

In the Supreme Court of Georgia

Decided: July 15, 2020

S20Y0637. IN THE MATTER OF NEIL RICHARD FLIT.

PER CURIAM.

This disciplinary matter is before the Court on the report of the special master, who recommends that the Court accept the petition for voluntary surrender of license filed by Neil Richard Flit (State Bar No. 091307) after the filing of a formal complaint, pursuant to Bar Rule 4-227 (c). In his petition, Flit requested that he be allowed to voluntarily surrender his license for his admitted violations, in two separate matters, of Rule 1.15 (I) of the Georgia Rules of Professional Conduct, see Bar Rule 4-102 (d), and the State Bar has requested that Flit's petition be granted. For the reasons that follow, we accept the petition.

In her report and recommendation, the special master found that, with regard to State Disciplinary Board (“SDB”) Docket No. 7215, Flit, who has been a member of the Bar since 2007, was retained to represent a client in a personal injury claim. Flit settled the case and deposited the funds in his trust account on or about August 2013. The client died in January 2014, but Flit did not promptly give the administrator of the client’s estate an accounting of the settlement proceeds or deliver to the administrator any of the funds the estate was entitled to receive until February 2018. With regard to SDB Docket No. 7231, the special master found that Flit was retained to represent a separate client in a different personal injury claim. Flit settled the case and deposited the funds in his trust account on or about June 2016, but he did not promptly give his client an accounting of the settlement proceeds and did not deliver to his client the funds she was entitled to receive until January 2019. The special master agreed with Flit that his conduct in both cases violated Bar Rule 1.15 (I), the maximum penalty for which is disbarment.

Noting that a surrender of license is tantamount to disbarment, see Georgia Rule of Professional Conduct 1.0 (r), the special master recommended that the Court accept Flit's petition. See *In the Matter of Dabney-Froe*, 302 Ga. 746 (808 SE2d 649) (2017) (accepting voluntary surrender of license where attorney failed to disburse funds or provide accounting of funds); *In the Matter of Slade*, 286 Ga. 465 (689 SE2d 315) (2010) (accepting voluntary surrender of license where attorney admitted that he failed to deliver funds to client or account for them).

We have reviewed the records and agree to accept Flit's petition for voluntary surrender of his license. Accordingly, it is ordered that the name of Neil Richard Flit be removed from the rolls of persons authorized to practice law in the State of Georgia. Flit is reminded of his duties pursuant to Bar Rule 4-219 (b).

*Voluntary surrender of license accepted. All the Justices concur.*