

S20Y0289. IN THE MATTER OF SARAH MALLAS WAYMAN.

PER CURIAM.

This disciplinary matter is before the Court on the petition for voluntary surrender of license filed by Sarah Mallas Wayman (State Bar No. 742600), pursuant to Bar Rule 4-227 (b) (2). Wayman has been a member of the State Bar since 1955 and currently has emeritus status. In her petition, Wayman admits the following. In connection with the settlement of a civil action, she received \$75,000 from the defendant's insurer ("Settlement Funds") and deposited the Settlement Funds into a trust account. However, the Settlement Funds were not distributed to her client (the plaintiff) and third parties entitled to receive them. The plaintiff requested that Wayman provide an accounting regarding the Settlement Funds, but she could only account for \$5,000 of the Settlement Funds, which she since has delivered to the plaintiff.

Wayman acknowledges that her conduct violated Rule 1.15 (I)

(c) of the Georgia Rules of Professional Conduct found in Bar Rule 4-102 (d). The maximum penalty for a violation of this Rule is disbarment. Wayman requests that the Court accept her petition for voluntary surrender of her license, which is tantamount to disbarment.

The State Bar recommends that the Court accept Wayman's petition for voluntary surrender of license, and based upon our review of the petition, we agree that acceptance of Wayman's petition is in the best interests of the Bar and the public. Accordingly, the name Sarah Mallas Wayman is hereby removed from the rolls of persons entitled to practice law in the State of Georgia. Wayman is reminded of her duties pursuant to Bar Rule 4-219 (b).

Voluntary surrender of license accepted. All the Justices concur.

DECIDED DECEMBER 23, 2019.
Voluntary surrender of license.
Dana P. Shaffner, for Wayman.

Paula J. Frederick, General Counsel State Bar, William D. NeSmith III, Deputy General Counsel State Bar, Jenny K. Mittelman, William V. Hearnburg, Jr., Assistant General Counsel State Bar, for State Bar of Georgia.