In the
Supreme Court of Georgia

No. S26Y0982

In the Matter of James A. Satcher Jr.

Decided: September 22, 2026

PER CURIAM.

This disciplinary matter is before the Court on the report and recommendation of the State Disciplinary Review Board ("Review Board"), which reviewed the report and recommendation of Special Master Noah H. Pines at the request of James A. Satcher Jr. (State Bar No. 626925), who has been a member of the State Bar since 1975. The Special Master determined that Satcher violated Rules 1.1[1] and 3.1[2] of the Georgia Rules of Professional Conduct ("GRPC") found in State Bar Rule 4-102(d) in connection with one client matter. In light of Satcher's disciplinary history, the Special Master determined that Rule 4-103[3] was applicable and recommended a six-month suspension. The Re-

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[1] Rule 1.1 provides that "[a] lawyer shall provide competent representation to a client." The maximum penalty for violating Rule 1.1 is disbarment.

[2] Rule 3.1 provides that, during the representation of a client, "a lawyer shall not[] … file a suit, assert a position, conduct a defense, delay a trial, or take other action on behalf of the client when the lawyer knows or when it is obvious that such action would serve merely to harass or maliciously injure another." The maximum penalty for violating Rule 3.1 is a public reprimand.

[3] Rule 4-103 provides that a third or subsequent disciplinary infraction "shall, in and of itself, constitute discretionary grounds for suspension or disbarment."

view Board adopted the Special Master's factual findings and conclusions of law but recommended that Satcher be suspended for three months. The State Bar filed exceptions to the Review Board's recommendation, arguing that the Special Master's recommendation of a six-month suspension is the appropriate sanction for Satcher's misconduct. Upon review of the record, we agree with the Special Master.

1. *Procedural History*

In April 2024, the State Bar filed a formal complaint in this matter, charging Satcher with violating Rules 1.1, 3.1, and 4.4.[4] The State Bar alleged that Satcher was hired by a husband and wife to represent them in a medical malpractice suit after the wife sustained injuries related to a surgery performed in November 2015. Satcher failed to provide competent representation, which ultimately led to the statute of limitation running on the clients' action and the district court dismissing the suit. The United States Court of Appeals for the Eleventh Circuit (the "Eleventh Circuit") affirmed the dismissal such that the clients lost the ability to pursue the claim.[5]

The State Bar further alleged that Rule 4-103 applied because this was Satcher's fifth disciplinary offense. Satcher filed a timely response, in which he denied all Rule violations and denied that Rule 4-103 was applicable because his last disciplinary infraction was in 2016. The parties engaged in discovery, after

[4] "In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person." Rule 4.4. The maximum penalty for violating Rule 4.4 is a public reprimand.

[5] See *Colbert v. Wilson*, No. 20-10149, slip op. at 15–18 (11th Cir. Jan. 11, 2022) (2022 U.S. App. LEXIS 847).

which the Special Master held an evidentiary hearing. Satcher was the only one to testify at the evidentiary hearing, as the wife passed away from complications from her surgery before the suit was filed in the district court and the husband passed away while the suit was pending appeal. However, the State Bar presented several exhibits, including the district court order and the Eleventh Circuit's non-published opinion. Following the hearing, the Special Master issued his report and recommendation.

2. *Special Master's Report and Recommendation*

(a) *Factual Findings*

The Special Master recounted that Satcher was hired by the husband and wife to represent them in a medical malpractice case and that Satcher timely filed the medical malpractice and wrongful death action in federal district court against several defendants, including two doctors and a medical clinic. Although Satcher was aware of a requirement to file the report of an expert expressing an opinion that the professional standard of care was violated, he failed to do so because the expert he had hired refused to provide one. After realizing that the expert "strung him along," Satcher deposed one of the doctor-defendants. According to the State Bar, after the deposition, Satcher agreed to dismiss the doctor. But Satcher testified at the evidentiary hearing that he did not agree to dismiss the doctor because "[i]t looked like he might have been responsible [for the wife's injuries]." The Special Master explained, however, that Satcher admitted in his response to the grievance against him that he agreed to dismiss the doctor because the doctor did not treat the wife after the initial surgery. On appeal, the Eleventh Circuit found that the parties agreed to dismiss the doctor because no viable claim existed against him. The Special Master therefore found that Satcher did in fact agree to dismiss the doctor after the deposition but failed to do so.

