In the
Supreme Court of Georgia

No. S26Y0737
In the Matter of Kerry Eston Hand

Decided: August 11, 2026

PER CURIAM.

This disciplinary matter is before the Court on the report and recommendation of Special Master Paul Wain Painter III, who recommends that Kerry Easton Hand (State Bar No. 322831) be disbarred for misconduct with respect to three clients. Hand has been a member of the State Bar since 2002, but he has been suspended from the practice of law since 2024. The Bar charged him with violating Rules 1.1, 1.2(a), 1.3, 1.4(a) and (b), 1.5(a), 1.16(d), 3.2, 5.3, 8.4(a)(4), and 9.3 of the Georgia Rules of Professional Conduct ("GRPC") found in State Bar Rule 4-102(d). The maximum penalty for violating Rules 1.1, 1.2, 1.3, 5.3, and 8.4(a)(4) is disbarment; the maximum penalty for the remaining violations is a public reprimand. After Hand failed to answer any of the State Bar's formal complaints, the Special Master found Hand in default and subsequently issued a report and recommendation. Neither party requested review by the State Disciplinary Review Board. Hand has not filed any exceptions to the Special Master's report, and the time for him to do so has run.

Since Hand is deemed to have admitted every factual allegation and GRPC violation in the formal complaints due to his default, see Bar Rule 4-212(a), we agree with the Special Master that disbarment is the appropriate sanction.

1. *Special Master's Report and Recommendation.*

(a) *Findings of fact*

(i) *State Disciplinary Board Docket ("SDBD") No. 7797*

Hand represented E.G. and his wife in a bankruptcy case. A company filed an adversary proceeding against E.G., seeking to have over $400,000 of E.G.'s debt declared nondischargeable. On E.G.'s behalf, Hand answered and counterclaimed, but after the company moved to dismiss the counterclaims, Hand did not respond, and the counterclaims were dismissed. Hand also failed to respond to multiple discovery requests and opposing counsel's requests regarding the scheduling of a deposition of E.G., and Hand missed a status hearing without explanation. After the bankruptcy court ordered E.G. to respond to the discovery requests and to sit for a deposition, Hand provided no documents or any dates for the deposition, and the company moved for sanctions. The court then issued a show-cause order requiring Hand and E.G. to appear at a hearing to explain why sanctions should not be imposed.

E.G. learned of the show-cause order from his wife's attorney during a divorce mediation. Hand did not answer E.G.'s calls but did text him to say that E.G. did *not* need to appear at the hearing. E.G. appeared anyway — but Hand did not. At the hearing, E.G. testified that he was unaware that his counterclaims had been dismissed in the adversary proceeding; he was unaware of the discovery requests or Hand's failure to respond to them despite E.G.'s having provided responsive documents to Hand; and Hand had failed to inform him of numerous important developments in the case, including that the company had noticed a deposition of E.G., the motion for sanctions, and the show-cause order.

The bankruptcy court entered a second show-cause order directed to Hand alone. At a subsequent hearing, he admitted that much of E.G.'s testimony was true and that he "froze in the face of mounting mistakes and chose to hide his head in the sand instead of confronting the problem." The court found that he had willfully failed to comply with its orders and ordered him, among other things, to refund all fees E.G. had paid for the representation and to pay attorney fees to the company in the adversary proceeding. Hand did not comply with the court's order, and he did not respond to the State Bar's notice of investigation.

(ii) *SDBD No. 7870*

In 2022, R.C. paid Hand $3,500 to represent him in a divorce. Several months later, Hand told R.C. that his wife had been served out-of-state, and Hand later informed R.C. that they could ask the court to grant a divorce by default. Over the next several months, whenever R.C. asked Hand for an update, Hand said they were still waiting for a court date. R.C. eventually contacted the court himself and learned that no hearing had been scheduled because no proof of service had been filed. When R.C. confronted Hand about this, Hand said he would file the proof of service shortly and update R.C. at that time, but Hand did neither. Eventually, R.C. hired new counsel and requested both a refund and his file from Hand, along with proof of service on R.C.'s wife. With new counsel's assistance, R.C. obtained the divorce two years after he had hired Hand. Hand never refunded R.C.'s retainer, he admitted that he had never served the divorce petition on R.C.'s wife, and he failed to respond to the State Bar's notice of investigation.

