000 in additional fees for her immigration case.

In SDBD No. 7633 (S24Y1251), a native of Mexico who entered the United States in 2000 hired Taylor's firm while incarcerated. The client first paid the firm \$3,000 for Taylor to secure a bond for him and later paid \$4,500 for Taylor to file a removal cancellation application. Taylor did not meet or speak with the client or consult about the case with the attorneys who actually worked on it. Taylor entered an appearance as the client's primary attorney and filed the removal cancellation application without preparing or reviewing it. The client provided the firm with documents related to his claim before his individual hearing; Taylor failed to supplement the application before the hearing. C.N., an attorney at Taylor's firm, represented the client at the hearing, but Taylor did not speak with C.N. about the case beforehand. C.N. informed the court at the hearing that he intended to update the client's application. The court asked why an incomplete application had been submitted, and C.N. answered that he had not prepared the application. The court paused the proceedings so that Taylor could appear and "take ownership" for the incomplete filing but ultimately resumed the hearing, denied the client's application, and ordered his removal. C.N. then informed the client that the client could initiate an appeal. The client said he would pursue an appeal but indicated that he intended to hire new counsel. The client did not authorize Taylor or his firm to file an appeal and instead terminated the representation and asked for a copy of his file. Taylor nonetheless filed a notice of appeal as the client's attorney, but he failed to file a brief or statement in support of the appeal, resulting in the appeal's dismissal. Taylor was aware that failure to file a brief or statement could result in dismissal, and he indicated on the notice of appeal that a brief or statement would be filed. The client learned of the failed appeal only after someone from the firm told him about it. He subsequently spent an additional \$5,000 to obtain new counsel. Taylor did not refund any of the fees paid by the client.

In SDBD No. 7634 (S24Y1252), a client hired Taylor's firm in 2019 to assist him in obtaining permanent U.S. residency. The client met with Taylor, who told him that Taylor could assist him in gaining permanent residency. The client paid \$2,000 and provided information such as his home address. Taylor provided no legal services to the client: he failed to respond to inquiries from the client on the status of the matter, failed to make an entry of appearance, failed to file a notice of substitution of counsel, failed to notify the immigration court of his representation, and failed to provide the client's address to the court. In March 2020, the client received a letter bearing Taylor's signature, informing him that his case

had been scheduled for a master hearing. Taylor did not actually sign or review the letter or otherwise attempt to communicate with the client. Approximately two weeks before the scheduled hearing, the client called Taylor's firm for information regarding the hearing. He was unable to reach Taylor or any other attorney. The client appeared for the hearing, but neither Taylor nor anyone from his firm was present. The clerk then informed the client that a deportation order had already been entered against him for failure to appear at the hearing, which had been rescheduled to a date several months earlier. No one from the firm informed the client of the date change until approximately two weeks later when the client received a letter, signed by Taylor, which noted the missed court date and the entry of the removal order. Taylor did not refund any of the fee paid by the client, who had to hire a new attorney.

b) Rules Violations

The special master then turned to Taylor's alleged violations of the following GRPC provisions: Rules 1.1,⁴ 1.2(a),⁵ 1.3, 6 1.4(a),⁷ 1.16(d),⁸ 3.2,⁹ and 5.1(a) and (b).¹⁰ The maximum sanction for a single violation of Rules 1.1, 1.2(a), 1.3, and 5.1(a) and (b) is disbarment; the maximum sanction for a single violation of Rules 1.4(a), 1.16(d), and 3.2 is a public reprimand.

Addressing Taylor's violations of the GRPC rule-by-rule, the special master concluded that Taylor violated Rule 1.1 in the 7484 matter by failing to properly specify the grounds for appeal in his submission of the notice of appeal to the BIA.

Taylor violated Rule 1.2(a):

- in the 7481 matter by failing to consult with the client regarding the filing

4 Rule 1.1 imposes on lawyers a duty to provide competent representation.

5 Rule 1.2(a) provides, in pertinent part, that "a lawyer shall abide by a client's decisions concerning the scope and objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued."

6 Rule 1.3 provides that "[a] lawyer shall act with reasonable diligence and promptness in representing a client. Reasonable diligence as used in this rule means that a lawyer shall not without just cause to the detriment of the client in effect willfully abandon or willfully disregard a legal matter entrusted to the lawyer."

7 Rule 1.4(a) provides, in pertinent part, that a lawyer shall "reasonably consult with the client about the means by which the client's objectives are to be accomplished; ... keep the client reasonably informed about the status of the matter; ... [and] promptly comply with reasonable requests for information[.]"

8 Rule 1.16(d) provides that [u]pon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned.

9 Rule 3.2 provides that "[a] lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client."

10 Rule 5.1(a) provides, in pertinent part, that "[a] law firm partner ... shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Georgia Rules of Professional Conduct[.]" while Rule 5.1(b) provides that "[a] lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Georgia Rules of Professional Conduct."

of an appeal and by filing an appeal without that client's authorization;

- in the 7483 matter by failing to consult with the client about how to proceed with his case once his application was denied and by failing to consult with that client before filing an appeal on his behalf;
- in the 7484 matter by failing to discuss any aspect of the case with the client, including failing to discuss with her the requirements for success on her application, failing to explain the denial of her application, and failing to consult with her regarding the filing of an appeal;
- in the 7632 matter by failing to consult with the client regarding the merits of her case and by failing to pursue her desired appeal;
- in the 7633 matter by failing to consult with the client regarding the documents to support his claim, failing to consult with him regarding the filing of an appeal, and filing that appeal without authorization; and
- in the 7634 matter by failing to consult with or provide legal services to the client.

Taylor violated Rule 1.3:

- in the 7481 matter by failing to submit any documents supporting the client's application between 2012 and 2018;
- in the 7483 matter by failing to timely submit documents supporting the client's case-resulting in those documents not being considered by the immigration judge and by misrepresenting when that client had provided those documents;
- in the 7484 matter by failing to diligently pursue a properly supported appeal;
- in the 7632 matter by failing to present documents and witness testimony in support of the client's asylum claim and by failing to ensure that her appeal was filed;
- in the 7633 matter by submitting an incomplete application, failing to timely update that application, and failing to submit a brief or statement in support of the client's appeal, resulting in its dismissal; and
- in the 7634 matter by failing to notify the court of his representation of the client, failing to inform that client of the change in the hearing date, and failing to appear for court.

Taylor violated Rule 1.4(a):

- in the 7481 matter by failing to communicate with the client about his case and appeal;
- in the 7483 matter by failing to communicate with the client about his case, including the motion for out-of-time filing, the outcome of the individual hearing, and the appeal;
- in the 7484 matter by failing to discuss the application or appeal with the client;
- in the 7632 matter by failing to communicate with the client about her case, including failure to discuss documents submitted in support of her claim and her appeal;
- in the 7633 matter by failing to communicate with the client about his case, including failure to discuss the documents needed to support his claim and appeal; and
- in the 7634 matter by failing to have any communications with the client beyond the initial consultation.

Taylor violated Rule 1.16(d) in the 7634 matter by abandoning the client without having done any work on his case and by failing to refund any of the \$2,000 fee the client paid.

Taylor violated Rule 3.2 in the 7632 matter by failing to make reasonable efforts to pursue the client's appeal, despite having prepared the documents necessary to do so.

As to Rule 5.1(a) and (b), the special master first determined that Taylor failed to make reasonable efforts to ensure that his firm had policies and procedures to reasonably ensure that the firm's attorneys would comply with the GRPC. The special master also determined that Taylor's failure to supervise attorneys and his policy of allowing attorneys to sign his name to pleadings without reviewing those documents contributed to the pattern of non-compliance with the GRPC. And the special master concluded that Taylor violated Rule 5.1 in the 7632 matter by failing to select or review the documents submitted by the client, failing to discuss with R.H. (the attorney who appeared at the client's hearing) why certain documents were omitted, and failing to ensure that R.H. pursued that client's appeal. And the special master concluded that Taylor violated Rule 5.1 in the 7633 matter by failing to ensure that a complete application was submitted on the client's behalf, failing to discuss that client's case with C.N. (the attorney who appeared at the client's hearing) or ensure that C.N. updated the application, and failing to ensure that the firm complied with the client's desire to terminate the firm's representation.

(c) ABA Standards

Citing the American Bar Association Standards for Imposing Lawyer Sanctions ("ABA Standards"), see *In the Matter of Morse*, 265 Ga. 353, 354 (1995) (to determine the appropriate level of discipline, disciplinary authority considers the duty violated; the lawyer's mental state; the potential or actual resulting injury; and aggravating or mitigating factors), the special master first determined that Taylor failed to meet his obligations to consult with and diligently represent these clients. The special master deemed his actions-including neglecting these clients and failing to supervise other firm attorneys-to be knowing rather than inadvertent or negligent. Regarding the harm caused, Taylor's clients were vulnerable victims and suffered significant injuries in the form of adverse outcomes in their immigration cases. And, citing ABA Standard 4.42, the special master noted that suspension is generally appropriate when an attorney's knowing failure to perform services for a client causes injury or potential injury and when an attorney's pattern of neglect causes injury or potential injury to a client. In aggravation, the special master found that Taylor engaged in a pattern of misconduct, committed multiple offenses, engaged in bad-faith obstruction of the disciplinary process by intentionally failing to comply with the rules and orders of the disciplinary authority, refused to acknowledge the wrongful nature of his conduct, harmed vulnerable victims, and had substantial experience in the practice of law. See ABA Standard 9.22(c), (d), (e), (g), (h), and (i). Taylor's lack of prior discipline was the only mitigating factor. See ABA Standard 9.32(a). The special master concluded that a six-to-twelve-month suspension was the appropriate sanction.¹¹ The special master further concluded that Taylor's reinstatement should be conditioned on "completing an evaluation with the Law Practice Management Department of the State Bar and providing the Office of the General Counsel with proof that [Taylor] has implemented the recommendations of the Law Practice Management Department in his law firm practice."

2. Review Board Proceedings

(a) Taylor's Exceptions to the Special Master's Report & Recommendation

Taylor began his exceptions to the special master's report and recommendation by asserting that his role as the firm's "notice attorney" did not imply a corresponding duty for him to represent each client individually. Taylor argued that the "notice attorney" procedure, which he describes as routine in

¹¹ The special master based that conclusion on *In the Matter of Lewis*, 313 Ga. 695 (2022) (six-month suspension for lawyer who violated Rules 1.1, 1.2, 1.3, 1.4, 1.16(d), and 3.2 in three separate matters); *In the Matter of Golub*, 313 Ga. 686 (2022) (one-year suspension with conditions for lawyer who violated Rules 1.2(a), 1.3, 1.4(a), 1.16(d), 3.2, and 8.4(a)(4) in the representation of one client); *In the Matter of Sneed*, 314 Ga. 506 (2022) (nine-month suspension with conditions for lawyer who violated Rules 1.3, 1.4, and 9.3 in four separate matters); *In the Matter of Kirby*, 312 Ga. 341 (2021) (six-month suspension for lawyer who violated Rules 1.2, 1.3, 1.4, and 1.16 in four separate matters); and *In the Matter of Miller*, 291 Ga. 30 (2012) (twelve-month suspension with conditions for lawyer who violated Rules 1.2, 1.3, and 1.4 in the representation of one client).

immigration cases, arises from the fact that immigration cases can take many years to resolve: designating one senior attorney for this role helps ensure the firm continues to receive notice on such matters, even if the attorneys directly responsible for the case should leave the firm. Taylor argued that the record demonstrates that his designation as the "notice attorney" should not be taken as proof of his individual involvement in each client's case as most of the clients at issue here had not met Taylor, had no expectation that he would be individually involved in their cases, and instead worked only with associates and staff. Taylor then argued that the record shows he did not personally represent any of these clients and that, to the extent the Bar was proceeding under a respondeat superior theory of liability, its failure to charge violations of Rule 5.1 in four of these six matters was fatal to the allegations in those matters. Next, Taylor argued that new counsel initiated at least four of the six grievances for Taylor's former clients because of what he characterized as their attorneys' willful misinterpretation of *Matter of Lozada*, 19 I.&N. Dec. 637 (Bd. of Immigr. Appeals 1988), a BIA decision that some practitioners interpret to require a bar complaint to be filed against a client's former attorney in order to sustain a motion to re-open removal proceedings.

Taylor then turned to the specific client grievances. As to each of the six, Taylor made largely the same argument that he did not individually represent any of the clients. Taylor asserted that each client's engagement agreement did not list Taylor as the primary attorney assigned to the case; that it was clear that other attorneys and staff would be responsible for actually providing the agreed upon services; that he had little or no interaction with the clients, such that they had no reasonable expectation that Taylor would provide the legal services they sought; and that various clients gave false testimony or made false statements during the grievance process. Concerning the 7481, 7484, and 7632 matters, Taylor alleged that the disciplinary process was being manipulated by the clients' new attorneys, whom he characterized as competitors who had brought spurious grievances against him as to matters for which he had no direct involvement or responsibility. Taylor also addressed the purported merits of each client's underlying legal matters, arguing that the clients' underlying claims and cases lacked merit or that the clients' own actions were the "proximate cause" of their unfavorable outcomes.

(b) The State Bar's Response

In response, the Bar first argued that Taylor was not simply a "notice attorney" for the clients' underlying cases: he entered appearances as counsel of record in each case; his name was listed on all pleadings as counsel of record; the records of the immigration courts listed him as counsel of record; and no substitution of counsel was filed in any of the cases. And the Bar noted that, notwithstanding his inconsistent assertions to the contrary, Taylor testified that he had "supervisory responsibility" over lawyers and staff at the firm after a senior associate left and that Taylor performed "tasks" in the case underlying at least one of these matters. The Bar also argued that Taylor was the clients' attorney of record and thus was directly responsible for the misconduct that occurred in all of these

matters even though he was not charged with violating the supervision Rules in each matter. Finally, the Bar argued that Taylor's claim about the reasons these grievances were filed in the first place was misdirected because, regardless of what may have prompted the grievances, the Bar was prosecuting these matters at the State Disciplinary Board's direction and only after the Office of the General Counsel's extensive investigation.

The Bar then addressed each matter individually and maintained that Taylor directly represented each of the clients, relying principally on his entries of appearance and the presence of his name on the clients' filings. And the Bar insisted that, even if other attorneys also worked on the underlying cases, Taylor was at least an attorney for each client and had direct ethical obligations to them all. Regarding Taylor's arguments about the merits of the clients' underlying immigration cases, the Bar noted that the disciplinary process is designed to assess whether an attorney has failed in his ethical obligations under the GRPC-not to adjudicate the potential merits of a client's underlying claims. Even in a case unlikely to prevail on the merits, the Bar said, an attorney must fulfill duties like communicating and consulting with the client, providing diligent representation, and ensuring that other attorneys under his supervision comply with their ethical responsibilities. The Bar also noted that, although Taylor made much of the supposed lack of merit of the clients' cases, there is no evidence that he or anyone else at his firm advised the clients of these apparent defects. Moreover, the Bar argued, Taylor's attempt to shift blame onto the clients for the unfavorable results in their cases did not address Taylor's own failings.

(c) Review Board's Report and Recommendation

The Review Board then issued its report and recommendation. As to the special master's findings of fact, reviewed for clear error, the Review Board characterized the primary factual dispute as whether Taylor represented the clients in an individual capacity. Although the Review Board acknowledged Taylor's extensive arguments to the contrary, it concluded that Taylor had not demonstrated that the special master's findings-that Taylor bore responsibility for the representation of each of these clients-were clearly erroneous. The Review Board then adopted and incorporated the special master's factual findings. The Review Board also adopted and incorporated the special master's conclusions of law, including her application of the ABA Standards to the duties violated, Taylor's mental state, the potential or actual injury caused by his misconduct, and the aggravating and mitigating factors. The Review Board reiterated that Taylor's actions were knowing and that the clients all suffered significant injuries.

But the Review Board rejected the special master's conclusion regarding the appropriate sanction to be imposed. The Review Board first stated (without any citation to authority) its belief that the special master had to recommend a precise sanction rather than a range for suspension (as the special master proposed here). The Review Board cited the special master's reference to *Lewis, Sneed, and Kirby*

and concluded that each of those cases dealt with similar Rule violations but were distinguishable because they arose from voluntary discipline petitions. See *Lewis*, 313 Ga. at 698; *Sneed*, 314 Ga. at 510; *Kirby*, 312 Ga. at 345. The Review Board further distinguished *Golub* and *Miller*, which the special master also cited, on the basis that Golub expressed remorse for the harm done to his client and Miller engaged with the disciplinary process and was remorseful. *Golub*, 313 Ga. at 694; *Miller*, 291 Ga. at 30. The Review Board stated that the correct standard for determining the appropriate sanction was ABA Standard 4.41,¹² applied in *In the Matter of Bell*, 313 Ga. 615, 615-16, 618 (2022) (disbarment for failure to act diligently and adequately communicate with client; lawyer made numerous misrepresentations to client, exhibited a dishonest or selfish motive, had two instances of prior discipline, and failed to respond to the Bar's motion for summary judgment), and *In the Matter of Roberts*, 314 Ga. 510, 511, 514, 517-18 (2022) (attorney without prior discipline disbarred for conduct in two client matters where attorney failed to respond to filings and appear at court hearings, failed to communicate and consult with clients to their substantial detriment, and refused to acknowledge wrongful conduct and showed indifference to making restitution). Since Taylor knowingly failed to perform services for multiple clients, constituting a pattern of neglect that seriously injured multiple clients, and since he lacked remorse for his misconduct, the Review Board recommended that Taylor be disbarred.

