

Supreme Court of Kentucky

2016-SC-000379-KB

TO BE PUBLISHED

FINAL

DATE 10/4/16 Kim Redmon D
MOVANT

KENTUCKY BAR ASSOCIATION

V.

IN SUPREME COURT

GEORGE KEITH WELLS
KBA MEMBER NO. 75710

RESPONDENT

OPINION AND ORDER

Respondent, George Keith Wells, was admitted to the practice of law in the Commonwealth of Kentucky on October 3, 1979. His bar roster address is 249 Main Street, Paintsville, KY 41240, and his Kentucky Bar Association (KBA) member number is 75710.

A client of Respondent, Johnny Caudill, filed a Complaint against him on July 2, 2015. Mr. Caudill alleged that he paid Respondent \$10,000 to perform a mineral title examination and to commence an action concerning oil leases. Respondent informed Mr. Caudill that he had completed the title examination and that a written report would be forthcoming. However, Respondent failed to take further steps in the representation. Following the filing of the complaint and charges in this file, Respondent failed to respond in any manner.

Respondent was charged with violating Supreme Court Rule ("SCR") 3.130-1.3 (requiring reasonable diligence); SCR 3.130-1.4(a)(3) and (4)

(requirement to keep the client informed about the status of the matter and promptly respond to the client's reasonable requests for information); SCR 3.130-1.16(d) (requirements for termination of representation); and SCR 3.130-8.1(b) (failing to respond to lawful demands for information from a disciplinary authority). In addition to the grievances discussed herein, Respondent was suspended from practicing law in Kentucky in January, 2016, for his failure to comply with continuing-legal-education requirements and failure to pay bar dues.

After considering the charges alleged in the present case, the Board recommends that Respondent be suspended from the practice of law for 61 days, pay the costs incurred in the proceeding, and repay the \$10,000.00 fee to his client. Prior to issuing their decision, the Board specifically considered suspending Respondent for 181 days with the same conditions. The Board ultimately voted in favor of a 61 day suspension and repayment as follows: 12 votes in favor and 6 votes not in favor. We adopt the Board's findings herein.

ACCORDINGLY, IT IS ORDERED:

1. Respondent, George Keith Wells, KBA member number 75710, is found guilty of violating the Kentucky Rules of Professional Conduct, including SCR 3.130-1.3; SCR 3.130-1.4(a)(3) and (4); SCR 3.130-1.16(d); and SCR 3.130-8.1(b).

2. Respondent is suspended from the practice of law for a period of 61 days effective from the entry of this Opinion and Order.

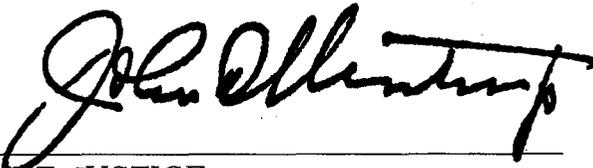
3. Within twenty (20) days of the date of the entry of this Opinion and Order, Respondent shall repay the \$10,000.00 fee to his client, Johnny Caudill.

4. Pursuant to SCR 3.390, Respondent shall, if he has not already done so, within ten (10) days from the entry of this Opinion and Order, notify all clients, in writing, of his inability to represent them; notify, in writing, all courts in which he has matters pending of his suspension from the practice of law; and furnish copies of all letters of notice to the Office of Bar Counsel. Furthermore, to the extent possible, Respondent shall immediately cancel and cease any advertising activities in which he is engaged.

5. Pursuant to SCR 3.450, Respondent is directed to pay all costs associated with these disciplinary proceedings in the amount of \$309.20 for which execution may issue from this Court upon finality of this Order.

All sitting. All concur.

ENTERED: September 22, 2016.



CHIEF JUSTICE