(iii) *SDBD No. 7906*

On December 1, 2022, out-of-state resident T.C. paid Hand

$1,500 to represent her with respect to a speeding ticket she received in Georgia. A hearing was already set for January 10, 2023. Hand failed to attend it, and in an e-mail to the court, he falsely claimed that T.C. had hired him the day of the hearing. The court reset the hearing for February 21, 2023, but Hand missed that one too, and the case was continued again. On February 22, 2023, T.C. contacted the court to find out the disposition of her case as Hand was not communicating with her. After learning that Hand had failed to appear at the February 21 hearing, she contacted his firm and spoke with his paralegal, who said her case was continued because the prosecutor had not sent requested discovery. On the day of the continued hearing, February 27, Hand arrived two hours late; the court continued the hearing again. In the meantime, T.C. asked Hand's paralegal to provide a copy of the purportedly filed discovery motion; the paralegal said he would provide it to her, but he never did. T.C. also received a notice from the court warning that if she failed to appear at the next hearing, her license could be suspended and she could be arrested. She called Hand multiple times about the notice, but he never responded. T.C. contacted the court again and learned that no discovery motion had been filed and that her case had been continued multiple times due to Hand's failures to appear. Eventually, she fired him and represented herself, negotiating a lesser violation and a fine. Hand agreed to refund T.C.'s retainer and to reimburse her for the costs associated with representing herself, including lost wages and out-of-state travel. But Hand never paid her, and he failed to respond to the State Bar's notice of investigation.

(b) *Rule violations*

Based on the GRPC violations charged in the formal complaints, which were deemed admitted by Hand's default, the Special Master determined that Hand violated Rules 1.1,[1] 1.2(a),[2]

[1] Rule 1.1 states: "A lawyer shall provide competent representation to a client. Competent representation as used in this Rule means that a lawyer shall not handle a matter which the lawyer knows or should know to be beyond the lawyer's level of competence without associating another lawyer who the original lawyer reasonably believes to be competent to handle the matter in question. Competence requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

[2] Rule 1.2(a) states in relevant part: "A lawyer shall abide by a client's decisions concerning the scope and objectives of representation and … shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation."

1.3,[3] 1.4(a)(1)–(4),[4] 1.4(b),[5] 1.5(a),[6] 1.16(d),[7] 3.2,[8] 5.3,[9] 8.4(a)(4),[10]

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[3] Rule 1.3 states: "A lawyer shall act with reasonable diligence and promptness in representing a client. Reasonable diligence … 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."

[4] Rule 1.4(a)(1)–(4) states: "A lawyer shall: (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(n), is required by these Rules; (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished; (3) keep the client reasonably informed about the status of the matter; [and] (4) promptly comply with reasonable requests for information." (line breaks omitted)).

[5] Rule 1.4(b) states: "A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation."

[6] Rule 1.5(a) states in relevant part that lawyers "shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses."

[7] Rule 1.16(d) states: "Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as … surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned."

[8] Rule 3.2 states: "A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client."

[9] Rule 5.3 states in relevant part (line breaks omitted):

> With respect to a nonlawyer employed or retained by or associated with a lawyer: (a) [a] lawyer who … possesses managerial authority in a law firm … shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer; (b) a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; (c) a lawyer shall be responsible for conduct of such a person that would be a violation of the [GRPC] if engaged in by a lawyer if: (1) the lawyer orders or, with the knowledge of the specific conduct,

and 9.3.[11]

(c) *Recommended discipline*

Next, the Special Master looked to the ABA Standards for Imposing Lawyer Sanctions to determine the appropriate discipline, see *In the Matter of Morse*, 266 Ga. 652, 653 (1996), and considered (1) the duties violated, (2) Hand's mental state, (3) the potential or actual injuries caused by his misconduct, and (4) and any aggravating or mitigating facts. See ABA Standard 3.0. Regarding the first three factors, the Special Master determined that Hand violated his duties of diligence, competence, and candor to his clients, as well as his duties to the legal system and the legal profession; that he intentionally made a false statement to the court in SDBD No. 7906, and that he otherwise knowingly violated the GRPC as charged; and that he caused actual and potential injury to his clients, harmed the public's confidence in the legal profession, and impeded the orderly administration of justice in three different courts.