3. Filings Before this Court

(a) Taylor's Exceptions to the Review Board's Report & Recommendation

Taylor begins his exceptions to the Review Board's report and recommendation by discussing the "rarefied field of immigration law" and lamenting the "state of utter dysfunction" of the immigration courts, "particularly the court here in Atlanta." But Taylor admits to violating Rule 5.1(a) as to the 7632 and 7633 matters,¹³ and he admits that the record could support finding that he also violated Rule 5.1(b) in those matters, given his managerial authority over his firm's work and his failures to ensure that the attorneys directly handling these matters were adequately supervised. Taylor nonetheless continues to insist that he was only the "marketing face" of the firm and a "notice attorney" for all cases. He expresses his mystification at the failings of the associate attorneys. And he bemoans the fact that the immigration courts' unusual practices made him appear responsible for matters in which he was not actually involved. Yet Taylor concedes that he is "legally, ethically, and personally obligated" to his firm's clients and to ensuring that legal services are competently rendered. Still, he attempts to cabin any failures on his part to a failure to adequately attend to the firm's structure, which he concedes has

12 ABA Standard 4.41 provides that [d]isbarment is generally appropriate when: (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

13 Taylor further notes that, although violations of Rule 5.1(a) were not charged in the remaining four cases, the record could support finding that he violated that Rule in those cases as well.

become "untenable" as the firm has grown rapidly in size.¹⁴

Taylor nonetheless excepts to the Review Board's decision on multiple grounds. Taylor admits that the record supports the special master's findings that he failed to supervise associate attorneys and ensure that those attorneys provided the required and requested legal services. But Taylor emphasizes that the special master did not find that he directly and knowingly made false representations to clients, failed to provide legal services, or abandoned client matters. He maintains that the Review Board improperly rejected the special master's recommended suspension in favor of disbarment, which he contends is not appropriate. Taylor argues that *Bell* and *Roberts*, cited by the Review Board, are distinguishable because they addressed intentional misconduct and personal harm to clients rather than supervisory inaction. As to the Review Board's focus on his lack of remorse, Taylor insists that he was merely putting up a good-faith defense to the charges against him.¹⁵

Taylor next reiterates his claim that the grievances underlying these matters largely or entirely resulted from competitor attorneys' weaponization of *Lozada*. Taylor insists that *Lozada's* effects are a "specter ... haunt[ing]" all attorneys who practice removal defense. And he insists that the aggrieved clients' cases were destined to fail, so any ethical violations on his part were not the proximate cause of any harm to the clients, let alone sufficient to support the finding of serious injury necessary to warrant disbarment. Taylor asserts that the special master properly analyzed the level of injury that the clients suffered and properly applied ABA Standard 4.42 in concluding that suspension was appropriate.

Finally, Taylor argues that the alleged violations of Rules 1.1, 1.2(a), 1.3, 1.4, 1.5(a), 1.16(d), and 3.2 cannot be sustained because the Bar failed to allege a violation of Rule 5.1(c).¹⁶ Taylor asserts that, even assuming his firm's associate attorneys committed the misconduct alleged, Taylor could not be held vicariously liable unless the Bar alleged and proved that he violated Rule 5.1(c). Consistent with the special master's recommendation, Taylor asks this Court to impose a suspension between six and twelve months, with reinstatement conditioned on completing an evaluation with the Bar's Law Practice Management Program and providing to the Bar's Office of the General Counsel proof that he has implemented any

14 Taylor says the firm's structure has since been altered by establishing a committee of three senior associates to exercise direct supervisory authority over more junior personnel. And Taylor says the firm would also benefit from additional guidance from the Law Practice Management Department. Taylor further asserts that he is working with his law partner and senior associates to develop additional systems to assist the firm's associates, apparently including the provision of additional support for associates to access professional development resources.

15 Taylor also maintains that he did not intentionally fail to comply with the rules or orders governing the disciplinary proceedings, given the serious medical issues he was experiencing at the time of the hearing on these matters. He has not disclosed what those medical issues were, but the special master granted Taylor's motion to appear virtually after confidentially reviewing medical records Taylor submitted.

16 Rule 5.1(c) provides that [a] lawyer shall be responsible for another lawyer's violation of the Georgia Rules of Professional Conduct if: (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

recommendations from that evaluation.

(b) The Bar's Response

In response, the Bar first notes that it supports the imposition of a six-to-twelve-month suspension but maintains that the Review Board correctly concluded that disbarment would also be appropriate. In support of disbarment, the Bar argues that the special master's findings that Taylor individually represented each of the grievants-making him responsible for the misconduct that occurred in each matter-belies Taylor's assertion that he violated only the Rules governing supervisory misconduct. And the Bar rejects Taylor's contention that disbarment would be excessive, relying on ABA Standard 4.41's provision that disbarment is the presumptive sanction for knowing failure to perform legal services or a pattern of neglect that causes serious or potentially serious injury to a client. The Bar asserts that Taylor's firm's business model was predicated on knowing neglect, citing his acknowledgement that growth in the firm's client list made it impossible to adequately manage all client matters within the firm's existing structures. And, the Bar says, the special master's findings also support concluding that Taylor knowingly failed to perform needed services for his clients and that the clients thereby suffered serious injuries. The Bar also contends that the special master's findings regarding harm to the clients are sufficient to support disbarment, particularly given that cases in other jurisdictions¹⁷ have concluded that the risk of deportation constitutes a "serious injury" warranting disbarment. And the Bar argues that the special master properly found six aggravating factors and only one mitigating factor-Taylor's lack of prior discipline.

The Bar disputes Taylor's argument that these disciplinary proceedings were instituted only because *Lozada* arguably requires aggrieved litigants to file a Bar complaint against former counsel in order to reopen removal proceedings. The Bar asserts that its decision to pursue these matters arises only from Taylor's misconduct, not anything related to immigration law. Regarding Taylor's argument that any errors in the 7632 matter do not warrant discipline because the client's case was meritless, the Bar argues that nothing in the record suggests Taylor communicated with the client regarding the merits of her case. The Bar further responds that disciplinary proceedings are not concerned with the merits of underlying legal claims; that Taylor had ethical obligations even to clients with a low chance of success; and that failure to meet those obligations harmed Taylor's clients regardless of the merits of their cases. Finally, contrary to Taylor's argument that he could not be found to have violated certain Rules because the Bar failed to allege a violation of Rule 5.1(c), the Bar maintains that Taylor overlooks the special master's conclusion that he was the attorney of record in these clients' cases, thereby owed them direct ethical obligations under the GRPC, and is responsible for the misconduct at issue.

¹⁷ Specifically, the Bar points to *Matter of Anshell*, 69 P3d 844, 855 (Wash. 2003) (en bane), and *People v. Wake*, 528 P3d 943 (Colo. 2023) ("substantial injury").

4. Analysis

As noted, Taylor now concedes that he violated Rule 5.1(a) in the 7632 and 7633 matters, that the record could support finding that he violated Rule 5.1(b) in those matters as well, and that the record could support finding that he violated Rule 5.1(a) in the four matters in which it was not charged.¹⁸ Additionally, the special master made a specific factual finding that the record supported the conclusion that Taylor was the attorney of record in these clients' cases. Taylor has not demonstrated that this finding was clearly erroneous or that, given this finding, the special master erred in concluding that Taylor's conduct violated Rules 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2, as charged.¹⁹

Regarding the proper sanction, we first note that Taylor's failures of diligence, competence, communication, and supervision violate some of an attorney's most consequential duties. See ABA Standard 3.0(a) (duty violated impacts sanction determination). Taylor abandoned the grievants and did not ensure that other attorneys would provide the diligent, competent representation those clients were entitled to. And, per the special master's un rebutted finding, that abandonment and abdication of supervisory responsibility was knowing-with "conscious awareness of the nature or attendant circumstances of the conduct[.]" *Knowledge*, ABA Standards. See also ABA Standard 3.0(b) (mental state informs sanction determination).

Further, Taylor's misconduct caused at least some of his clients actual injury. See ABA Standard 3.0(c) (degree of actual or potential injury, ranging from "little or no" injury to "serious" injury, informs sanction determination). At least three clients received no refund for the several thousand dollars in fees they each paid Taylor's firm. And at least four clients had to obtain new representation-one spending \$10,000 to retain new counsel and another spending \$5,000-on top of having to effectively restart litigating their cases. See, e.g., *In the Matter of McCalep*, 318 Ga. 260, 269 (2024) (attorney injured grievants "due to the loss of funds they paid for services he did not provide, and the loss of their opportunities to hire competent and diligent lawyers to pursue their claims and defend their rights"). We regularly conclude that this sort of misconduct-abandoning even a single client after taking their money-is injurious. See, e.g., *In the Matter of Haklin*, 321 Ga. 530, 531-32 (2025) (disbarring attorney who injured single client by accepting \$2,300 fee and abandoning that client); *id.* at 532 (collecting cases disbaring attorneys who similarly injured and abandoned a single client and violated Rules 1.2, 1.3, and 1.4, along with aggravating factors like client

¹⁸ The Bar helpfully explained at oral argument that Rule 5.1 violations were not charged in the other matters because Taylor's systemic failures to supervise did not become clear until Taylor testified later in the disciplinary process. See *In re Ruffalo*, 390 US 544, 551-52 (1968) ("The charge must be known before the proceedings commence. They become a trap when, after they are underway, the charges are amended on the basis of testimony of the accused.").

¹⁹ Neither the special master's findings regarding Taylor's failures of communication, nor our review of those findings, should be understood to suggest that when multiple attorneys represent a client, each attorney must directly communicate with the client. But *some* attorney must communicate with the client.

vulnerability and attorney's substantial professional experience).²⁰ So Taylor abandoned his clients, did so knowingly, and injured at least some of them in the process. The presumptive sanction is-at minimum-suspension. See ABA Standard 4.42 (suspension generally appropriate when attorney knowingly fails to perform services for client or engages in pattern of negligence and that misconduct causes "injury" or "potential injury").

But that does not end the matter. Multiple aggravating factors, see ABA Standard 3.0(d), demonstrate that disbarment is warranted. The vulnerable nature of the victims of Taylor's misconduct and the systemic nature of that misconduct are particularly aggravating. Regarding the victims' vulnerability, Taylor continues to assert that he is effectively the victim of competitor attorneys' unscrupulous use of *Lozada* through the grievances brought on behalf of his former clients. But that assertion appears entirely speculative and, as noted below, is largely beside the point. And it cannot be ignored that Taylor's former clients appear to be legally unsophisticated parties whose uncertain immigration statuses rendered them particularly vulnerable and potentially less likely than other parties to pursue redress of attorney misfeasance through the State Bar grievance process. See, e.g., *In the Matter of Strang*, 322 Ga. 354, 358-59 (2025) (client's incarceration and indigency, among other things, aggravated misconduct and supported disbarment).

As to the pattern of Taylor's misconduct and his commission of multiple offenses, the record makes clear that ill-advised practices endemic to Taylor's firm fostered his failures of diligence, communication, and supervision in these matters.²¹ During the periods in question, Taylor led a practice of signing up large numbers of clients to be serviced by a firm with a modest number of attorneys, and he then exercised minimal, if any, oversight of how those clients' cases were handled. Taylor now concedes that, given the firm's rapid growth, the practices initially in place are now insufficient. Taylor's failure to attend to these matters-and his seeming indifference to the actual handling of client matters once the client paid the firm-exacerbate the severity of his misconduct. See, e.g., *In the Matter of Chin*, 322 Ga. 218, 231-33 (2025) (systematic misconduct in firm management and client fund administration, among other things, aggravated misconduct and supported disbarment). It is not merely Taylor's failure to supervise but his own failures of diligence, consultation, and communication, that justify his disbarment.

We acknowledge that in many cases resulting in disbarment, there is "serious" injury to the attorney's client or clients (often in the form of substantial monetary loss or materially worse case outcomes), one or more Rule 8.4(a)(4)²² violations,

20 Abandonment can itself be an injury when, for example, an adjudicative body makes some decision adverse to the client because of his attorney's abandonment. See, e.g., *In the Matter of Blain*, 315 Ga. 475, 476 (2023) disbarring attorney based on part on abandonment of client, which resulted in court dismissing client's case with prejudice).

21 It is deeply ironic that one of these practices-filing an appeal without consulting the client-occurred in each of the appealed matters except for the one matter where the client actually requested an appeal.

22 Rule 8.4(a)(4) provides that it shall be a violation of the GRPC for a lawyer to "engage in professional conduct involving dishonesty, fraud, deceit or misrepresentation."

and total failure to engage with the disciplinary process.²³ In those matters, disbarment is typically presumed appropriate. See ABA Standards 4.41, 4.51 (disbarment presumptively warranted when failure of diligence or competence causes "serious injury" or "potentially serious injury"). Here, it is unclear whether Taylor's misconduct caused his clients to face worse case outcomes, the State Bar did not charge Taylor with any Rule 8.4(a)(4) violations, and Taylor did not default in the disciplinary proceedings, so this is not the typical disbarment case.

Disbarment is nonetheless appropriate. In the first instance, the special master's findings reflect that at least some of these clients suffered economic injury through the loss of thousands of dollars of unreturned unearned fees and the cost of hiring other representation. Moreover, injury to the client and the severity thereof is only one of several factors for determining the appropriate sanction for attorney misconduct. And we have never conditioned disbarment, much less a finding of injury to the client, on a showing that the client lost their case *because of* their attorney's misconduct. Disbarment can be proper even when a client's case has a low chance of success from the start. Cf. *In the Matter of Jackson*, 321 Ga. 256, 258 (2025) (disbarring attorney whose abandonment precluded client from filing timely habeas petition); *Strang*, 322 Ga. at 357, 358-59 (noting attorney's arguments about merits of clients' cases but disbarring because attorney knowingly abandoned multiple clients and numerous aggravating factors outweighed absence of prior discipline). See also *In the Matter of Melnick*, 319 Ga. 730, 736 n.10, 739-40 (2024) (attorney's argument-that Rule 1.3 and 1.4 violations did not harm client because she received a favorable outcome with another attorney-"reflect[ed] a lack of remorse"). In fact, disbarment is often warranted based on other harms, like financial harm, especially where (as here) an attorney causes such harm to multiple clients. See, e.g., *In the Matter of Greene*, 320 Ga. 527, 531 n.9 (2024) (noting that attorney's abandonment may or may not have extended one client's period of incarceration but still concluding disbarment was warranted when attorney abandoned three clients, two of whom paid at least \$10,000 in legal fees before being abandoned). Likewise, we have never held that finding that an attorney violated Rule 8.4(a)(4) or defaulted in the disciplinary matter is necessary to support disbarment. See, e.g., *Haklin*, 321 Ga. at 531 (disbarring attorney who abandoned one client and failed to participate in disciplinary process but was not charged with violating Rule 8.4); *In the Matter of Briley-Holmes*, 304 Ga. 199, 208-09 (2018) (accepting voluntary surrender of license when attorney abandoned seven clients and caused serious injury). And while the record supports Taylor's claim that medical issues affected his participation in the special master's hearing,

²³ See, e.g., *In the Matter of McGowan*, 322 Ga. 349, 352 (2025) (disbarring attorney who defaulted, abandoned client, violated Rule 8.4(a)(4), improperly retained \$30,000 of client's funds, and converted over \$17,000 of those funds to personal use, which forced client to "drain her savings account to pay her medical expenses"); *In the Matter of David-Vega*, 318 Ga. 600, 605-06 (2024) (disbarring attorney who defaulted, violated Rule 8.4(a)(4), failed to file client's lawsuit before statute of limitations expired); *In the Matter of Tuggle*, 319 Ga. 687, 690, 697-98 (2024) (attorney violated Rule 8.4(a)(4), among others, and abandoned two clients, one of whom spent nearly \$32,000 to set aside a default judgment imposed as result of attorney's abandonment); *In the Matter of Van Johnson*, 319 Ga. 627, 627-28, 631-32 (2024) (accepting voluntary surrender of license, tantamount to disbarment, from attorney who, among other things, forged client's signature to convert a \$47,000 settlement payment)

Taylor's overall participation in the disciplinary process was-even if short of default-half-hearted at best and obstructive at worst. See, e.g., *In the Matter of Lain*, 311 Ga. 427, 427-28, 437-38 (2021) (misconduct aggravated by "failure to engage honestly in the disciplinary process" when attorney responded inadequately to State Bar's discovery requests, resulting in multiple motions to compel, with which attorney did not comply). We therefore evaluate this disciplinary matter on the many facts and circumstances particular to this matter and outlined above. *In the Matter of Jones*, 298 Ga. 185, 187 (2015). The unique circumstances here do not change our conclusion that disbarment is appropriate considering the duties violated, the harm caused, and the aggravating factors. We also acknowledge the lack of adequate comparator cases concerning Taylor's Rule 5.1 violations. See, e.g., *Melnick*, 319 Ga. at 740 (sanctions imposed in prior, similar cases can be useful in establishing a baseline comparison). But for the other violations-Rules 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2-there is no shortage of precedent supporting disbarment for such misconduct. See, e.g., *In the Matter of Lemoine*, 322 Ga. 463, 463-64 (2025) (disbarring attorney for violating Rules 1.1, 1.2(a), 1.3, and 1.4(a), among others); *McCalep*, 318 Ga. at 269-70 (same). We are convinced that Taylor's direct failures of communication, consultation, and diligent and appropriate representation, exacerbated by his failures of supervision, support disbarment.²⁴ Taylor's Rule 5.1 violations, despite the lack of direct comparator cases, simply bolster that conclusion.

Although we have concluded that disbarment is the appropriate sanction here, we note that our analysis departs from the Review Board's analysis in one notable respect. The Review Board's disbarment recommendation appears to be premised largely on Taylor's lack of remorse for his misconduct. Refusing to acknowledge the wrongful nature of one's conduct is a recognized aggravating factor, and one which certainly applies here: for example, even as late as oral argument on these matters, Taylor was reluctant to acknowledge his responsibility for the violations of Rule 5.1 (violations which he had already conceded in this Court). But we caution Special Masters and the State Disciplinary Review Board against overreading an attorney's refusal to admit guilt from the outset. Attorneys in disciplinary proceedings have the right, like all litigants, to advance good-faith, colorable arguments supporting their position. See *In the Matter of Meyers*, 302 Ga. 742, 745 (2017) ("[A] lawyer's decision to put up a defense in a disciplinary proceeding ... is not always an aggravating factor that counsels imposition of harsher discipline."). So refusing to admit guilt from the outset generally means the mitigating effect of showing remorse-one factor among many-is absent, not that the aggravating effect of refusing to "acknowledge [the] wrongful nature of [one's] conduct" is present. See ABA Standards 9.22(g), 9.32(1).