While the suit was pending before the district court, the defendants filed a motion for sanctions for discovery violations—including the failure to provide a written expert report—which the court granted in part. The court ordered the husband to pay $9,569.10 in sanctions. On January 14, 2019, Satcher filed a motion to dismiss the lawsuit. At that time, the doctor still had not been dismissed as a defendant. The defendants filed a response, asking the district court to condition the dismissal upon the payment of sanctions. The court granted the request and issued an order stating that it "will condition the voluntary dismissal upon Plaintiff's full payment of $9,569.10 in litigation expenses and attorney's fees, as itemized in Defendant's Motion for Sanctions."

On July 13, 2019, Satcher refiled the suit without having paid the court-ordered fees, again naming the doctor as a defendant and again failing to file an expert report. Satcher testified at the evidentiary hearing that he did not understand the district court's order to require that the $9,569.10 be paid as a condition of the case being voluntarily dismissed, but the Special Master found this argument not credible. The Special Master further recounted that Satcher admitted at the evidentiary hearing to filing the lawsuit against the doctor "out of an abundance of caution to stop the clock."

On July 16, 2019, Satcher received an email from the defendants' counsel regarding the outstanding sanctions. On July 22, 2019, Satcher received a second email demanding payment of the outstanding sanctions and dismissal of the suit with prejudice within 10 days. On August 1, 2019, Satcher paid the outstanding sanctions.

Subsequently, Satcher filed a motion to drop the doctor who had been deposed and the clinic as defendants, leaving only one defendant-doctor. The remaining defendant-doctor filed a motion to dismiss on the ground that the statute of limitation expired because the second suit was not properly filed within six months of the first suit's dismissal.[6] Additionally, both doctor-defendants and the clinic filed a motion for sanctions for refiling the suit without first paying the required sanctions and for frivolously including the doctor who had been deposed as a defendant. The district court granted the motion for sanctions in part, dismissed the case with prejudice, and awarded $13,107.70 in attorney fees to the defendants. Satcher filed an appeal to the Eleventh Circuit, which affirmed the district court's rulings.

(b) *Rule Violations*

The Special Master concluded that Satcher violated Rule 1.1 by failing to provide competent representation to his clients based on his failure to obtain and file a written expert report and his failure to pay the sanctions from the first case before filing the second case. The Special Master further concluded that Satcher violated Rule 3.1 by naming the doctor as a defendant in the second suit despite having already agreed to dismiss him and by failing to file the required expert report. The Special Master determined that Satcher did not violate Rule 4.4 because his failure to dismiss the doctor was better addressed as a Rule 3.1 violation.

(c) *ABA Standards*

After determining the Rule violations, the Special Master consulted the framework set out in the American Bar Association's *Standards for Imposing Lawyer Sanctions* (1992) ("ABA

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[6] The doctor-defendant argued, and the district court ultimately agreed, that the case should be deemed to have been filed on August 1, 2019, the date the sanctions from the first suit were paid.

Standards").[7] The Special Master concluded that Satcher violated his duty of competence to his clients and his duty to the legal system by pursuing meritless claims against the doctor; that his actions regarding the first suit and his refiling of the second suit without paying the required sanctions was arguably negligent, but his failure to file the expert report in the second suit and his decision to name the doctor as a defendant was knowing; and his actions caused injury to his clients, as their claims were extinguished by the statute of limitation.

