

## Georgia Supreme Court Clears Black Lawyer in Disciplinary Case Amid Racial Bias Allegations



In a unanimous decision, the Georgia Supreme Court ruled in favor of Marsha Williams Mignott on October 24, absolving her of disciplinary charges. Mignott, a Black lawyer, had been accused of violating ethics rules using confidential information obtained during a consultation with a potential client. This ruling comes as Mignott has filed a separate lawsuit, asserting that the disciplinary process was marred by racial bias.

### Disciplinary Case Against Marsha Williams Mignott

Marsha Williams Mignott, a Black attorney, faced a disciplinary case in Georgia for her alleged breach of ethics rules. The case revolved around her use of information disclosed by a potential client during a consultation. A special master had initially recommended a two-year suspension for Mignott, but a disciplinary review board later reduced this recommendation to one year.

Mignott was charged under specific ethics rules that dictate:

- **Rule 1.9:** A lawyer "shall not use information gained in the professional relationship with a client to the disadvantage of the client unless the client gives informed consent."
- **Rule 1.6:** A lawyer "who has formerly represented a client in a matter... shall not thereafter reveal information relating to the representation," with some exceptions.

Notably, Mignott was not charged under a distinct ethics rule governing the maintenance of client confidence. A comment attached to this rule includes information acquired from prospective clients under the purview of professional relationships.

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### The Georgia Supreme Court's Ruling

The state supreme court held that Mignott could not be disciplined under a different ethics rule because she was not charged with violating it. They underscored that a new ethics rule in Georgia specifically governs the duties owed to prospective clients. Still, this rule does not apply to Mignott, as it was adopted after the alleged misconduct occurred.

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### Allegations of Racial Bias in the Disciplinary Process

Simultaneously, Marsha Williams Mignott has pursued a separate lawsuit, contending that the disciplinary proceedings against her were tainted by racial bias. This lawsuit is pending before U.S. District Judge Eleanor Ross of the Northern District of Georgia. The State Bar of Georgia's motion to dismiss this racial bias suit remains pending, leaving the outcome of this critical legal battle uncertain.

**Don't be a silent ninja! Let us know your thoughts in the comment section below.**