Taylor has advanced numerous arguments that attempt to undermine the

²⁴ Given the special master's determination that Taylor was these clients' attorney-and thus owed them direct ethical obligations under the GRPC and was personally responsible for violating them-Taylor's argument regarding the Bar's failure to charge Rule 5.1(c) violations is unavailing. Disbarment is warranted based on *Taylor's* misconduct towards *his* clients, not because of anyone else's purported ethical violations.

seriousness of these matters. He has argued, among other things, that his "ethical violations were not the proximate cause of the grievants' removal orders," that the grievants' cases were "always doomed to fail," and that the grievants' new attorneys, alleged competitors of Taylor's firm, filed the State Bar complaints to "hijack the disciplinary process to harass" Taylor. As to the underlying cases' merits, we decline to deem Taylor's culpability lessened based on his conjecture about his clients' chances of success. It would require us to speculate on merits issues based only on a limited record and Taylor's characterization²⁵ of those matters. Also, as noted above, Taylor's misconduct clearly caused injury apart from the underlying cases' outcomes. And regardless, the existence and degree of injury is only one factor in determining the proper sanction for attorney misconduct. We agree with the Bar that these proceedings properly focus on Taylor's failure to fulfill his professional obligations, not the underlying cases' merit.

Taylor has also consistently attempted to cast his mishandling of the underlying client matters as resulting primarily from the peculiarities of immigration court practice, especially the practice of limited representation.²⁶ Because it is unnecessary to resolve this matter, we decline to set out any general guidelines regarding how considerations like a firm's size and practice area may bear on the issues that have arisen here. Instead, we reiterate that a disciplinary inquiry in circumstances like these properly focuses on whether a firm has adequately discharged its obligations to its clients. And a firm's structure and management practices do not relieve individual attorneys who have appeared as counsel of record of their responsibility for their clients.

Concerning Taylor's claim that competitor attorneys brought these grievances for improper reasons, we reiterate our admonition that "weaponization of the disciplinary process must not be encouraged." *In the Matter of Cook*, 311 Ga. 206, 215 (2021). But whatever reasons may have prompted the underlying grievances, these matters should stand or fall on their own merits-especially given Taylor's acknowledgement that he violated the lawyer supervision Rules and his failure to rebut the special master's determination that he was responsible for these clients and personally violated Rules 1. 1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2. In short, Taylor's arguments largely miss the point and do not change our conclusion that disbarment is proper.

5. Imposition of Discipline

Accordingly, it is hereby ordered that Christopher Casey Taylor be removed from the rolls of persons authorized to practice law in the State of Georgia. Taylor

²⁵ We need not and do not express any opinion here about the propriety of charging several thousands of dollars to file documents that contain, in the attorney's opinion, no chance of success other than in delay of the proceedings. But we are not willing to accept the premise that an attorney representing a client who lacks meritorious claims is freed of the duties to communicate and otherwise provide professional services.

²⁶ In his exceptions filed in this Court, Taylor cites a 2022 amendment to the EOIR rules which he says altered immigration-court practice to allow attorneys to enter appearances to provide limited services. But the relevant facts in these matters apparently all occurred *before* the rule's promulgation.

is reminded of his duties under Bar Rule 4-219(b).

Disbarred. All the Justices concur.

4. On or about February 27, 2026, an Opinion and Order was filed in a matter styled U.S. Department of Justice, Executive Office for Immigration Review, Board of Immigration Appeals, *In the Matter of Christopher Casey Taylor, D2026-0004, Respondent* (Exhibit 2), that states in pertinent part as follows:

The respondent will be disbarred from the practice of law before the Board of Immigration Appeals, the Immigration Court, and the Department of Homeland Security ("DHS").

On December 23, 2025, the Supreme Court of Georgia issued a final order disbarring the respondent from the practice of law in Georgia, effective immediately. On January 13, 2026, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("DHS") filed a Joint Notice of Intent to Discipline ("NID"), as well as a Joint Petition for Immediate Suspension, based upon the respondent's disbarment in Georgia.

Because the time for filing an answer to the NID has passed, we need not rule on the Joint Petition for Immediate Suspension that sought to suspend the respondent until imposition of the final administrative decision in this matter. This order serves as the final administrative decision in the respondent's disciplinary proceedings.

The respondent was required to file a timely answer to the allegations contained in the NID but has failed to do so. *See* 8 C.F.R. § 1003.105(c). The respondent's failure to file a response within the time prescribed in the NID constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(1).

The NID proposes that the respondent be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Because the respondent has failed to file an answer, the regulations direct us to adopt the proposed sanction contained in the NID unless there are considerations that compel us to diverge from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate considering the respondent's disbarment from the practice of law in Georgia. We will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. *See* 8 C.F.R. § 1003.105(d)(2).

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS. The disbarment will commence 15 days after the

date of this order. See 8 C.F.R. § 1003.105(d)(2).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been disbarred from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

FURTHER ORDER: The respondent is instructed to notify the Board of any further disciplinary action against him.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of the DHS.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.

5. Attached hereto is a true and correct copy of the following documents: Opinion entered by the Supreme Court of Georgia dated December 23, 2025 (Exhibit 1), and the Opinion and Order from the U.S. Department of Justice, Executive Office for Immigration Review, Board of Immigration Appeals (Exhibit 2).

6. The Commission brings this disciplinary action in accordance with the Chief Disciplinary Counsel's mandatory administrative obligations, as set forth in TRDP 9.01. The Supreme Court of Georgia found that Respondent violated the following Rules of Professional Conduct:

- a. 1.1 – A lawyer has a duty to provide competent representation
- b. 1.2(a) – A lawyer shall abide by a client's decisions concerning the scope and objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued.
- c. 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client. Reasonable diligence as used in this rule means that a lawyer shall not without just cause to the detriment of the client in effect willfully abandon or willfully disregard a legal matter entrusted to the lawyer.

- d. 1.4(a) – A lawyer shall reasonably consult with the client about the means by which the client’s objectives are to be accomplished; ... keep the client reasonably informed about the status of the matter... [and] promptly comply with reasonable requests for information.
- e. 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonable practicable to protect a client’s interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned.
- f. 3.2 – A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.
- g. 5.1(a) – A law firm partner shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Georgia Rules of Professional Conduct.
- h. 5.1(b) – A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Georgia Rules of Professional Conduct.

10. One or more of Respondent’s violations of the Georgia of Professional Conduct (“GRPC”) correspond to similar obligations in the Texas Disciplinary Rules of Professional Conduct (“TDRPC”).

- a. TDRPC 1.01 - A lawyer shall not accept or continue employment in a legal matter who knows or should know is beyond the lawyer’s competence...
- b. TDRCP 1.02(a) – ... A lawyer shall abide by a clients decisions: (1) concerning the objectives and general methods of representation; (2) whether to accept an offer of settlement of a matter, except as otherwise authorized by law; (3) In a criminal case, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial, and whether the client will testify.
- c. TDRCP 1.01(b) – In representing a client, a lawyer shall not: (1) neglect a legal matter entrusted to the lawyer; or (2) frequently fail to carry out completely the obligations that the lawyer owes to a client or clients.
- d. TDRCP 1.03 – (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable

requests for information. (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

- e. TDRCP 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a clients interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payments of fee that has not been earned. The lawyer may retain papers relating to the client to the extent permitted by other law only if such retention will not prejudice the client in the subject matter of the representation.
- f. TDRCP 3.02 – In the course of litigation, a lawyer shall not take a position that unreasonably increases the costs or other burdens of the case or that unreasonably delays resolution of the matter.
- g. TDRCP 5.01(a) – A lawyer who individually or together with other lawyers possesses managerial authority in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to these Rules.
- h. TDRCP 5.01(b) – A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer complies with these rules.

8. The Commission received notice of the Order from the Board of Immigration Appeals disbarring Christopher Casey Taylor as reciprocal discipline for his disbarment in Georgia on or about April 9, 2026 (Exhibit 2).

9. The Commission prays that, pursuant to Rule 9.02, Texas Rules of Disciplinary Procedure, that this Board issue notice to Respondent, containing a copy of this Petition with exhibits, and an order directing Respondent to show cause within thirty (30) days from the date of the mailing of the notice, why the imposition of the identical discipline in this state would be unwarranted. The Commission further prays that upon trial of this matter this Board enter a judgment imposing discipline identical, to the extent practicable, with that imposed by the Supreme Court of Georgia and the Department of Justice Executive Office for Immigration

Review, and that the Commission have such other and further relief to which it may be entitled.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

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Amanda M. Kates
Bar Card No. 24075987
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that upon receipt of the Order to Show Cause from the Board of Disciplinary Appeals, I will serve a copy of this Petition for Reciprocal Discipline and the Order to Show Cause on Christopher Casey Taylor by personal service.

Christopher Casey Taylor
6855 Jimmy Carter Blvd., Suite 2150
Norcross, GA 30071-1239



Amanda M. Kates



EXHIBIT

1

**Supreme Court
State of Georgia**

NATHAN DEAL JUDICIAL CENTER

Atlanta 30334

**SUPREME COURT OF GEORGIA
CLERK'S OFFICE, ATLANTA**

April 30, 2026

I hereby certify that the foregoing pages, attached hereto, contain a true and complete copy of the opinion of the Supreme Court of Georgia in case numbers **S24Y1247, S24Y1248, S24Y1249, S24Y1250, S24Y1251, and S24Y1252. In the Matter of Christopher Casey Taylor**, as appears from the files in this office.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 . Clerk

323 Ga. 214
FINAL COPY

S24Y1247, S24Y1248, S24Y1249, S24Y1250, S24Y1251, S24Y1252.
IN THE MATTER OF CHRISTOPHER CASEY TAYLOR (six
cases).

PER CURIAM.

These six matters are before the Court on the report and recommendation of the State Disciplinary Review Board (“Review Board”), which reviewed special master LaVonda Rochelle DeWitt’s report and recommendation. In each of these six matters, Christopher Casey Taylor (State Bar No. 699696), a member of the Bar since 2002, is charged with violating several provisions of the Georgia Rules of Professional Conduct (“GRPC”) regarding clients of the law firm where he is a partner. Taylor’s law practice, and that of his firm, has a heavy focus on immigration matters. Indeed, all six of these disciplinary matters arise out of representation in the context of immigration law. The special master recommended a six-to-twelve-month suspension with a condition on reinstatement, while the Review Board instead recommended disbarment based

largely on its conclusion that Taylor's lack of remorse should weigh heavily against him. Taylor initially denied that he was culpable for any misconduct regarding the grievants' cases. But he now concedes the record supports a determination that he violated the Rules concerning supervision of other attorneys, and he asks this Court to impose a suspension consistent with the special master's recommendation of discipline. However, with the benefit of oral argument¹ and having carefully reviewed the record, we conclude that disbarment is warranted.

1. Special Master's Report and Recommendation

(a) Factual Findings

Following an extensive fact-finding process, which involved multiple evidentiary hearings and the parties' submission of documentary and testimonial evidence, the special master made the following findings of fact: Taylor is one of two equity partners at the firm, which has an immigration-focused practice, and he

¹ These matters were orally argued before this Court on September 16, 2025.

characterizes himself as the “face of the firm.” New clients reviewed their firm engagement agreement with a paralegal and did not speak to an attorney about their case until the firm was paid. Taylor generally did not attend court proceedings with clients, but he commonly filed an entry of appearance as counsel for the firm’s clients. During the relevant periods, Taylor had approximately 10,000 open cases and consistently filed pleadings in the immigration courts under his name as counsel of record.

Taylor made conflicting representations regarding his degree of oversight of associate attorneys and staff, but evidence established that these individuals were at times permitted to sign Taylor’s name to letters and filings related to client matters without Taylor having reviewed those documents before submission. Taylor alternatively claimed both that he did not have supervisory or administrative duties within the firm and that he was a “supervising attorney” who had “supervisory responsibility” over the firm’s other attorneys and staff. He entered an appearance in five of the six immigration cases at issue, received court documents addressed to

him as counsel of record in those five cases, and in the sixth case referred to himself as “lead counsel” and acknowledged that he reviewed interrogatory responses. The special master found that, despite Taylor’s assertions to the contrary, Taylor was each of these clients’ attorney and owed them duties under the GRPC.

The special master next considered certain policies and procedures of the immigration courts based on a policy manual published by the federal Executive Office for Immigration Review (“EOIR”), of which Taylor acknowledged being aware. The EOIR manual provides that when a client retains more than one attorney at a time, all such attorneys are counsel of record and are all responsible as counsel for the client, although only one is recognized as the primary or “notice” attorney. Only individual attorneys, not firms, may represent parties before the immigration courts. And if a firm wishes to re-assign responsibility for a client from one attorney to another, a substitution of counsel must be filed, with the original attorney remaining responsible for the representation until

substitution is granted.² Immigration courts also require parties to submit documents supporting certain applications, like those supporting a removal cancellation application, no later than 15 days before the hearing on the matter. Taylor acknowledged awareness of the 15-day timing requirement, the attorney substitution requirement, and the fact that his firm did not follow the latter.

The special master then addressed what she described as Taylor's "indifference and disregard" toward the disciplinary process. Taylor initially did not cooperate with the discovery process, forcing the Bar to file two motions to compel before he provided discovery responses. Taylor and his counsel also failed to cooperate in advancing these matters, necessitating several calls with the special master on issues as basic as case timelines and Taylor's non-compliance with the discovery process. The special master entered a

² Although immigration courts may define the processes and procedures by which attorneys must conduct themselves in that court, Georgia law (not federal law), as regulated by the State Bar and this Court, defines the practice of law within the state, including the duties that an attorney owes to a client. See *Eckles v. Atlanta Tech. Group*, 267 Ga. 801, 804 (1997) ("Only this Court has the inherent power to govern the practice of law in Georgia.").

scheduling order in April 2023, setting the evidentiary hearing for September 19–21, 2023, with the understanding that all parties and witnesses would appear in person. But on September 19, Taylor’s counsel appeared without Taylor, who failed to provide prior notice to the Bar or the special master that he would not appear. Taylor instead asked, through counsel, to appear virtually based on a confidential medical situation. The special master ended the proceedings, privately reviewed medical records that Taylor submitted later that day, and entered an order the following morning authorizing Taylor to appear virtually.³ Taylor appeared virtually on the second day of the hearing, but his failure to appear the day before necessitated adding another day to complete the proceedings. After the Bar rested, Taylor left the hearing, stating that he was ill. He did not ask for a continuance or present any evidence or testimony, leaving such matters to his counsel. Taylor then submitted briefs and a proposed order to the special master,

³ The special master issued the order on the morning of the second day scheduled for the hearing, before Taylor filed a written request to appear virtually. He filed his motion several days later to complete the record.

seeking to have all the complaints against him dismissed, but the special master explained that post-hearing procedures did not permit her to rule on the proposed order. Taylor then submitted a one-and-a-half page proposed report and recommendation providing that no discipline be imposed because: Taylor did not do the work at issue; he did not manage or supervise other attorneys; his firm did not mishandle the grievants' cases; the grievants' negative outcomes were foreseeable; and his firm's administrative issues did not amount to ethical violations.

The special master then analyzed the underlying grievances and found as follows. The client in State Disciplinary Board Docket ("SDBD") No. 7481 (Case No. S24Y1247), who was born in Mexico and entered the United States in 1999, retained Taylor's firm in April 2012 regarding his removal proceeding. The client paid \$4,000 in fees, executed his engagement agreement with the assistance of a paralegal, and never met Taylor during the firm's representation. Taylor entered an appearance in the case as the primary attorney and filed on the client's behalf an EOIR 42B Application for

Cancellation of Removal and Adjustment of Status — which bore Taylor’s signature as the client’s attorney and the preparer of the application — and an I-485 Application to Adjust to Permanent Resident Status. G. D., a “self-supervising” attorney employed by the firm, filed an entry of appearance in the case and filed documents supporting the removal cancellation application. Taylor did not attend the client’s “master hearing” or speak to G. D. about the case. Around four years later, in 2016, Taylor submitted a request for prosecutorial discretion (which asks immigration officials to exercise their discretion not to pursue removal), signing the document as the client’s attorney. But Taylor did not follow up or obtain a decision on the request. In November 2018, Taylor again filed an entry of appearance as the client’s primary attorney and submitted documents in the removal cancellation case for the first time since December 2012. Taylor did not appear for a December 2018 hearing, with the client instead represented by C. S., another attorney at Taylor’s firm. After the hearing, the immigration judge denied the client’s application for cancellation of removal and

ordered him removed. Taylor entered an appearance and filed an appeal on the client's behalf, but did not consult with the client, obtain his authorization, or execute a new engagement agreement. The client subsequently terminated Taylor's representation and retained a new attorney.

In SDBD No. 7483 (Case No. S24Y1248), a client retained Taylor's firm to represent him in a removal proceeding in 2012. Taylor did not meet with the client, discuss his case with him, or appear at his hearings. In February 2014, G. D. attended the client's master hearing and filed an application for cancellation of removal on the client's behalf. Taylor signed the application as the attorney who had prepared the filing, but he did not prepare or review the application or meet with the client before or after the hearing. At the master hearing, an immigration judge scheduled the client's "individual hearing" for July 2016 and informed the client that any documents on which he wished to rely had to be filed no later than 15 days before the individual hearing. Taylor was aware that the 15-day deadline was the standard practice in immigration courts. The

client provided the supporting documents, at G. D.'s request, in May 2016. The individual hearing was rescheduled to March 8, 2018, and K. M., an attorney at Taylor's firm, attended the hearing. The same day, a motion bearing Taylor's signature and seeking the untimely filing of the client's documents was filed with the court. The motion alleged that those documents were not provided to Taylor until February 28, 2018, although the client had in fact provided them in 2016. The immigration judge denied the motion and asked K. M. why the documents had not been timely provided. K. M. responded that the firm had delayed asking the client to bring in the documents. The immigration judge then denied the application for cancellation of removal, and Taylor failed to consult with the client or K. M. regarding how the case should proceed. Taylor instead filed an appeal and entry of appearance without the client's consent, arguing that the immigration judge had failed to consider the evidence put forward at the hearing. The Board of Immigration Appeals ("BIA") then affirmed the immigration judge's decision. Taylor failed to communicate the outcome of the appeal to the client.