As for aggravation and mitigation, the Special Master found aggravating Hand's dishonest or selfish motive in misleading his clients and the court, see ABA Standard 9.22(b); his pattern of misconduct and multiple offenses, see ABA Standard

ratifies the conduct involved; or (2) the lawyer is a partner in the law firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

[10] Rule 8.4(a)(4) states: "It shall be a violation of the [GRPC] for a lawyer to … engage in professional conduct involving dishonesty, fraud, deceit or misrepresentation."

[11] Rule 9.3 states: "During the investigation of a matter pursuant to these Rules, the lawyer complained against shall respond to disciplinary authorities in accordance with State Bar Rules."

9.22(c)–(d); his refusal to acknowledge the wrongful nature of his conduct, see ABA Standard 9.22(f), at least during the disciplinary proceedings, to which he did not respond; the vulnerability of the victims, see ABA Standard 9.22(h), who had no legal training and were either facing especially stressful cases, in SDBD Nos. 7797 and 7870, or, in No. 7906, lived out of state, hired him to avoid the burden of traveling to Georgia for court, and relied on him for information about the case; Hand's substantial experience in the practice of law, having been admitted in 2002, see ABA Standard 9.22(i); and his apparent indifference to making restitution, see ABA Standard 9.22(j). The Special Master determined that no mitigating factors were present.

Based on Hand's admitted misconduct, the applicable ABA Standards, the aggravating factors, the lack of mitigating factors, and comparable case law, the Special Master determined that disbarment was appropriate. See *In the Matter of Lenoir*, 282 Ga. 311, 311–12 (2007) (disbarring lawyer who, in one client matter, violated Rules 1.1, 1.2, 1.3, 1.5, 1.16, 3.2, and 9.3 where he accepted $1,450 from client but wrote just one letter on client's behalf; told client he would file motion and send copy to client but never provided client with any documents regarding case; told client he would partially refund fee but never did; failed to properly communicate with client for months; ultimately ceased communicating with client altogether; and failed to respond to State Bar's notice of discipline); *In the Matter of Haklin*, 321 Ga. 530 (2025) (disbarring lawyer in default who abandoned adoption matter and failed to refund unearned fees; by virtue of default, lawyer admitted violating Rules 1.2(a), 1.3, 1.4(a), and 1.5); *In the Matter of Jackson*, 321 Ga. 256 (2025) (disbarring lawyer in default who abandoned client; violated Rules 1.2(a), 1.3, and 1.4(a); and had no prior disciplinary history, but aggravating factors included multiple offenses, substantial experience in practice of law, and vulnerable client, who had no legal training or understanding of legal system and relied on lawyer to perform function as appellate counsel); *In the Matter of Blain*, 315 Ga. 475 (2023) (disbarring lawyer with no prior disciplinary history following her default in notice of discipline case alleging that she violated various GRPC, including Rules 1.3, 1.4, and 3.2, by abandoning client in civil matter); *In the Matter of Bell*, 313 Ga. 615 (2022) (disbarring lawyer found to have violated Rules 1.2(a), 1.3, 1.4(a), and 3.2; lawyer failed to act diligently and to adequately communicate with client, made numerous misrepresentations to client, exhibited dishonest or selfish motive, had two instances of prior discipline, and failed to respond to State Bar's motion for summary judgment); *In the Matter of Powell*, 310 Ga. 859, 859–61 (2021) (disbarring lawyer who abandoned client; violated Rules 1.2, 1.3, 1.4(a), 1.5(a), 3.2, and 9.3; and was in default due to failure to respond to disciplinary authorities).

2. *Analysis*

Upon our review of the record, we agree with the Special Master that Hand violated Rules 1.1, 1.2(a), 1.3, 1.4(a) and (b), 1.5(a), 1.16(d), 3.2, 5.3, 8.4(a)(4), and 9.3 as alleged and that disbarment is warranted. Accordingly, it is ordered that the name Kerry Easton Hand be removed from the rolls of persons authorized to practice law in the State of Georgia. Hand is reminded of his duties under Bar Rule 4-219(b).

Disbarred. All the Justices concur.