The Special Master then determined that the following aggravating factors were applicable: prior disciplinary history[8]; a pattern of misconduct; multiple offenses; refusal to acknowledge wrongful nature of conduct; and substantial experience in the practice of law. See ABA Standard 9.22(a), (c), (d), (g), and (i). As for mitigating factors, the Special Master determined that the following were applicable: absence of a dishonest or selfish motive;

[7] See ABA Standard 3.0 (when imposing a sanction, "a court should consider the following factors: (a) the duty violated; (b) the lawyer's mental state; (c) the potential or actual injury caused by the lawyer's misconduct; and (d) the existence of aggravating or mitigating factors").

[8] In 2000, Satcher received a formal letter of admonition for his failure to serve a complaint within 120 days as required by a court rule, which resulted in the complaint being dismissed. In 2004, Satcher received a formal letter of admonition for violating Rule 1.4 by failing to communicate with his client. In 2011, Satcher received a formal letter of admonition for violating Rules 3.2 and 4.4 after he was sanctioned by the U.S. District Court for the Northern District of Georgia for lack of professionalism, inappropriate actions, and discovery abuses. Finally, in 2016, Satcher received an Investigative Panel reprimand for violating Rules 1.2, 1.5, 1.16(d), and 1.15(I) by failing to abide by the client's decision to settle, by having a provision in his contract requiring a client who refuses to settle to pay 30% of the offer in attorney fees, by failing to obtain a resolution of the interpleader action he filed after a dispute over client funds arose, and by failing to return the client's funds upon his termination of representation.

delay in disciplinary proceedings[9]; and remoteness of prior offenses. See ABA Standard 9.32(b), (j), and (m). However, regarding the remoteness of prior offenses, the Special Master questioned how much mitigating weight this factor should be given because Satcher's misconduct in this matter occurred within three years of his 2016 discipline. Regardless, the Special Master explained that, because Satcher had four prior disciplinary offenses, the aggravating factor of prior disciplinary offenses outweighed the mitigating factor of remoteness.

(d) *Recommended Discipline*

The Special Master determined that the appropriate sanction was a six-month suspension and explained that this Court has previously imposed suspensions in similar matters. See, e.g., *In the Matter of Lewis*, 313 Ga. 695 (2022) (accepting a petition for voluntary discipline requesting a six-month suspension for attorney's admitted violations of the GRPC in connection with three client matters where attorney's failure to perform the work for which he was hired led to one client's case being dismissed and where attorney dismissed another client's case without informing her).

3. *Review Board's Report and Recommendation*

Satcher filed exceptions to the Special Master's report and recommendation, challenging the fact that the State Bar began the grievance process against him without a client complaint; arguing that the fact that he has provided competent representation throughout his legal career should be considered in mitigation;

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[9] The Special Master emphasized that Satcher's conduct in this matter occurred from 2017 through 2019. However, the grievance in this matter was not initiated until 2022, and the formal complaint was not filed until 2024.

and asserting that two of his prior disciplinary infractions that the State Bar introduced into evidence were not properly authenticated. However, Satcher did not argue that the Special Master erred in recommending a six-month suspension or suggest a different sanction. In response, the State Bar requested that the Review Board adopt the Special Master's findings of facts, conclusions of law as to the Rules violated, and recommendation of a six-month suspension.

The Review Board rejected Satcher's arguments and adopted the Special Master's findings of fact and conclusions of law. However, the Review Board recommended that Satcher receive a three-month suspension. The Review Board noted that in *In the Matter of Melnick*, 319 Ga. 730 (2024), the Court issued a six-month suspension for the attorney's violations of Rules 1.3 and 1.4 upon determining that such a sanction was "appropriate given that Melnick's misconduct was willful rather than negligent and harmed his client and the fact that he has received three disciplinary sanctions for similar conduct." Id. at 740. The Review Board explained that it did not believe that Satcher's conduct should warrant the same punishment as the conduct in *Melnick*, noting, among other things, that in Satcher's case "there is no evidence of specific injury to [Satcher's] client[s]."