In SDBD No. 7484 (Case No. S24Y1249), an individual entered the United States from Mexico in 1992 at the age of two, and immigration officials detained her in 2011. Her sister paid \$4,000 to retain Taylor's firm to assist the client in obtaining legal status. One of the firm's employees told the client that Taylor would be her attorney. During the disciplinary proceedings, Taylor acknowledged that the client was his client but also stated that she was a client of the firm, asserting that whether he represented her was a "complex" question without a simple answer. Taylor was listed as counsel of record for the client and conceded that he had "some level of responsibility" for the client's representation although he never met or spoke with her. In January 2012, Taylor filed a removal cancellation application on the client's behalf, but no one from the firm explained the requirements of such a filing to the client. A week before her individual hearing, the client met with an unnamed female attorney from the firm to prepare for the hearing. The client testified that the attorney was not prepared for the hearing and knew nothing about the client's case. The client's application was

denied after the hearing, but no one from the firm explained the decision to the client. Without obtaining the client's consent or discussing the merits of her case with her, Taylor filed an appeal and entry of appearance on her behalf. He did not personally fill out or supervise the preparation of the notice of appeal, which had a section requiring the client to state in detail the reasons for the appeal. Taylor also failed to file a brief. The BIA dismissed the appeal because the submitted documents failed to "meaningfully apprise [the] Board of the reasons underlying the appeal." Taylor failed to discuss the outcome of the appeal with the client.

In SDBD No. 7632 (Case No. S24Y1250), a native of Nicaragua entered the United States in 2017 and paid Taylor's firm \$5,500 to represent her in connection with an application for asylum based on abuse she suffered from her father. Taylor entered an appearance in the client's case and appeared at her master hearing, but neither Taylor nor any other firm attorney spoke with her before the hearing. Taylor filed an application for asylum without preparing or reviewing it and without consulting the client about the application

or her chances of success. In the disciplinary proceedings, Taylor said the application was filed simply to delay the client's removal, but this strategy was apparently never communicated to the client. Although Taylor submitted certain documents in support of the client's application, he did not submit other documents that she had provided to him and did not present witness testimony in support of her claim. R. H., an attorney at Taylor's firm, represented the client at her March 2020 individual hearing, but Taylor did not meet with R. H. or the client before the hearing or inquire about why certain documents were not submitted. The client's application was denied, and while R. H. told the client he would represent her on appeal and the client paid the requested filing fee to the firm, no appeal was filed. When the client contacted the firm to inquire about the appeal, R. H. and another employee falsely told her that the appeal had been filed. Taylor maintained that the appeal was not filed because the client did not execute a new engagement agreement or pay additional attorney fees. There was no evidence that she was asked to do either; the evidence presented in other related matters showed

that the firm filed appeals without a new engagement agreement or additional fees. Taylor did not communicate with the client outside of the master hearing or consult about her case with the attorneys who worked on it, whom Taylor failed to supervise. Taylor also did not refund any of the fees the client paid. She subsequently retained new counsel and spent more than \$10,000 in additional fees for her immigration case.

In SDBD No. 7633 (Case No. S24Y1251), a native of Mexico who entered the United States in 2000 hired Taylor's firm while incarcerated. The client first paid the firm \$3,000 for Taylor to secure a bond for him and later paid \$4,500 for Taylor to file a removal cancellation application. Taylor did not meet or speak with the client or consult about the case with the attorneys who actually worked on it. Taylor entered an appearance as the client's primary attorney and filed the removal cancellation application without preparing or reviewing it. The client provided the firm with documents related to his claim before his individual hearing; Taylor failed to supplement the application before the hearing. C. N., an

attorney at Taylor's firm, represented the client at the hearing, but Taylor did not speak with C. N. about the case beforehand. C. N. informed the court at the hearing that he intended to update the client's application. The court asked why an incomplete application had been submitted, and C. N. answered that he had not prepared the application. The court paused the proceedings so that Taylor could appear and "take ownership" for the incomplete filing but ultimately resumed the hearing, denied the client's application, and ordered his removal. C. N. then informed the client that the client could initiate an appeal. The client said he would pursue an appeal but indicated that he intended to hire new counsel. The client did not authorize Taylor or his firm to file an appeal and instead terminated the representation and asked for a copy of his file. Taylor nonetheless filed a notice of appeal as the client's attorney, but he failed to file a brief or statement in support of the appeal, resulting in the appeal's dismissal. Taylor was aware that failure to file a brief or statement could result in dismissal, and he indicated on the notice of appeal that a brief or statement would be filed. The client learned

of the failed appeal only after someone from the firm told him about it. He subsequently spent an additional \$5,000 to obtain new counsel. Taylor did not refund any of the fees paid by the client.

In SDBD No. 7634 (Case No. S24Y1252), a client hired Taylor's firm in 2019 to assist him in obtaining permanent U.S. residency. The client met with Taylor, who told him that Taylor could assist him in gaining permanent residency. The client paid \$2,000 and provided information such as his home address. Taylor provided no legal services to the client: he failed to respond to inquiries from the client on the status of the matter, failed to make an entry of appearance, failed to file a notice of substitution of counsel, failed to notify the immigration court of his representation, and failed to provide the client's address to the court. In March 2020, the client received a letter bearing Taylor's signature, informing him that his case had been scheduled for a master hearing. Taylor did not actually sign or review the letter or otherwise attempt to communicate with the client. Approximately two weeks before the scheduled hearing, the client called Taylor's firm for information

regarding the hearing. He was unable to reach Taylor or any other attorney. The client appeared for the hearing, but neither Taylor nor anyone from his firm was present. The clerk then informed the client that a deportation order had already been entered against him for failure to appear at the hearing, which had been rescheduled to a date several months earlier. No one from the firm informed the client of the date change until approximately two weeks later when the client received a letter, signed by Taylor, which noted the missed court date and the entry of the removal order. Taylor did not refund any of the fee paid by the client, who had to hire a new attorney.

(b) Rules Violations

The special master then turned to Taylor's alleged violations of the following GRPC provisions: Rules 1.1,⁴ 1.2(a),⁵ 1.3,⁶ 1.4(a),⁷ 1.16(d),⁸ 3.2,⁹ and 5.1(a) and (b).¹⁰ The maximum sanction for a

⁴ Rule 1.1 imposes on lawyers a duty to provide competent representation.

⁵ Rule 1.2(a) provides, in pertinent part, that "a lawyer shall abide by a client's decisions concerning the scope and objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued."

⁶ Rule 1.3 provides that "[a] lawyer shall act with reasonable diligence and promptness in representing a client. Reasonable diligence as used in this rule means that a lawyer shall not without just cause to the detriment of the client in effect willfully abandon or willfully disregard a legal matter entrusted to the lawyer."

⁷ Rule 1.4(a) provides, in pertinent part, that a lawyer shall "reasonably consult with the client about the means by which the client's objectives are to be accomplished; ... keep the client reasonably informed about the status of the matter; ... [and] promptly comply with reasonable requests for information[.]"

⁸ Rule 1.16(d) provides that

[u]pon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned.

⁹ Rule 3.2 provides that "[a] lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client."

¹⁰ Rule 5.1(a) provides, in pertinent part, that "[a] law firm partner ... shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Georgia Rules of Professional Conduct[.]" while Rule 5.1(b) provides that "[a] lawyer having direct supervisory authority over another lawyer shall make reasonable

single violation of Rules 1.1, 1.2(a), 1.3, and 5.1(a) and (b) is disbarment; the maximum sanction for a single violation of Rules 1.4(a), 1.16(d), and 3.2 is a public reprimand.

Addressing Taylor's violations of the GRPC rule-by-rule, the special master concluded that Taylor violated Rule 1.1 in the 7484 matter by failing to properly specify the grounds for appeal in his submission of the notice of appeal to the BIA.

Taylor violated Rule 1.2(a):

- in the 7481 matter by failing to consult with the client regarding the filing of an appeal and by filing an appeal without that client's authorization;
- in the 7483 matter by failing to consult with the client about how to proceed with his case once his application was denied and by failing to consult with that client before filing an appeal on his behalf;

efforts to ensure that the other lawyer conforms to the Georgia Rules of Professional Conduct."

- in the 7484 matter by failing to discuss any aspect of the case with the client, including failing to discuss with her the requirements for success on her application, failing to explain the denial of her application, and failing to consult with her regarding the filing of an appeal;
- in the 7632 matter by failing to consult with the client regarding the merits of her case and by failing to pursue her desired appeal;
- in the 7633 matter by failing to consult with the client regarding the documents to support his claim, failing to consult with him regarding the filing of an appeal, and filing that appeal without authorization; and
- in the 7634 matter by failing to consult with or provide legal services to the client.

Taylor violated Rule 1.3:

- in the 7481 matter by failing to submit any documents supporting the client's application between 2012 and 2018;

- in the 7483 matter by failing to timely submit documents supporting the client's case — resulting in those documents not being considered by the immigration judge — and by misrepresenting when that client had provided those documents;
- in the 7484 matter by failing to diligently pursue a properly supported appeal;
- in the 7632 matter by failing to present documents and witness testimony in support of the client's asylum claim and by failing to ensure that her appeal was filed;
- in the 7633 matter by submitting an incomplete application, failing to timely update that application, and failing to submit a brief or statement in support of the client's appeal, resulting in its dismissal; and
- in the 7634 matter by failing to notify the court of his representation of the client, failing to inform that client of the change in the hearing date, and failing to appear for court.

Taylor violated Rule 1.4(a):

- in the 7481 matter by failing to communicate with the client about his case and appeal;
- in the 7483 matter by failing to communicate with the client about his case, including the motion for out-of-time filing, the outcome of the individual hearing, and the appeal;
- in the 7484 matter by failing to discuss the application or appeal with the client;
- in the 7632 matter by failing to communicate with the client about her case, including failure to discuss documents submitted in support of her claim and her appeal;
- in the 7633 matter by failing to communicate with the client about his case, including failure to discuss the documents needed to support his claim and appeal; and
- in the 7634 matter by failing to have any communications with the client beyond the initial consultation.

Taylor violated Rule 1.16(d) in the 7634 matter by abandoning the client without having done any work on his case and by failing to refund any of the \$2,000 fee the client paid.

Taylor violated Rule 3.2 in the 7632 matter by failing to make reasonable efforts to pursue the client's appeal, despite having prepared the documents necessary to do so.

As to Rule 5.1(a) and (b), the special master first determined that Taylor failed to make reasonable efforts to ensure that his firm had policies and procedures to reasonably ensure that the firm's attorneys would comply with the GRPC. The special master also determined that Taylor's failure to supervise attorneys and his policy of allowing attorneys to sign his name to pleadings without reviewing those documents contributed to the pattern of non-compliance with the GRPC. And the special master concluded that Taylor violated Rule 5.1 in the 7632 matter by failing to select or review the documents submitted by the client, failing to discuss with R. H. (the attorney who appeared at the client's hearing) why certain documents were omitted, and failing to ensure that R. H. pursued

that client's appeal. And the special master concluded that Taylor violated Rule 5.1 in the 7633 matter by failing to ensure that a complete application was submitted on the client's behalf, failing to discuss that client's case with C. N. (the attorney who appeared at the client's hearing) or ensure that C. N. updated the application, and failing to ensure that the firm complied with the client's desire to terminate the firm's representation.

(c) *ABA Standards*

Citing the American Bar Association Standards for Imposing Lawyer Sanctions ("ABA Standards"), see *In the Matter of Morse*, 265 Ga. 353, 354 (1995) (to determine the appropriate level of discipline, disciplinary authority considers the duty violated; the lawyer's mental state; the potential or actual resulting injury; and aggravating or mitigating factors), the special master first determined that Taylor failed to meet his obligations to consult with and diligently represent these clients. The special master deemed his actions — including neglecting these clients and failing to supervise other firm attorneys — to be knowing rather than

inadvertent or negligent. Regarding the harm caused, Taylor's clients were vulnerable victims and suffered significant injuries in the form of adverse outcomes in their immigration cases. And, citing ABA Standard 4.42, the special master noted that suspension is generally appropriate when an attorney's knowing failure to perform services for a client causes injury or potential injury and when an attorney's pattern of neglect causes injury or potential injury to a client. In aggravation, the special master found that Taylor engaged in a pattern of misconduct, committed multiple offenses, engaged in bad-faith obstruction of the disciplinary process by intentionally failing to comply with the rules and orders of the disciplinary authority, refused to acknowledge the wrongful nature of his conduct, harmed vulnerable victims, and had substantial experience in the practice of law. See ABA Standard 9.22(c), (d), (e), (g), (h), and (i). Taylor's lack of prior discipline was the only mitigating factor. See ABA Standard 9.32(a). The special master concluded that a six-to-twelve-month suspension was the

appropriate sanction.¹¹ The special master further concluded that Taylor's reinstatement should be conditioned on "completing an evaluation with the Law Practice Management Department of the State Bar and providing the Office of the General Counsel with proof that [Taylor] has implemented the recommendations of the Law Practice Management Department in his law firm practice."

2. Review Board Proceedings

(a) Taylor's Exceptions to the Special Master's Report & Recommendation

Taylor began his exceptions to the special master's report and recommendation by asserting that his role as the firm's "notice attorney" did not imply a corresponding duty for him to represent

¹¹ The special master based that conclusion on *In the Matter of Lewis*, 313 Ga. 695 (2022) (six-month suspension for lawyer who violated Rules 1.1, 1.2, 1.3, 1.4, 1.16(d), and 3.2 in three separate matters); *In the Matter of Golub*, 313 Ga. 686 (2022) (one-year suspension with conditions for lawyer who violated Rules 1.2(a), 1.3, 1.4(a), 1.16(d), 3.2, and 8.4(a)(4) in the representation of one client); *In the Matter of Sneed*, 314 Ga. 506 (2022) (nine-month suspension with conditions for lawyer who violated Rules 1.3, 1.4, and 9.3 in four separate matters); *In the Matter of Kirby*, 312 Ga. 341 (2021) (six-month suspension for lawyer who violated Rules 1.2, 1.3, 1.4, and 1.16 in four separate matters); and *In the Matter of Miller*, 291 Ga. 30 (2012) (twelve-month suspension with conditions for lawyer who violated Rules 1.2, 1.3, and 1.4 in the representation of one client).

each client individually. Taylor argued that the “notice attorney” procedure, which he describes as routine in immigration cases, arises from the fact that immigration cases can take many years to resolve: designating one senior attorney for this role helps ensure the firm continues to receive notice on such matters, even if the attorneys directly responsible for the case should leave the firm. Taylor argued that the record demonstrates that his designation as the “notice attorney” should not be taken as proof of his individual involvement in each client’s case as most of the clients at issue here had not met Taylor, had no expectation that he would be individually involved in their cases, and instead worked only with associates and staff. Taylor then argued that the record shows he did not personally represent any of these clients and that, to the extent the Bar was proceeding under a respondeat superior theory of liability, its failure to charge violations of Rule 5.1 in four of these six matters was fatal to the allegations in those matters. Next, Taylor argued that new counsel initiated at least four of the six grievances for Taylor’s former clients because of what he

characterized as their attorneys' willful misinterpretation of *Matter of Lozada*, 19 I.&N. Dec. 637 (Bd. of Immigr. Appeals 1988), a BIA decision that some practitioners interpret to require a bar complaint to be filed against a client's former attorney in order to sustain a motion to re-open removal proceedings.

Taylor then turned to the specific client grievances. As to each of the six, Taylor made largely the same argument that he did not individually represent any of the clients. Taylor asserted that each client's engagement agreement did not list Taylor as the primary attorney assigned to the case; that it was clear that other attorneys and staff would be responsible for actually providing the agreed-upon services; that he had little or no interaction with the clients, such that they had no reasonable expectation that Taylor would provide the legal services they sought; and that various clients gave false testimony or made false statements during the grievance process. Concerning the 7481, 7484, and 7632 matters, Taylor alleged that the disciplinary process was being manipulated by the clients' new attorneys, whom he characterized as competitors who

had brought spurious grievances against him as to matters for which he had no direct involvement or responsibility. Taylor also addressed the purported merits of each client's underlying legal matters, arguing that the clients' underlying claims and cases lacked merit or that the clients' own actions were the "proximate cause" of their unfavorable outcomes.

(b) The State Bar's Response

In response, the Bar first argued that Taylor was not simply a "notice attorney" for the clients' underlying cases: he entered appearances as counsel of record in each case; his name was listed on all pleadings as counsel of record; the records of the immigration courts listed him as counsel of record; and no substitution of counsel was filed in any of the cases. And the Bar noted that, notwithstanding his inconsistent assertions to the contrary, Taylor testified that he had "supervisory responsibility" over lawyers and staff at the firm after a senior associate left and that Taylor performed "tasks" in the case underlying at least one of these matters. The Bar also argued that Taylor was the clients' attorney

of record — and thus was directly responsible for the misconduct that occurred — in all of these matters even though he was not charged with violating the supervision Rules in each matter. Finally, the Bar argued that Taylor's claim about the reasons these grievances were filed in the first place was misdirected because, regardless of what may have prompted the grievances, the Bar was prosecuting these matters at the State Disciplinary Board's direction and only after the Office of the General Counsel's extensive investigation.

The Bar then addressed each matter individually and maintained that Taylor directly represented each of the clients, relying principally on his entries of appearance and the presence of his name on the clients' filings. And the Bar insisted that, even if other attorneys also worked on the underlying cases, Taylor was at least *an* attorney for each client and had direct ethical obligations to them all. Regarding Taylor's arguments about the merits of the clients' underlying immigration cases, the Bar noted that the disciplinary process is designed to assess whether an attorney has

failed in his ethical obligations under the GRPC — not to adjudicate the potential merits of a client’s underlying claims. Even in a case unlikely to prevail on the merits, the Bar said, an attorney must fulfill duties like communicating and consulting with the client, providing diligent representation, and ensuring that other attorneys under his supervision comply with their ethical responsibilities. The Bar also noted that, although Taylor made much of the supposed lack of merit of the clients’ cases, there is no evidence that he or anyone else at his firm advised the clients of these apparent defects. Moreover, the Bar argued, Taylor’s attempt to shift blame onto the clients for the unfavorable results in their cases did not address Taylor’s own failings.

(c) Review Board’s Report and Recommendation

The Review Board then issued its report and recommendation. As to the special master’s findings of fact, reviewed for clear error, the Review Board characterized the primary factual dispute as whether Taylor represented the clients in an individual capacity. Although the Review Board acknowledged Taylor’s extensive

arguments to the contrary, it concluded that Taylor had not demonstrated that the special master's findings — that Taylor bore responsibility for the representation of each of these clients — were clearly erroneous. The Review Board then adopted and incorporated the special master's factual findings. The Review Board also adopted and incorporated the special master's conclusions of law, including her application of the ABA Standards to the duties violated, Taylor's mental state, the potential or actual injury caused by his misconduct, and the aggravating and mitigating factors. The Review Board reiterated that Taylor's actions were knowing and that the clients all suffered significant injuries.

But the Review Board rejected the special master's conclusion regarding the appropriate sanction to be imposed. The Review Board first stated (without any citation to authority) its belief that the special master had to recommend a precise sanction rather than a range for suspension (as the special master proposed here). The Review Board cited the special master's reference to *Lewis*, *Sneed*, and *Kirby* and concluded that each of those cases dealt with similar

Rule violations but were distinguishable because they arose from voluntary discipline petitions. See *In the Matter of Lewis*, 313 Ga. 695, 698 (2022); *In the Matter of Sneed*, 314 Ga. 506, 510 (2022); *In the Matter of Kirby*, 312 Ga. 341, 345 (2021). The Review Board further distinguished *Golub* and *Miller*, which the special master also cited, on the basis that Golub expressed remorse for the harm done to his client and Miller engaged with the disciplinary process and was remorseful. *In the Matter of Golub*, 313 Ga. 686, 694 (2022); *In the Matter of Miller*, 291 Ga. 30 (2012). The Review Board stated that the correct standard for determining the appropriate sanction was ABA Standard 4.41,¹² applied in *In the Matter of Bell*, 313 Ga. 615, 615–16, 618 (2022) (disbarment for failure to act diligently and adequately communicate with client; lawyer made numerous misrepresentations to client, exhibited a dishonest or selfish motive,

¹² ABA Standard 4.41 provides that [d]isbarment is generally appropriate when: (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

had two instances of prior discipline, and failed to respond to the Bar's motion for summary judgment), and *In the Matter of Roberts*, 314 Ga. 510, 511, 514, 517–18 (2022) (attorney without prior discipline disbarred for conduct in two client matters where attorney failed to respond to filings and appear at court hearings, failed to communicate and consult with clients to their substantial detriment, and refused to acknowledge wrongful conduct and showed indifference to making restitution). Since Taylor knowingly failed to perform services for multiple clients, constituting a pattern of neglect that seriously injured multiple clients, and since he lacked remorse for his misconduct, the Review Board recommended that Taylor be disbarred.

3. Filings Before this Court

(a) Taylor's Exceptions to the Review Board's Report & Recommendation

Taylor begins his exceptions to the Review Board's report and recommendation by discussing the "rarefied field of immigration law" and lamenting the "state of utter dysfunction" of the

immigration courts, “particularly the court here in Atlanta.” But Taylor admits to violating Rule 5.1(a) as to the 7632 and 7633 matters,¹³ and he admits that the record could support finding that he also violated Rule 5.1(b) in those matters, given his managerial authority over his firm’s work and his failures to ensure that the attorneys directly handling these matters were adequately supervised. Taylor nonetheless continues to insist that he was only the “marketing face” of the firm and a “notice attorney” for all cases. He expresses his mystification at the failings of the associate attorneys. And he bemoans the fact that the immigration courts’ unusual practices made him appear responsible for matters in which he was not actually involved. Yet Taylor concedes that he is “legally, ethically, and personally obligated” to his firm’s clients and to ensuring that legal services are competently rendered. Still, he attempts to cabin any failures on his part to a failure to adequately

¹³ Taylor further notes that, although violations of Rule 5.1(a) were not charged in the remaining four cases, the record could support finding that he violated that Rule in those cases as well.

attend to the firm's structure, which he concedes has become "untenable" as the firm has grown rapidly in size.¹⁴

Taylor nonetheless excepts to the Review Board's decision on multiple grounds. Taylor admits that the record supports the special master's findings that he failed to supervise associate attorneys and ensure that those attorneys provided the required and requested legal services. But Taylor emphasizes that the special master did not find that he directly and knowingly made false representations to clients, failed to provide legal services, or abandoned client matters. He maintains that the Review Board improperly rejected the special master's recommended suspension in favor of disbarment, which he contends is not appropriate. Taylor argues that *Bell* and *Roberts*, cited by the Review Board, are

¹⁴ Taylor says the firm's structure has since been altered by establishing a committee of three senior associates to exercise direct supervisory authority over more junior personnel. And Taylor says the firm would also benefit from additional guidance from the Law Practice Management Department. Taylor further asserts that he is working with his law partner and senior associates to develop additional systems to assist the firm's associates, apparently including the provision of additional support for associates to access professional development resources.

distinguishable because they addressed intentional misconduct and personal harm to clients rather than supervisory inaction. As to the Review Board's focus on his lack of remorse, Taylor insists that he was merely putting up a good-faith defense to the charges against him.¹⁵

Taylor next reiterates his claim that the grievances underlying these matters largely or entirely resulted from competitor attorneys' weaponization of *Lozada*. Taylor insists that *Lozada's* effects are a "specter ... haunt[ing]" all attorneys who practice removal defense. And he insists that the aggrieved clients' cases were destined to fail, so any ethical violations on his part were not the proximate cause of any harm to the clients, let alone sufficient to support the finding of serious injury necessary to warrant disbarment. Taylor asserts that the special master properly analyzed the level of injury that the

¹⁵ Taylor also maintains that he did not intentionally fail to comply with the rules or orders governing the disciplinary proceedings, given the serious medical issues he was experiencing at the time of the hearing on these matters. He has not disclosed what those medical issues were, but the special master granted Taylor's motion to appear virtually after confidentially reviewing medical records Taylor submitted.

clients suffered and properly applied ABA Standard 4.42 in concluding that suspension was appropriate.

Finally, Taylor argues that the alleged violations of Rules 1.1, 1.2(a), 1.3, 1.4, 1.5(a), 1.16(d), and 3.2 cannot be sustained because the Bar failed to allege a violation of Rule 5.1(c).¹⁶ Taylor asserts that, even assuming his firm's associate attorneys committed the misconduct alleged, Taylor could not be held vicariously liable unless the Bar alleged and proved that he violated Rule 5.1(c). Consistent with the special master's recommendation, Taylor asks this Court to impose a suspension between six and twelve months, with reinstatement conditioned on completing an evaluation with the Bar's Law Practice Management Program and providing to the

¹⁶ Rule 5.1(c) provides that
[a] lawyer shall be responsible for another lawyer's violation of the Georgia Rules of Professional Conduct if: (1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

Bar's Office of the General Counsel proof that he has implemented any recommendations from that evaluation.

(b) *The Bar's Response*

In response, the Bar first notes that it supports the imposition of a six-to-twelve-month suspension but maintains that the Review Board correctly concluded that disbarment would also be appropriate. In support of disbarment, the Bar argues that the special master's findings that Taylor individually represented each of the grievants — making him responsible for the misconduct that occurred in each matter — belies Taylor's assertion that he violated only the Rules governing supervisory misconduct. And the Bar rejects Taylor's contention that disbarment would be excessive, relying on ABA Standard 4.41's provision that disbarment is the presumptive sanction for knowing failure to perform legal services or a pattern of neglect that causes serious or potentially serious injury to a client. The Bar asserts that Taylor's firm's business model was predicated on knowing neglect, citing his acknowledgment that growth in the firm's client list made it

impossible to adequately manage all client matters within the firm's existing structures. And, the Bar says, the special master's findings also support concluding that Taylor knowingly failed to perform needed services for his clients and that the clients thereby suffered serious injuries. The Bar also contends that the special master's findings regarding harm to the clients are sufficient to support disbarment, particularly given that cases in other jurisdictions¹⁷ have concluded that the risk of deportation constitutes a "serious injury" warranting disbarment. And the Bar argues that the special master properly found six aggravating factors and only one mitigating factor — Taylor's lack of prior discipline.

The Bar disputes Taylor's argument that these disciplinary proceedings were instituted only because *Lozada* arguably requires aggrieved litigants to file a Bar complaint against former counsel in order to reopen removal proceedings. The Bar asserts that its decision to pursue these matters arises only from Taylor's

¹⁷ Specifically, the Bar points to *In the Matter of Anschell*, 69 P3d 844, 855 (Wash. 2003) (en banc), and *People v. Wake*, 528 P3d 943 (Colo. 2023) ("substantial injury").

misconduct, not anything related to immigration law. Regarding Taylor's argument that any errors in the 7632 matter do not warrant discipline because the client's case was meritless, the Bar argues that nothing in the record suggests Taylor communicated with the client regarding the merits of her case. The Bar further responds that disciplinary proceedings are not concerned with the merits of underlying legal claims; that Taylor had ethical obligations even to clients with a low chance of success; and that failure to meet those obligations harmed Taylor's clients regardless of the merits of their cases. Finally, contrary to Taylor's argument that he could not be found to have violated certain Rules because the Bar failed to allege a violation of Rule 5.1(c), the Bar maintains that Taylor overlooks the special master's conclusion that he was the attorney of record in these clients' cases, thereby owed them direct ethical obligations under the GRPC, and is responsible for the misconduct at issue.

4. Analysis

As noted, Taylor now concedes that he violated Rule 5.1(a) in the 7632 and 7633 matters, that the record could support finding

that he violated Rule 5.1(b) in those matters as well, and that the record could support finding that he violated Rule 5.1(a) in the four matters in which it was not charged.¹⁸ Additionally, the special master made a specific factual finding that the record supported the conclusion that Taylor was the attorney of record in these clients' cases. Taylor has not demonstrated that this finding was clearly erroneous or that, given this finding, the special master erred in concluding that Taylor's conduct violated Rules 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2, as charged.¹⁹

Regarding the proper sanction, we first note that Taylor's failures of diligence, competence, communication, and supervision

¹⁸ The Bar helpfully explained at oral argument that Rule 5.1 violations were not charged in the other matters because Taylor's systemic failures to supervise did not become clear until Taylor testified later in the disciplinary process. See *In re Ruffalo*, 390 US 544, 551–52 (1968) (“The charge must be known before the proceedings commence. They become a trap when, after they are underway, the charges are amended on the basis of testimony of the accused.”).

¹⁹ Neither the special master's findings regarding Taylor's failures of communication, nor our review of those findings, should be understood to suggest that when multiple attorneys represent a client, each attorney must directly communicate with the client. But *some* attorney must communicate with the client.

violate some of an attorney's most consequential duties. See ABA Standard 3.0(a) (duty violated impacts sanction determination). Taylor abandoned the grievants and did not ensure that other attorneys would provide the diligent, competent representation those clients were entitled to. And, per the special master's un rebutted finding, that abandonment and abdication of supervisory responsibility was knowing — with “conscious awareness of the nature or attendant circumstances of the conduct[.]” *Knowledge*, ABA Standards. See also ABA Standard 3.0(b) (mental state informs sanction determination).

Further, Taylor's misconduct caused at least some of his clients actual injury. See ABA Standard 3.0(c) (degree of actual or potential injury, ranging from “little or no” injury to “serious” injury, informs sanction determination). At least three clients received no refund for the several thousand dollars in fees they each paid Taylor's firm. And at least four clients had to obtain new representation — one spending \$10,000 to retain new counsel and another spending \$5,000 — on top of having to effectively restart litigating their cases.

See, e.g., *In the Matter of McCalep*, 318 Ga. 260, 269 (2024) (attorney injured grievants “due to the loss of funds they paid for services he did not provide, and the loss of their opportunities to hire competent and diligent lawyers to pursue their claims and defend their rights”). We regularly conclude that this sort of misconduct — abandoning even a single client after taking their money — is injurious. See, e.g., *In the Matter of Haklin*, 321 Ga. 530, 531–32 (2025) (disbarring attorney who injured single client by accepting \$2,300 fee and abandoning that client); *id.* at 532 (collecting cases disbarring attorneys who similarly injured and abandoned a single client and violated Rules 1.2, 1.3, and 1.4, along with aggravating factors like client vulnerability and attorney’s substantial professional experience).²⁰ So Taylor abandoned his clients, did so knowingly, and injured at least some of them in the process. The presumptive sanction is — at minimum — suspension. See ABA Standard 4.42

²⁰ Abandonment can itself be an injury when, for example, an adjudicative body makes some decision adverse to the client because of his attorney’s abandonment. See, e.g., *In the Matter of Blain*, 315 Ga. 475, 476 (2023) (disbarring attorney based in part on abandonment of client, which resulted in court dismissing client’s case with prejudice).

(suspension generally appropriate when attorney knowingly fails to perform services for client or engages in pattern of negligence and that misconduct causes “injury” or “potential injury”).

But that does not end the matter. Multiple aggravating factors, see ABA Standard 3.0(d), demonstrate that disbarment is warranted. The vulnerable nature of the victims of Taylor’s misconduct and the systemic nature of that misconduct are particularly aggravating. Regarding the victims’ vulnerability, Taylor continues to assert that he is effectively the victim of competitor attorneys’ unscrupulous use of *Lozada* through the grievances brought on behalf of his former clients. But that assertion appears entirely speculative and, as noted below, is largely beside the point. And it cannot be ignored that Taylor’s former clients appear to be legally unsophisticated parties whose uncertain immigration statuses rendered them particularly vulnerable and potentially less likely than other parties to pursue redress of attorney misfeasance through the State Bar grievance process. See, e.g., *In the Matter of Strang*, 322 Ga. 354, 358–59 (2025) (client’s

incarceration and indigency, among other things, aggravated misconduct and supported disbarment).

As to the pattern of Taylor's misconduct and his commission of multiple offenses, the record makes clear that ill-advised practices endemic to Taylor's firm fostered his failures of diligence, communication, and supervision in these matters.²¹ During the periods in question, Taylor led a practice of signing up large numbers of clients to be serviced by a firm with a modest number of attorneys, and he then exercised minimal, if any, oversight of how those clients' cases were handled. Taylor now concedes that, given the firm's rapid growth, the practices initially in place are now insufficient. Taylor's failure to attend to these matters — and his seeming indifference to the actual handling of client matters once the client paid the firm — exacerbate the severity of his misconduct. See, e.g., *In the Matter of Chin*, 322 Ga. 218, 231–33 (2025) (systematic misconduct in firm management and client fund

²¹ It is deeply ironic that one of these practices — filing an appeal without consulting the client — occurred in each of the appealed matters *except* for the one matter where the client actually requested an appeal.

administration, among other things, aggravated misconduct and supported disbarment). It is not merely Taylor's failure to supervise but his own failures of diligence, consultation, and communication, that justify his disbarment.

We acknowledge that in many cases resulting in disbarment, there is "serious" injury to the attorney's client or clients (often in the form of substantial monetary loss or materially worse case outcomes), one or more Rule 8.4(a)(4)²² violations, and total failure to engage with the disciplinary process.²³ In those matters,

²² Rule 8.4(a)(4) provides that it shall be a violation of the GRPC for a lawyer to "engage in professional conduct involving dishonesty, fraud, deceit or misrepresentation."

²³ See, e.g., *In the Matter of McGowan*, 322 Ga. 349, 352 (2025) (disbarring attorney who defaulted, abandoned client, violated Rule 8.4(a)(4), improperly retained \$30,000 of client's funds, and converted over \$17,000 of those funds to personal use, which forced client to "drain[] her savings account to pay her medical expenses"); *In the Matter of David-Vega*, 318 Ga. 600, 605–06 (2024) (disbarring attorney who defaulted, violated Rule 8.4(a)(4), failed to file client's lawsuit before statute of limitation expired); *In the Matter of Tuggle*, 319 Ga. 687, 690, 697–98 (2024) (attorney violated Rule 8.4(a)(4), among others, and abandoned two clients, one of whom spent nearly \$32,000 to set aside a default judgment imposed as result of attorney's abandonment); *In the Matter of Van Johnson*, 319 Ga. 627, 627–28, 631–32 (2024) (accepting voluntary surrender of license, tantamount to disbarment, from attorney who, among other things, forged client's signature to convert a \$47,000 settlement payment).

disbarment is typically presumed appropriate. See ABA Standards 4.41, 4.51 (disbarment presumptively warranted when failure of diligence or competence causes “serious injury” or “potentially serious injury”). Here, it is unclear whether Taylor’s misconduct caused his clients to face worse case outcomes, the State Bar did not charge Taylor with any Rule 8.4(a)(4) violations, and Taylor did not default in the disciplinary proceedings, so this is not the typical disbarment case.