4. *The State Bar's Exceptions*

The State Bar filed exceptions in this Court to the Review Board's report and recommendation. In its exceptions, the State Bar argues that it did in fact present evidence of the harm that Satcher's misconduct caused and requests that this Court impose a six-month suspension as recommended by the Special Master. Satcher did not file a response.

5. *Analysis*

As an initial matter, we agree with the State Bar that it produced sufficient evidence to show that Satcher's misconduct caused harm to his clients. Even though the clients in this matter were unable to testify as they both had died prior to the evidentiary hearing, the State Bar presented evidence of the harm Satcher caused to his clients by introducing the district court's order and the Eleventh Circuit's opinion showing that Satcher's failure to provide competent representation resulted in the clients (and later the clients' estates) losing the ability to pursue the medical malpractice and wrongful death action due to the statute of limitation expiring. The district court's order assessing sanctions against Satcher's client based on Satcher's misconduct likewise provides evidence of harm to the clients. See *In the Matter of McCall*, 314 Ga. 200, 207 (2022) (client suffered harm where attorney failed to perform work for which he was hired prior to the statute of limitation expiring such that the client's "ability to pursue her personal injury case" was affected); *In the Matter of Starling*, 297 Ga. 359, 361 (2015) (client "suffered the loss of her claim due to [attorney's] failure to take action to meet or preserve the statute of limitations"). Testimony is not required to show that a lawyer's failure to preserve the statute of limitation caused harm to the affected client, and any notion that a lawyer should be subject to reduced discipline because his client is no longer capable of testifying is inconsistent with the purpose of the disciplinary process. See *In the Matter of Cook*, 311 Ga. 206, 213 (2021) ("The primary purpose of a disciplinary action is to protect the public from attorneys who are not qualified to practice law due to incompetence or unprofessional conduct[.]"). Moreover, under ABA Standard 9.4(f), the "failure of [an] injured client to complain" is neither an aggravating nor mitigating factor. We therefore reject the premise that there was no evidence of specific injury to Satcher's clients and that the lack of client testimony in this matter should affect the discipline imposed.

Moreover, we agree with the Special Master's determination that Satcher violated Rules 1.1 and 3.1 and, given the aggravating factors and the application of Rule 4-103, that a six-month suspension is appropriate as this sanction has been imposed in similar maters. See *Melnick*, 319 Ga. at 738–40 (on Review Board's report and recommendation, imposing a six-month suspension for attorney's violations of Rules 1.3 and 1.4 in connection with one client matter where attorney had three prior disciplinary offenses); *In the Matter of Sakas*, 301 Ga. 49 (2017) (on report and recommendation of Special Master, accepting petition for voluntary discipline and imposing a six-month suspension for attorney's violation of Rule 1.3 where attorney abandoned his client to the client's detriment and had three prior disciplinary offenses); *In the Matter of Johnson*, 301 Ga. 231 (2017) (on notice of discipline, imposing six-month suspension for attorney's violations of Rules 1.4, 1.5, 1.16(d), 5.3, and 9.2 where attorney abandoned his client to his detriment and had two prior disciplinary offenses); *In the Matter of Graziano*, 299 Ga. 7 (2016) (on report and recommendation of Special Master, accepting petition for voluntary discipline and imposing a six-month suspension for attorney's violations of Rules 1.3, 1.4, and 1.16 where attorney's misconduct resulted in the dismissal of the client's suit); *In the Matter of Ellison*, 280 Ga. 303 (2006) (on report and recommendation of Review Panel, imposing a six-month suspension for attorney's violations of Rules 1.3, 1.4, and 1.16 (d), where attorney had two prior disciplinary offenses).

Accordingly, we hereby order that James A. Satcher Jr. be suspended from the practice of law in this State for six months. Because there are no conditions on Satcher's reinstatement, there is no need for him to take any action either through the State Bar or through this Court to effectuate his return to the practice of law. Instead, the suspension arising from this opinion will take effect on the date this opinion is issued and will expire by its own terms six months later. Satcher is reminded of his duties pursuant to Bar Rule 4-219(b).

Six-month suspension. All the Justices concur.