Disbarment is nonetheless appropriate. In the first instance, the special master’s findings reflect that at least some of these clients suffered economic injury through the loss of thousands of dollars of unreturned unearned fees and the cost of hiring other representation. Moreover, injury to the client and the severity thereof is only one of several factors for determining the appropriate sanction for attorney misconduct. And we have never conditioned disbarment, much less a finding of injury to the client, on a showing that the client lost their case *because of* their attorney’s misconduct. Disbarment can be proper even when a client’s case has a low chance

of success from the start. Cf. *In the Matter of Jackson*, 321 Ga. 256, 258 (2025) (disbarring attorney whose abandonment precluded client from filing timely habeas petition); *Strang*, 322 Ga. at 357, 358–59 (noting attorney’s arguments about merits of clients’ cases but disbarring because attorney knowingly abandoned multiple clients and numerous aggravating factors outweighed absence of prior discipline). See also *In the Matter of Melnick*, 319 Ga. 730, 736 n.10, 739–40 (2024) (attorney’s argument — that Rule 1.3 and 1.4 violations did not harm client because she received a favorable outcome with another attorney — “reflect[ed] a lack of remorse”). In fact, disbarment is often warranted based on other harms, like financial harm, especially where (as here) an attorney causes such harm to multiple clients. See, e.g., *In the Matter of Greene*, 320 Ga. 527, 531 n.9 (2024) (noting that attorney’s abandonment may or may not have extended one client’s period of incarceration but still concluding disbarment was warranted when attorney abandoned three clients, two of whom paid at least \$10,000 in legal fees before being abandoned). Likewise, we have never held that finding that

an attorney violated Rule 8.4(a)(4) or defaulted in the disciplinary matter is necessary to support disbarment. See, e.g., *Haklin*, 321 Ga. at 531 (disbarring attorney who abandoned one client and failed to participate in disciplinary process but was not charged with violating Rule 8.4); *In the Matter of Briley-Holmes*, 304 Ga. 199, 208–09 (2018) (accepting voluntary surrender of license when attorney abandoned seven clients and caused serious injury). And while the record supports Taylor’s claim that medical issues affected his participation in the special master’s hearing, Taylor’s overall participation in the disciplinary process was — even if short of default — half-hearted at best and obstructive at worst. See, e.g., *In the Matter of Lain*, 311 Ga. 427, 427–28, 437–38 (2021) (misconduct aggravated by “failure to engage honestly in the disciplinary process” when attorney responded inadequately to State Bar’s discovery requests, resulting in multiple motions to compel, with which attorney did not comply). We therefore evaluate this disciplinary matter on the many facts and circumstances particular to this matter and outlined above. *In the Matter of Jones*, 298 Ga.

185, 187 (2015). The unique circumstances here do not change our conclusion that disbarment is appropriate considering the duties violated, the harm caused, and the aggravating factors.

We also acknowledge the lack of adequate comparator cases concerning Taylor's Rule 5.1 violations. See, e.g., *Melnick*, 319 Ga. at 740 (sanctions imposed in prior, similar cases can be useful in establishing a baseline comparison). But for the other violations — Rules 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2 — there is no shortage of precedent supporting disbarment for such misconduct. See, e.g., *In the Matter of Lemoine*, 322 Ga. 463, 463–64 (2025) (disbarring attorney for violating Rules 1.1, 1.2(a), 1.3, and 1.4(a), among others); *McCalep*, 318 Ga. at 269–70 (same). We are convinced that Taylor's direct failures of communication, consultation, and diligent and appropriate representation, exacerbated by his failures of supervision, support disbarment.²⁴ Taylor's Rule 5.1 violations,

²⁴ Given the special master's determination that Taylor was these clients' attorney — and thus owed them direct ethical obligations under the GRPC and was personally responsible for violating them — Taylor's argument regarding the Bar's failure to charge Rule 5.1(c) violations is unavailing. Disbarment is

despite the lack of direct comparator cases, simply bolster that conclusion.

Although we have concluded that disbarment is the appropriate sanction here, we note that our analysis departs from the Review Board's analysis in one notable respect. The Review Board's disbarment recommendation appears to be premised largely on Taylor's lack of remorse for his misconduct. Refusing to acknowledge the wrongful nature of one's conduct is a recognized aggravating factor, and one which certainly applies here: for example, even as late as oral argument on these matters, Taylor was reluctant to acknowledge his responsibility for the violations of Rule 5.1 (violations which he had already conceded in this Court). But we caution Special Masters and the State Disciplinary Review Board against overreading an attorney's refusal to admit guilt from the outset. Attorneys in disciplinary proceedings have the right, like all litigants, to advance good-faith, colorable arguments supporting

warranted based on *Taylor's* misconduct toward *his* clients, not because of anyone else's purported ethical violations.

their position. See *In the Matter of Meyers*, 302 Ga. 742, 745 (2017) (“[A] lawyer’s decision to put up a defense in a disciplinary proceeding ... is not always an aggravating factor that counsels imposition of harsher discipline.”). So refusing to admit guilt from the outset generally means the mitigating effect of showing remorse — one factor among many — is absent, not that the aggravating effect of refusing to “acknowledge [the] wrongful nature of [one’s] conduct” is present. See ABA Standards 9.22(g), 9.32(l).

Taylor has advanced numerous arguments that attempt to undermine the seriousness of these matters. He has argued, among other things, that his “ethical violations were not the proximate cause of the grievants’ removal orders,” that the grievants’ cases were “always doomed to fail,” and that the grievants’ new attorneys, alleged competitors of Taylor’s firm, filed the State Bar complaints to “hijack the disciplinary process to harass” Taylor. As to the underlying cases’ merits, we decline to deem Taylor’s culpability lessened based on his conjecture about his clients’ chances of success. It would require us to speculate on merits issues based only

on a limited record and Taylor's characterization²⁵ of those matters. Also, as noted above, Taylor's misconduct clearly caused injury apart from the underlying cases' outcomes. And regardless, the existence and degree of injury is only one factor in determining the proper sanction for attorney misconduct. We agree with the Bar that these proceedings properly focus on Taylor's failure to fulfill his professional obligations, not the underlying cases' merit.

Taylor has also consistently attempted to cast his mishandling of the underlying client matters as resulting primarily from the peculiarities of immigration court practice, especially the practice of limited representation.²⁶ Because it is unnecessary to resolve this matter, we decline to set out any general guidelines regarding how

²⁵ We need not and do not express any opinion here about the propriety of charging several thousands of dollars to file documents that contain, in the attorney's opinion, no chance of success other than in delay of the proceedings. But we are not willing to accept the premise that an attorney representing a client who lacks meritorious claims is freed of the duties to communicate and otherwise provide professional services.

²⁶ In his exceptions filed in this Court, Taylor cites a 2022 amendment to the EOIR rules which he says altered immigration-court practice to allow attorneys to enter appearances to provide limited services. But the relevant facts in these matters apparently all occurred *before* the rule's promulgation.

considerations like a firm's size and practice area may bear on the issues that have arisen here. Instead, we reiterate that a disciplinary inquiry in circumstances like these properly focuses on whether a firm has adequately discharged its obligations to its clients. And a firm's structure and management practices do not relieve individual attorneys who have appeared as counsel of record of their responsibility for their clients.

Concerning Taylor's claim that competitor attorneys brought these grievances for improper reasons, we reiterate our admonition that "weaponization of the disciplinary process must not be encouraged." *In the Matter of Cook*, 311 Ga. 206, 215 (2021). But whatever reasons may have prompted the underlying grievances, these matters should stand or fall on their own merits — especially given Taylor's acknowledgment that he violated the lawyer supervision Rules and his failure to rebut the special master's determination that he was responsible for these clients and personally violated Rules 1.1, 1.2(a), 1.3, 1.4(a), 1.16(d), and 3.2. In

short, Taylor's arguments largely miss the point and do not change our conclusion that disbarment is proper.

5. Imposition of Discipline

Accordingly, it is hereby ordered that Christopher Casey Taylor be removed from the rolls of persons authorized to practice law in the State of Georgia. Taylor is reminded of his duties under Bar Rule 4-219(b).

Disbarred. All the Justices concur.

Decided December 23, 2025.

Disbarment.

Russell D. Willard, General Counsel State Bar, William V. Hearnburg, Jr., Andreea N. Morrison, Assistant General Counsel State Bar, for State Bar of Georgia.

Taylor Lee & Associates, Jerome Lee, for Taylor.



Disciplinary Counsel

U.S. Department of Justice

Executive Office for Immigration Review

Office of the General Counsel

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

RECEIVED

April 1, 2026

APR 09 2026

CHIEF Disciplinary Counsel
State Bar of Texas

By: _____

State Bar of Texas
Chief Disciplinary Counsel's Office
P.O. Box 13287
Austin, Texas 78711

Re: Christopher Casey Taylor

To Whom It May Concern:

Enclosed please find an order from the Board of Immigration Appeals disbaring Christopher Casey Taylor as reciprocal discipline for his disbarment in Georgia.

Sincerely,

L. Allison Minor
Legal Administrative Specialist
Executive Office for Immigration Review

NOT FOR PUBLICATION

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

MATTER OF:

Christopher Casey TAYLOR, D2026-0004

Respondent

FILED

FEB 27 2026

ON BEHALF OF EOIR: Catherine M. O'Connell, Disciplinary Counsel

ON BEHALF OF DHS: Amy S. Paulick, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS
Notice of Intent to Discipline Before the Board of Immigration Appeals

Before: Malphrus, Chief Appellate Immigration Judge; Creppy, Appellate Immigration Judge;
Mullane, Appellate Immigration Judge

Opinion by Creppy, Appellate Immigration Judge

CREPPY, Appellate Immigration Judge

The respondent will be disbarred from the practice of law before the Board of Immigration Appeals, the Immigration Court, and the Department of Homeland Security ("DHS").

On December 23, 2025, the Supreme Court of Georgia issued a final order disbarring the respondent from the practice of law in Georgia, effective immediately. On January 13, 2026, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("DHS") filed a Joint Notice of Intent to Discipline ("NID"), as well as a Joint Petition for Immediate Suspension, based upon the respondent's disbarment in Georgia.

Because the time for filing an answer to the NID has passed, we need not rule on the Joint Petition for Immediate Suspension that sought to suspend the respondent until imposition of the final administrative decision in this matter. This order serves as the final administrative decision in the respondent's disciplinary proceedings.

The respondent was required to file a timely answer to the allegations contained in the NID but has failed to do so. See 8 C.F.R. § 1003.105(c). The respondent's failure to file a response within the time prescribed in the NID constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(1).

The NID proposes that the respondent be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Because the respondent has failed to file

an answer, the regulations direct us to adopt the proposed sanction contained in the NID unless there are considerations that compel us to diverge from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate considering the respondent's disbarment from the practice of law in Georgia. We will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. *See* 8 C.F.R. § 1003.105(d)(2).

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS. The disbarment will commence 15 days after the date of this order. *See* 8 C.F.R. § 1003.105(d)(2).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been disbarred from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

FURTHER ORDER: The respondent is instructed to notify the Board of any further disciplinary action against him.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of the DHS.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.

U.S. Department of Justice
Executive Office for Immigration Review
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CHIEF Disciplinary Counsel
State Bar of Texas

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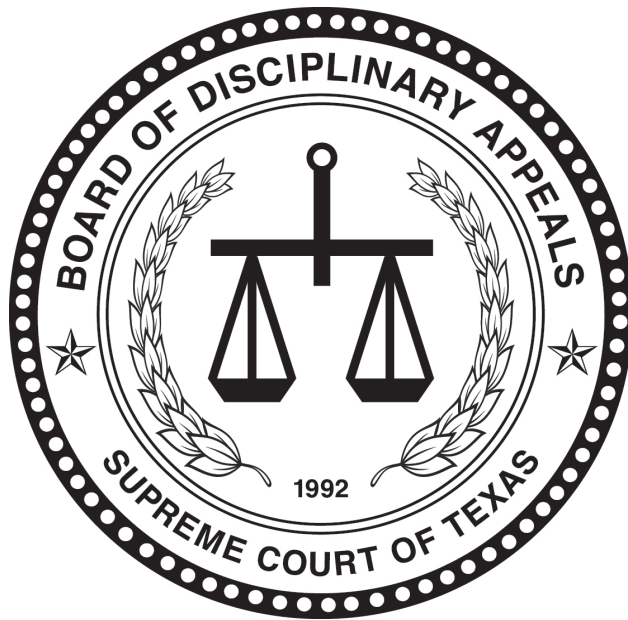
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THE BOARD *of* DISCIPLINARY APPEALS
APPOINTED BY THE SUPREME COURT *of* TEXAS



INTERNAL PROCEDURAL RULES
(EFFECTIVE SEPTEMBER 24, 2024)



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INTERNAL PROCEDURAL RULES

BOARD OF DISCIPLINARY APPEALS

Current through September 24, 2024

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INTERNAL PROCEDURAL RULES

Board of Disciplinary Appeals

Current through September 24, 2024

I. GENERAL PROVISIONS

Rule 1.01. Definitions

- (a) “BODA” is the Board of Disciplinary Appeals.
- (b) “Chair” is the member elected by BODA to serve as chair or, in the Chair’s absence, the member elected by BODA to serve as vice-chair.
- (c) “Classification” is the determination by the CDC under TRDP 2.10 or by BODA under TRDP 7.08(C) whether a grievance constitutes a “complaint” or an “inquiry.”
- (d) “BODA Clerk” is the executive director of BODA or other person appointed by BODA to assume all duties normally performed by the clerk of a court.
- (e) “CDC” is the Chief Disciplinary Counsel for the State Bar of Texas and his or her assistants.
- (f) “Commission” is the Commission for Lawyer Discipline, a permanent committee of the State Bar of Texas.
- (g) “Executive Director” is the executive director of BODA.
- (h) “Panel” is any three-member grouping of BODA under TRDP 7.05.
- (i) “Party” is a Complainant, a Respondent, or the Commission.
- (j) “TDRPC” is the Texas Disciplinary Rules of Professional Conduct.
- (k) “TRAP” is the Texas Rules of Appellate Procedure.
- (l) “TRCP” is the Texas Rules of Civil Procedure.
- (m) “TRDP” is the Texas Rules of Disciplinary Procedure.
- (n) “TRE” is the Texas Rules of Evidence.

Rule 1.02. General Powers

Under TRDP 7.08, BODA has and may exercise all the powers of either a trial court or an appellate court, as the case may be, in hearing and determining disciplinary proceedings. But TRDP 15.01 [17.01] applies to the enforcement of a judgment of BODA.

Rule 1.03. Additional Rules in Disciplinary Matters

Except as varied by these rules and to the extent applicable, the TRCP, TRAP, and TRE apply to all disciplinary matters before BODA, except for appeals from classification decisions, which are governed by TRDP 2.10 and by Section 3 of these rules.

Rule 1.04. Appointment of Panels

- (a) BODA may consider any matter or motion by panel,

except as specified in (b). The Chair may delegate to the Executive Director the duty to appoint a panel for any BODA action. Decisions are made by a majority vote of the panel; however, any panel member may refer a matter for consideration by BODA sitting en banc. Nothing in these rules gives a party the right to be heard by BODA sitting en banc.

- (b) Any disciplinary matter naming a BODA member as Respondent must be considered by BODA sitting en banc. A disciplinary matter naming a BODA staff member as Respondent need not be heard en banc.

- (c) BODA may, upon decision of the Chair, conduct any business or proceedings—including any hearing, pretrial conference, or consideration of any matter or motion—remotely.

Rule 1.05. Filing of Pleadings, Motions, and Other Papers

- (a) **Electronic Filing.** All documents must be filed electronically. Unrepresented persons or those without the means to file electronically may electronically file documents, but it is not required.

- (1) Email Address. The email address of an attorney or an unrepresented party who electronically files a document must be included on the document.

- (2) Timely Filing. Documents are filed electronically by emailing the document to the BODA Clerk at the email address designated by BODA for that purpose. A document filed by email will be considered filed the day that the email is sent. The date sent is the date shown for the message in the inbox of the email account designated for receiving filings. If a document is sent after 5:00 p.m. or on a weekend or holiday officially observed by the State of Texas, it is considered filed the next business day.

- (3) It is the responsibility of the party filing a document by email to obtain the correct email address for BODA and to confirm that the document was received by BODA in legible form. Any document that is illegible or that cannot be opened as part of an email attachment will not be considered filed. If a document is untimely due to a technical failure or a system outage, the filing party may seek appropriate relief from BODA.

- (4) Exceptions.

- (i) An appeal to BODA of a decision by the CDC to classify a grievance as an inquiry or a complaint is not required to be filed electronically.

- (ii) The following documents must not be filed electronically:

- a) documents that are filed under seal or subject to a pending motion to seal; and

- b) documents to which access is otherwise restricted by court order.

(iii) For good cause, BODA may permit a party to file other documents in paper form in a particular case.

(5) **Format.** An electronically filed document must:

(i) be in text-searchable portable document format (PDF);

(ii) be directly converted to PDF rather than scanned, if possible; and

(iii) not be locked.

(b) A paper will not be deemed filed if it is sent to an individual BODA member or to another address other than the address designated by BODA under Rule 1.05(a)(2).

(c) **Signing.** Each brief, motion, or other paper filed must be signed by at least one attorney for the party or by the party pro se and must give the State Bar of Texas card number, mailing address, telephone number, email address, and fax number, if any, of each attorney whose name is signed or of the party (if applicable). A document is considered signed if the document includes:

(1) an “/s/” and name typed in the space where the signature would otherwise appear, unless the document is notarized or sworn; or

(2) an electronic image or scanned image of the signature.

(d) **Paper Copies.** Unless required by BODA, a party need not file a paper copy of an electronically filed document.

(e) **Service.** Copies of all documents filed by any party other than the record filed by the evidentiary panel clerk or the court reporter must, at or before the time of filing, be served on all other parties as required and authorized by the TRAP.

Rule 1.06. Service of Petition

In any disciplinary proceeding before BODA initiated by service of a petition on the Respondent, the petition must be served by personal service; by certified mail with return receipt requested; or, if permitted by BODA, in any other manner that is authorized by the TRCP and reasonably calculated under all the circumstances to apprise the Respondent of the proceeding and to give him or her reasonable time to appear and answer. To establish service by certified mail, the return receipt must contain the Respondent’s signature.

Rule 1.07. Hearing Setting and Notice

(a) **Original Petitions.** In any kind of case initiated by the CDC’s filing a petition or motion with BODA, the CDC may contact the BODA Clerk for the next regularly available hearing date before filing the original petition. If a hearing is set before the petition is filed, the petition must state the date, time, and place of the hearing. Except in the case of a petition to revoke probation under TRDP 2.23 [2.22], the hearing date must be at least 30 days from the date that the petition is served on the Respondent.

(b) **Expedited Settings.** If a party desires a hearing on a matter on a date earlier than the next regularly available BODA hearing date, the party may request an expedited setting in a written motion setting out the reasons for the request. Unless the parties agree otherwise, and except in the case of a petition to revoke probation under TRDP 2.23 [2.22], the expedited hearing setting must be at least 30 days from the date of service of the petition, motion, or other pleading. BODA has the sole discretion to grant or deny a request for an expedited hearing date.

(c) **Setting Notices.** BODA must notify the parties of any hearing date that is not noticed in an original petition or motion.

(d) **Announcement Docket.** Attorneys and parties appearing before BODA must confirm their presence and present any questions regarding procedure to the BODA Clerk in the courtroom immediately prior to the time docket call is scheduled to begin. Each party with a matter on the docket must appear at the docket call to give an announcement of readiness, to give a time estimate for the hearing, and to present any preliminary motions or matters. Immediately following the docket call, the Chair will set and announce the order of cases to be heard.

Rule 1.08. Time to Answer

The Respondent may file an answer at any time, except where expressly provided otherwise by these rules or the TRDP, or when an answer date has been set by prior order of BODA. BODA may, but is not required to, consider an answer filed the day of the hearing.

Rule 1.09. Pretrial Procedure

(a) **Motions.**

(1) Generally. To request an order or other relief, a party must file a motion supported by sufficient cause with proof of service on all other parties. The motion must state with particularity the grounds on which it is based and set forth the relief sought. All supporting briefs, affidavits, or other documents must be served and filed with the motion. A party may file a response to a motion at any time before BODA rules on the motion or by any deadline set by BODA. Unless otherwise required by these rules or the TRDP, the form of a motion must comply with the TRCP or the TRAP.

(2) For Extension of Time. All motions for extension of time in any matter before BODA must be in writing, comply with (a)(1), and specify the following:

(i) if applicable, the date of notice of decision of the evidentiary panel, together with the number and style of the case;

(ii) if an appeal has been perfected, the date when the appeal was perfected;

(iii) the original deadline for filing the item in question;

(iv) the length of time requested for the extension;

(v) the number of extensions of time that have been granted previously regarding the item in question; and

(vi) the facts relied on to reasonably explain the need for an extension.

(b) **Pretrial Scheduling Conference.** Any party may request a pretrial scheduling conference, or BODA on its own motion may require a pretrial scheduling conference.

(c) **Trial Briefs.** In any disciplinary proceeding before BODA, except with leave, all trial briefs and memoranda must be filed with the BODA Clerk no later than ten days before the day of the hearing.

(d) **Hearing Exhibits, Witness Lists, and Exhibits Tendered for Argument.** A party may file a witness list, exhibit, or any other document to be used at a hearing or oral argument before the hearing or argument. A party must bring to the hearing an original and 12 copies of any document that was not filed at least one business day before the hearing. The original and copies must be:

(1) marked;

(2) indexed with the title or description of the item offered as an exhibit; and

(3) if voluminous, bound to lie flat when open and tabbed in accordance with the index.

All documents must be marked and provided to the opposing party before the hearing or argument begins.

Rule 1.10. Decisions

(a) **Notice of Decisions.** The BODA Clerk must give notice of all decisions and opinions to the parties or their attorneys of record.

(b) **Publication of Decisions.** BODA must report judgments or orders of public discipline:

(1) as required by the TRDP; and

(2) on its website for a period of at least ten years following the date of the disciplinary judgment or order.

(c) **Abstracts of Classification Appeals.** BODA may, in its discretion, prepare an abstract of a classification appeal for a public reporting service.

Rule 1.11. Board of Disciplinary Appeals Opinions

(a) BODA may render judgment in any disciplinary matter with or without written opinion. In accordance with TRDP 6.06, all written opinions of BODA are open to the public and must be made available to the public reporting services, print or electronic, for publishing. A majority of the members who participate in considering the disciplinary matter must determine if an opinion will be written. The names of the participating members must be noted on all written opinions of BODA.

(b) Only a BODA member who participated in the

decision of a disciplinary matter may file or join in a written opinion concurring in or dissenting from the judgment of BODA. For purposes of this rule, in hearings in which evidence is taken, no member may participate in the decision unless that member was present at the hearing. In all other proceedings, no member may participate unless that member has reviewed the record. Any member of BODA may file a written opinion in connection with the denial of a hearing or rehearing en banc.

(c) A BODA determination in an appeal from a grievance classification decision under TRDP 2.10 is not a judgment for purposes of this rule and may be issued without a written opinion.

Rule 1.12. BODA Work Product and Drafts

A document or record of any nature—regardless of its form, characteristics, or means of transmission—that is created or produced in connection with or related to BODA's adjudicative decision-making process is not subject to disclosure or discovery. This includes documents prepared by any BODA member, BODA staff, or any other person acting on behalf of or at the direction of BODA.

Rule 1.13. Record Retention

Records of appeals from classification decisions must be retained by the BODA Clerk for a period of at least three years from the date of disposition. Records of other disciplinary matters must be retained for a period of at least five years from the date of final judgment, or for at least one year after the date a suspension or disbarment ends, whichever is later. For purposes of this rule, a record is any document, paper, letter, map, book, tape, photograph, film, recording, or other material filed with BODA, regardless of its form, characteristics, or means of transmission.

Rule 1.14. Costs of Reproduction of Records

The BODA Clerk may charge a reasonable amount for the reproduction of nonconfidential records filed with BODA. The fee must be paid in advance to the BODA Clerk.

Rule 1.15. Publication of These Rules

These rules will be published as part of the TDRPC and TRDP.

II. ETHICAL CONSIDERATIONS

Rule 2.01. Representing or Counseling Parties in Disciplinary Matters and Legal Malpractice Cases

(a) A current member of BODA must not represent a party or testify voluntarily in a disciplinary action or proceeding. Any BODA member who is subpoenaed or otherwise compelled to appear at a disciplinary action or proceeding, including at a deposition, must promptly notify the BODA Chair.

(b) A current BODA member must not serve as an expert witness on the TDRPC.

(c) A BODA member may represent a party in a legal

malpractice case, provided that he or she is later recused in accordance with these rules from any proceeding before BODA arising out of the same facts.

Rule 2.02. Confidentiality

(a) BODA deliberations are confidential, must not be disclosed by BODA members or staff, and are not subject to disclosure or discovery.

(b) Classification appeals, appeals from evidentiary judgments of private reprimand, appeals from an evidentiary judgment dismissing a case, interlocutory appeals or any interim proceedings from an ongoing evidentiary case, and disability cases are confidential under the TRDP. BODA must maintain all records associated with these cases as confidential, subject to disclosure only as provided in the TRDP and these rules.

(c) If a member of BODA is subpoenaed or otherwise compelled by law to testify in any proceeding, the member must not disclose a matter that was discussed in conference in connection with a disciplinary case unless the member is required to do so by a court of competent jurisdiction

Rule 2.03. Disqualification and Recusal of BODA Members

(a) BODA members are subject to disqualification and recusal as provided in TRCP 18b.

(b) BODA members may, in addition to recusals under (a), voluntarily recuse themselves from any discussion and voting for any reason. The reasons that a BODA member is recused from a case are not subject to discovery.

(c) These rules do not disqualify a lawyer who is a member of, or associated with, the law firm of a BODA member from serving on a grievance committee or representing a party in a disciplinary proceeding or legal malpractice case. But a BODA member must recuse him or herself from any matter in which a lawyer who is a member of, or associated with, the BODA member's firm is a party or represents a party.

III. CLASSIFICATION APPEALS

Rule 3.01. Notice of Right to Appeal

(a) If a grievance filed by the Complainant under TRDP 2.10 is classified as an inquiry, the CDC must notify the Complainant of his or her right to appeal as set out in TRDP 2.10 or another applicable rule. If a grievance is classified as a complaint, the CDC must notify both the Complainant and the Respondent of the Respondent's right to appeal as set out in TRDP 2.10 or another applicable rule.

(b) To facilitate the potential filing of an appeal of a grievance classified as an inquiry, the CDC must send the Complainant an appeal notice form, approved by BODA, with the classification disposition. For a grievance classified as a complaint, the CDC must send the Respondent an appeal notice form, approved by BODA, with notice of the classification disposition. The form must

include the docket number of the matter; the deadline for appealing; and information for mailing, faxing, or emailing the appeal notice form to BODA. The appeal notice form must be available in English and Spanish.

Rule 3.02. Record on Appeal

BODA must not consider documents or other submissions that the Complainant or Respondent filed with the CDC or BODA after the CDC's classification. When a notice of appeal from a classification decision has been filed, the CDC must forward to BODA a copy of the grievance and all supporting documentation. If the appeal challenges the classification of an amended grievance, the CDC must also send BODA a copy of the initial grievance, unless it has been destroyed.

Rule 3.03. Disposition of Classification Appeal

(a) BODA may decide a classification appeal by doing any of the following:

(1) affirm the CDC's classification of the grievance as an inquiry and the dismissal of the grievance;

(2) reverse the CDC's classification of the grievance as an inquiry, reclassify the grievance as a complaint, and return the matter to the CDC for investigation, just cause determination, and further proceedings in accordance with the TRDP;

(3) affirm the CDC's classification of the grievance as a complaint and return the matter to the CDC to proceed with investigation, just cause determination, and further proceedings in accordance with the TRDP; or

(4) reverse the CDC's classification of the grievance as a complaint, reclassify the grievance as an inquiry, and dismiss the grievance.

(b) When BODA reverses the CDC's inquiry classification and reclassifies a grievance as a complaint, BODA must reference any provisions of the TDRPC under which BODA concludes professional misconduct is alleged. When BODA affirms the CDC's complaint classification, BODA may reference any provisions of the TDRPC under which BODA concludes professional misconduct is alleged. The scope of investigation will be determined by the CDC in accordance with TRDP 2.12.

(c) BODA's decision in a classification appeal is final and conclusive, and such decision is not subject to appeal or reconsideration.

(d) A classification appeal decision under (a)(1) or (4), which results in dismissal, has no bearing on whether the Complainant may amend the grievance and resubmit it to the CDC under TRDP 2.10.

IV. APPEALS FROM EVIDENTIARY PANEL HEARINGS

Rule 4.01. Perfecting Appeal

(a) **Appellate Timetable.** The date that the evidentiary

judgment is signed starts the appellate timetable under this section. To make TRDP 2.21 [2.20] consistent with this requirement, the date that the judgment is signed is the “date of notice” under Rule [TRDP] 2.21 [2.20].

(b) Notification of the Evidentiary Judgment. The clerk of the evidentiary panel must notify the parties of the judgment as set out in TRDP 2.21 [2.20].

(1) The evidentiary panel clerk must notify the Commission and the Respondent in writing of the judgment. The notice must contain a clear statement that any appeal of the judgment must be filed with BODA within 30 days of the date that the judgment was signed. The notice must include a copy of the judgment rendered.

(2) The evidentiary panel clerk must notify the Complainant that a judgment has been rendered and provide a copy of the judgment, unless the evidentiary panel dismissed the case or imposed a private reprimand. In the case of a dismissal or private reprimand, the evidentiary panel clerk must notify the Complainant of the decision and that the contents of the judgment are confidential. Under TRDP 2.16, no additional information regarding the contents of a judgment of dismissal or private reprimand may be disclosed to the Complainant.

(c) Filing Notice of Appeal. An appeal is perfected when a written notice of appeal is filed with BODA. If a notice of appeal and any other accompanying documents are mistakenly filed with the evidentiary panel clerk, the notice is deemed to have been filed the same day with BODA, and the evidentiary panel clerk must immediately send the BODA Clerk a copy of the notice and any accompanying documents.

(d) Time to File. In accordance with TRDP 2.24 [2.23], the notice of appeal must be filed within 30 days after the date the judgment is signed. In the event a motion for new trial or motion to modify the judgment is timely filed with the evidentiary panel, the notice of appeal must be filed with BODA within 90 days from the date the judgment is signed.

(e) Extension of Time. A motion for an extension of time to file the notice of appeal must be filed no later than 15 days after the last day allowed for filing the notice of appeal. The motion must comply with Rule 1.09.

Rule 4.02. Record on Appeal

(a) Contents. The record on appeal consists of the evidentiary panel clerk’s record and, where necessary to the appeal, a reporter’s record of the evidentiary panel hearing.

(b) Stipulation as to Record. The parties may designate parts of the clerk’s record and the reporter’s record to be included in the record on appeal by written stipulation filed with the clerk of the evidentiary panel.

(c) Responsibility for Filing Record.

(1) Clerk’s Record.

(i) After receiving notice that an appeal has been filed, the clerk of the evidentiary panel is responsible for preparing, certifying, and timely filing the clerk’s record.

(ii) Unless the parties stipulate otherwise, the clerk’s record on appeal must contain the items listed in TRAP 34.5(a) and any other paper on file with the evidentiary panel, including the election letter, all pleadings on which the hearing was held, the docket sheet, the evidentiary panel’s charge, any findings of fact and conclusions of law, all other pleadings, the judgment or other orders appealed from, the notice of decision sent to each party, any postsubmission pleadings and briefs, and the notice of appeal.

(iii) If the clerk of the evidentiary panel is unable for any reason to prepare and transmit the clerk’s record by the due date, he or she must promptly notify BODA and the parties, explain why the clerk’s record cannot be timely filed, and give the date by which he or she expects the clerk’s record to be filed.

(2) Reporter’s Record.

(i) The court reporter for the evidentiary panel is responsible for timely filing the reporter’s record if:

- a) a notice of appeal has been filed;
- b) a party has requested that all or part of the reporter’s record be prepared; and
- c) the party requesting all or part of the reporter’s record has paid the reporter’s fee or has made satisfactory arrangements with the reporter.

(ii) If the court reporter is unable for any reason to prepare and transmit the reporter’s record by the due date, he or she must promptly notify BODA and the parties, explain the reasons why the reporter’s record cannot be timely filed, and give the date by which he or she expects the reporter’s record to be filed.

(d) Preparation of Clerk’s Record.

(1) To prepare the clerk’s record, the evidentiary panel clerk must:

- (i) gather the documents designated by the parties’ written stipulation or, if no stipulation was filed, the documents required under (c)(1)(ii);
- (ii) start each document on a new page;
- (iii) include the date of filing on each document;
- (iv) arrange the documents in chronological order, either by the date of filing or the date of occurrence;
- (v) number the pages of the clerk’s record in the manner required by (d)(2);

(vi) prepare and include, after the front cover of the clerk's record, a detailed table of contents that complies with (d)(3); and

(vii) certify the clerk's record.

(2) The clerk must start the page numbering on the front cover of the first volume of the clerk's record and continue to number all pages consecutively—including the front and back covers, tables of contents, certification page, and separator pages, if any—until the final page of the clerk's record, without regard for the number of volumes in the clerk's record, and place each page number at the bottom of each page.

(3) The table of contents must:

(i) identify each document in the entire record (including sealed documents); the date each document was filed; and, except for sealed documents, the page on which each document begins;

(ii) be double-spaced;

(iii) conform to the order in which documents appear in the clerk's record, rather than in alphabetical order;

(iv) contain bookmarks linking each description in the table of contents (except for descriptions of sealed documents) to the page on which the document begins; and

(v) if the record consists of multiple volumes, indicate the page on which each volume begins.

(e) **Electronic Filing of the Clerk's Record.** The evidentiary panel clerk must file the record electronically. When filing a clerk's record in electronic form, the evidentiary panel clerk must:

(1) file each computer file in text-searchable Portable Document Format (PDF);

(2) create electronic bookmarks to mark the first page of each document in the clerk's record;

(3) limit the size of each computer file to 100 MB or less, if possible; and

(4) directly convert, rather than scan, the record to PDF, if possible.

(f) **Preparation of the Reporter's Record.**

(1) The appellant, at or before the time prescribed for perfecting the appeal, must make a written request for the reporter's record to the court reporter for the evidentiary panel. The request must designate the portion of the evidence and other proceedings to be included. A copy of the request must be filed with the evidentiary panel and BODA and must be served on the appellee. The reporter's record must be certified by the court reporter for the evidentiary panel.

(2) The court reporter or recorder must prepare and file the reporter's record in accordance with TRAP 34.6 and

35 and the Uniform Format Manual for Texas Reporters' Records.

(3) The court reporter or recorder must file the reporter's record in an electronic format by emailing the document to the email address designated by BODA for that purpose.

(4) The court reporter or recorder must include either a scanned image of any required signature or "/s/" and name typed in the space where the signature would otherwise

(6¹) In exhibit volumes, the court reporter or recorder must create bookmarks to mark the first page of each exhibit document.

(g) **Other Requests.** At any time before the clerk's record is prepared, or within ten days after service of a copy of appellant's request for the reporter's record, any party may file a written designation requesting that additional exhibits and portions of testimony be included in the record. The request must be filed with the evidentiary panel and BODA and must be served on the other party.

(h) **Inaccuracies or Defects.** If the clerk's record is found to be defective or inaccurate, the BODA Clerk must inform the clerk of the evidentiary panel of the defect or inaccuracy and instruct the clerk to make the correction. Any inaccuracies in the reporter's record may be corrected by agreement of the parties without the court reporter's recertification. Any dispute regarding the reporter's record that the parties are unable to resolve by agreement must be resolved by the evidentiary panel.

(i) **Appeal from Private Reprimand.** Under TRDP 2.16, in an appeal from a judgment of private reprimand, BODA must mark the record as confidential, remove the attorney's name from the case style, and take any other steps necessary to preserve the confidentiality of the private reprimand.

¹ So in original.

Rule 4.03. Time to File Record

(a) **Timetable.** The clerk's record and reporter's record must be filed within 60 days after the date the judgment is signed. If a motion for new trial or motion to modify the judgment is filed with the evidentiary panel, the clerk's record and the reporter's record must be filed within 120 days from the date the original judgment is signed, unless a modified judgment is signed, in which case the clerk's record and the reporter's record must be filed within 60 days of the signing of the modified judgment. Failure to file either the clerk's record or the reporter's record on time does not affect BODA's jurisdiction, but may result in BODA's exercising its discretion to dismiss the appeal, affirm the judgment appealed from, disregard materials filed late, or apply presumptions against the appellant.

(b) **If No Record Filed.**

(1) If the clerk's record or reporter's record has not been

timely filed, the BODA Clerk must send notice to the party responsible for filing it, stating that the record is late and requesting that the record be filed within 30 days. The BODA Clerk must send a copy of this notice to all the parties and the clerk of the evidentiary panel.

(2) If no reporter's record is filed due to appellant's fault, and if the clerk's record has been filed, BODA may, after first giving the appellant notice and a reasonable opportunity to cure, consider and decide those issues or points that do not require a reporter's record for a decision. BODA may do this if no reporter's record has been filed because:

- (i) the appellant failed to request a reporter's record; or
- (ii) the appellant failed to pay or make arrangements to pay the reporter's fee to prepare the reporter's record, and the appellant is not entitled to proceed without payment of costs.

(c) Extension of Time to File the Reporter's Record.

When an extension of time is requested for filing the reporter's record, the facts relied on to reasonably explain the need for an extension must be supported by an affidavit of the court reporter. The affidavit must include the court reporter's estimate of the earliest date when the reporter's record will be available for filing.

(d) Supplemental Record. If anything material to either party is omitted from the clerk's record or reporter's record, BODA may, on written motion of a party or on its own motion, direct a supplemental record to be certified and transmitted by the clerk for the evidentiary panel or the court reporter for the evidentiary panel.

Rule 4.04. Copies of the Record

The record may not be withdrawn from the custody of the BODA Clerk. Any party may obtain a copy of the record or any designated part thereof by making a written request to the BODA Clerk and paying any charges for reproduction in advance.

Rule 4.05. Requisites of Briefs

(a) Appellant's Filing Date. Appellant's brief must be filed within 30 days after the clerk's record or the reporter's record is filed, whichever is later.

(b) Appellee's Filing Date. Appellee's brief must be filed within 30 days after the appellant's brief is filed.

(c) Contents. Briefs must contain:

- (1) a complete list of the names and addresses of all parties to the final decision and their counsel;
- (2) a table of contents indicating the subject matter of each issue or point, or group of issues or points, with page references where the discussion of each point relied on may be found;
- (3) an index of authorities arranged alphabetically and

indicating the pages where the authorities are cited;

(4) a statement of the case containing a brief general statement of the nature of the cause or offense and the result;

(5) a statement, without argument, of the basis of BODA's jurisdiction;

(6) a statement of the issues presented for review or points of error on which the appeal is predicated;

(7) a statement of facts that is without argument, is supported by record references, and details the facts relating to the issues or points relied on in the appeal;

(8) the argument and authorities;

(9) conclusion and prayer for relief;

(10) a certificate of service; and

(11) an appendix of record excerpts pertinent to the issues presented for review.

(d) Length of Briefs; Contents Included and Excluded.

In calculating the length of a document, every word and every part of the document, including headings, footnotes, and quotations, must be counted except the following: caption, identity of the parties and counsel, statement regarding oral argument, table of contents, index of authorities, statement of the case, statement of issues presented, statement of the jurisdiction, signature, proof of service, certificate of compliance, and appendix. Briefs must not exceed 15,000 words if computer-generated, and 50 pages if not, except on leave of BODA. A reply brief must not exceed 7,500 words if computer-generated, and 25 pages if not, except on leave of BODA. A computer generated document must include a certificate by counsel or the unrepresented party stating the number of words in the document. The person who signs the certification may rely on the word count of the computer program used to prepare the document.

(e) Amendment or Supplementation. BODA has discretion to grant leave to amend or supplement briefs.

(f) Failure of the Appellant to File a Brief. If the appellant fails to timely file a brief, BODA may:

- (1) dismiss the appeal for want of prosecution, unless the appellant reasonably explains the failure, and the appellee is not significantly injured by the appellant's failure to timely file a brief;
- (2) decline to dismiss the appeal and make further orders within its discretion as it considers proper; or
- (3) if an appellee's brief is filed, regard that brief as correctly presenting the case and affirm the evidentiary panel's judgment on that brief without examining the record.

Rule 4.06. Oral Argument

(a) Request. A party desiring oral argument must note the

request on the front cover of the party's brief. A party's failure to timely request oral argument waives the party's right to argue. A party who has requested argument may later withdraw the request. But even if a party has waived oral argument, BODA may direct the party to appear and argue. If oral argument is granted, the clerk will notify the parties of the time and place for submission.

(b) **Right to Oral Argument.** A party who has filed a brief and who has timely requested oral argument may argue the case to BODA unless BODA, after examining the briefs, decides that oral argument is unnecessary for any of the following reasons:

- (1) the appeal is frivolous;
- (2) the dispositive issue or issues have been authoritatively decided;
- (3) the facts and legal arguments are adequately presented in the briefs and record; or
- (4) the decisional process would not be significantly aided by oral argument.

(c) **Time Allowed.** Each party will have 20 minutes to argue. BODA may, on the request of a party or on its own, extend or shorten the time allowed for oral argument. The appellant may reserve a portion of his or her allotted time for rebuttal.

Rule 4.07. Decision and Judgment

(a) **Decision.** BODA may do any of the following:

- (1) affirm in whole or in part the decision of the evidentiary panel;
- (2) modify the panel's findings and affirm the findings as modified;
- (3) reverse in whole or in part the panel's findings and render the decision that the panel should have rendered; or
- (4) reverse the panel's findings and remand the cause for further proceedings to be conducted by:
 - (i) the panel that entered the findings; or
 - (ii) a statewide grievance committee panel appointed by BODA and composed of members selected from the state bar districts other than the district from which the appeal was taken.

(b) **Mandate.** In every appeal, the BODA Clerk must issue a mandate in accordance with BODA's judgment and send it to the evidentiary panel and to all the parties.

Rule 4.08. Appointment of Statewide Grievance Committee

If BODA remands a cause for further proceedings before a statewide grievance committee, the BODA Chair will appoint the statewide grievance committee in accordance with TRDP 2.27 [2.26]. The committee must consist of six members: four attorney members and two public members

randomly selected from the current pool of grievance committee members. Two alternates, consisting of one attorney and one public member, must also be selected. BODA will appoint the initial chair who will serve until the members of the statewide grievance committee elect a chair of the committee at the first meeting. The BODA Clerk will notify the Respondent and the CDC that a committee has been appointed.

Rule 4.09. Involuntary Dismissal

Under the following circumstances and on any party's motion or on its own initiative after giving at least ten days' notice to all parties, BODA may dismiss the appeal or affirm the appealed judgment or order. Dismissal or affirmance may occur if the appeal is subject to dismissal:

- (a) for want of jurisdiction;
- (b) for want of prosecution; or
- (c) because the appellant has failed to comply with a requirement of these rules, a court order, or a notice from the clerk requiring a response or other action within a specified time.

V. PETITIONS TO REVOKE PROBATION

Rule 5.01. Initiation and Service

(a) Before filing a motion to revoke the probation of an attorney who has been sanctioned, the CDC must contact the BODA Clerk to confirm whether the next regularly available hearing date will comply with the 30-day requirement of TRDP. The Chair may designate a three-member panel to hear the motion, if necessary, to meet the 30-day requirement of TRDP 2.23 [2.22].

(b) Upon filing the motion, the CDC must serve the Respondent with the motion and any supporting documents in accordance with TRDP 2.23 [2.22], the TRCP, and these rules. The CDC must notify BODA of the date that service is obtained on the Respondent.

Rule 5.02. Hearing

Within 30 days of service of the motion on the Respondent, BODA must docket and set the matter for a hearing and notify the parties of the time and place of the hearing. On a showing of good cause by a party or on its own motion, BODA may continue the case to a future hearing date as circumstances require.

VI. COMPULSORY DISCIPLINE

Rule 6.01. Initiation of Proceeding

Under TRDP 8.03, the CDC must file a petition for compulsory discipline with BODA and serve the Respondent in accordance with the TRDP and Rule 1.06 of these rules.

Rule 6.02. Interlocutory Suspension

(a) **Interlocutory Suspension.** In any compulsory proceeding under TRDP Part VIII in which BODA

determines that the Respondent has been convicted of an Intentional Crime and that the criminal conviction is on direct appeal, BODA must suspend the Respondent's license to practice law by interlocutory order. In any compulsory case in which BODA has imposed an interlocutory order of suspension, BODA retains jurisdiction to render final judgment after the direct appeal of the criminal conviction is final. For purposes of rendering final judgment in a compulsory discipline case, the direct appeal of the criminal conviction is final when the appellate court issues its mandate.

(b) **Criminal Conviction Affirmed.** If the criminal conviction made the basis of a compulsory interlocutory suspension is affirmed and becomes final, the CDC must file a motion for final judgment that complies with TRDP 8.05.

(1) If the criminal sentence is fully probated or is an order of deferred adjudication, the motion for final judgment must contain notice of a hearing date. The motion will be set on BODA's next available hearing date.

(2) If the criminal sentence is not fully probated:

(i) BODA may proceed to decide the motion without a hearing if the attorney does not file a verified denial within ten days of service of the motion; or

(ii) BODA may set the motion for a hearing on the next available hearing date if the attorney timely files a verified denial.

(c) **Criminal Conviction Reversed.** If an appellate court issues a mandate reversing the criminal conviction while a Respondent is subject to an interlocutory suspension, the Respondent may file a motion to terminate the interlocutory suspension. The motion to terminate the interlocutory suspension must have certified copies of the decision and mandate of the reversing court attached. If the CDC does not file an opposition to the termination within ten days of being served with the motion, BODA may proceed to decide the motion without a hearing or set the matter for a hearing on its own motion. If the CDC timely opposes the motion, BODA must set the motion for a hearing on its next available hearing date. An order terminating an interlocutory order of suspension does not automatically reinstate a Respondent's license.

VII. RECIPROCAL DISCIPLINE

Rule 7.01. Initiation of Proceeding

To initiate an action for reciprocal discipline under TRDP Part IX, the CDC must file a petition with BODA and request an Order to Show Cause. The petition must request that the Respondent be disciplined in Texas and have attached to it any information concerning the disciplinary matter from the other jurisdiction, including a certified copy of the order or judgment rendered against the Respondent.

Rule 7.02. Order to Show Cause

When a petition is filed, the Chair immediately issues a show cause order and a hearing notice and forwards them to the CDC, who must serve the order and notice on the Respondent. The CDC must notify BODA of the date that service is obtained.

Rule 7.03. Attorney's Response

If the Respondent does not file an answer within 30 days of being served with the order and notice but thereafter appears at the hearing, BODA may, at the discretion of the Chair, receive testimony from the Respondent relating to the merits of the petition.

VIII. DISTRICT DISABILITY COMMITTEE HEARINGS

Rule 8.01. Appointment of District Disability Committee

(a) If the evidentiary panel of the grievance committee finds under TRDP 2.17(P)(2), or the CDC reasonably believes under TRDP 2.14(C), that a Respondent is suffering from a disability, the rules in this section will apply to the de novo proceeding before the District Disability Committee held under TRDP Part XII.

(b) Upon receiving an evidentiary panel's finding or the CDC's referral that an attorney is believed to be suffering from a disability, the BODA Chair must appoint a District Disability Committee in compliance with TRDP 12.02 and designate a chair. BODA will reimburse District Disability Committee members for reasonable expenses directly related to service on the District Disability Committee. The BODA Clerk must notify the CDC and the Respondent that a committee has been appointed and notify the Respondent where to locate the procedural rules governing disability proceedings.

(c) A Respondent who has been notified that a disability referral will be or has been made to BODA may, at any time, waive in writing the appointment of the District Disability Committee or the hearing before the District Disability Committee and enter into an agreed judgment of indefinite disability suspension, provided that the Respondent is competent to waive the hearing. If the Respondent is not represented, the waiver must include a statement affirming that the Respondent has been advised of the right to appointed counsel and waives that right as well.

(d) All pleadings, motions, briefs, or other matters to be filed with the District Disability Committee must be filed with the BODA Clerk.

(e) Should any member of the District Disability Committee become unable to serve, the BODA Chair must appoint a substitute member.

Rule 8.02. Petition and Answer

(a) **Petition.** Upon being notified that the District Disability Committee has been appointed by BODA, the

CDC must, within 20 days, file with the BODA Clerk and serve on the Respondent a copy of a petition for indefinite disability suspension. Service must comply with Rule 1.06.

(b) **Answer.** The Respondent must, within 30 days after service of the petition for indefinite disability suspension, file an answer with the BODA Clerk and serve a copy of the answer on the CDC.

(c) **Hearing Setting.** The BODA Clerk must set the final hearing as instructed by the chair of the District Disability Committee and send notice of the hearing to the parties.

Rule 8.03. Discovery

(a) **Limited Discovery.** The District Disability Committee may permit limited discovery. The party seeking discovery must file with the BODA Clerk a written request that makes a clear showing of good cause and substantial need and a proposed order. If the District Disability Committee authorizes discovery in a case, it must issue a written order. The order may impose limitations or deadlines on the discovery.

(b) **Physical or Mental Examinations.** On written motion by the Commission or on its own motion, the District Disability Committee may order the Respondent to submit to a physical or mental examination by a qualified healthcare or mental healthcare professional. Nothing in this rule limits the Respondent's right to an examination by a professional of his or her choice in addition to any exam ordered by the District Disability Committee.

(1) Motion. The Respondent must be given reasonable notice of the examination by written order specifying the name, address, and telephone number of the person conducting the examination.

(2) Report. The examining professional must file with the BODA Clerk a detailed, written report that includes the results of all tests performed and the professional's findings, diagnoses, and conclusions. The professional must send a copy of the report to the CDC and the Respondent.

(c) **Objections.** A party must make any objection to a request for discovery within 15 days of receiving the motion by filing a written objection with the BODA Clerk. BODA may decide any objection or contest to a discovery motion.

Rule 8.04. Ability to Compel Attendance

The Respondent and the CDC may confront and cross-examine witnesses at the hearing. Compulsory process to compel the attendance of witnesses by subpoena, enforceable by an order of a district court of proper jurisdiction, is available to the Respondent and the CDC as provided in TRCP 176.

Rule 8.05. Respondent's Right to Counsel

(a) The notice to the Respondent that a District Disability Committee has been appointed and the petition for

indefinite disability suspension must state that the Respondent may request appointment of counsel by BODA to represent him or her at the disability hearing. BODA will reimburse appointed counsel for reasonable expenses directly related to representation of the Respondent.

(b) To receive appointed counsel under TRDP 12.02, the Respondent must file a written request with the BODA Clerk within 30 days of the date that Respondent is served with the petition for indefinite disability suspension. A late request must demonstrate good cause for the Respondent's failure to file a timely request.

Rule 8.06. Hearing

The party seeking to establish the disability must prove by a preponderance of the evidence that the Respondent is suffering from a disability as defined in the TRDP. The chair of the District Disability Committee must admit all relevant evidence that is necessary for a fair and complete hearing. The TRE are advisory but not binding on the chair.

Rule 8.07. Notice of Decision

The District Disability Committee must certify its finding regarding disability to BODA, which will issue the final judgment in the matter.

Rule 8.08. Confidentiality

All proceedings before the District Disability Committee and BODA, if necessary, are closed to the public. All matters before the District Disability Committee are confidential and are not subject to disclosure or discovery, except as allowed by the TRDP or as may be required in the event of an appeal to the Supreme Court of Texas.

IX. DISABILITY REINSTATEMENTS

Rule 9.01. Petition for Reinstatement

(a) An attorney under an indefinite disability suspension may, at any time after he or she has been suspended, file a verified petition with BODA to have the suspension terminated and to be reinstated to the practice of law. The petitioner must serve a copy of the petition on the CDC in the manner required by TRDP 12.06. The TRCP apply to a reinstatement proceeding unless they conflict with these rules.

(b) The petition must include the information required by TRDP 12.06. If the judgment of disability suspension contained terms or conditions relating to misconduct by the petitioner prior to the suspension, the petition must affirmatively demonstrate that those terms have been complied with or explain why they have not been satisfied. The petitioner has a duty to amend and keep current all information in the petition until the final hearing on the merits. Failure to do so may result in dismissal without notice.

(c) Disability reinstatement proceedings before BODA are not confidential; however, BODA may make all or any part of the record of the proceeding confidential.

Rule 9.02. Discovery

The discovery period is 60 days from the date that the petition for reinstatement is filed. The BODA Clerk will set the petition for a hearing on the first date available after the close of the discovery period and must notify the parties of the time and place of the hearing. BODA may continue the hearing for good cause shown.

Rule 9.03. Physical or Mental Examinations

(a) On written motion by the Commission or on its own, BODA may order the petitioner seeking reinstatement to submit to a physical or mental examination by a qualified healthcare or mental healthcare professional. The petitioner must be served with a copy of the motion and given at least seven days to respond. BODA may hold a hearing before ruling on the motion but is not required to do so.

(b) The petitioner must be given reasonable notice of the examination by written order specifying the name, address, and telephone number of the person conducting the examination.

(c) The examining professional must file a detailed, written report that includes the results of all tests performed and the professional's findings, diagnoses, and conclusions. The professional must send a copy of the report to the parties.

(d) If the petitioner fails to submit to an examination as ordered, BODA may dismiss the petition without notice.

(e) Nothing in this rule limits the petitioner's right to an examination by a professional of his or her choice in addition to any exam ordered by BODA.

Rule 9.04. Judgment

If, after hearing all the evidence, BODA determines that the petitioner is not eligible for reinstatement, BODA may, in its discretion, either enter an order denying the petition or direct that the petition be held in abeyance for a reasonable period of time until the petitioner provides additional proof as directed by BODA. The judgment may include other orders necessary to protect the public and the petitioner's potential clients.

X. APPEALS FROM BODA TO THE SUPREME COURT OF TEXAS**Rule 10.01. Appeals to the Supreme Court**

(a) A final decision by BODA, except a determination that a statement constitutes an inquiry or a complaint under TRDP 2.10, may be appealed to the Supreme Court of Texas. The clerk of the Supreme Court of Texas must docket an appeal from a decision by BODA in the same manner as a petition for review without fee.

(b) The appealing party must file the notice of appeal directly with the clerk of the Supreme Court of Texas within 14 days of receiving notice of a final determination by BODA. The record must be filed within 60 days after

BODA's determination. The appealing party's brief is due 30 days after the record is filed, and the responding party's brief is due 30 days thereafter. The BODA Clerk must send the parties a notice of BODA's final decision that includes the information in this paragraph.

(c) An appeal to the Supreme Court is governed by TRDP 7.11 and the TRAP.