

STATE OF GEORGIA
BOARD OF COURT REPORTING
OF THE JUDICIAL COUNCIL OF GEORGIA

PRESS RELEASE

The Board of Court Reporting of the Judicial Council of Georgia has issued a public reprimand to the court reporting firm of Brown & Gallo, LLC for its admitted unethical conduct.

On September 26, 2008, the Board initiated an administrative grievance proceeding by filing a Formal Complaint alleging that Brown & Gallo, LLC, may have violated Part I(H) of the Board of Court Reporting Code of Professional Ethics and the Court Reporting Act when it provided gifts to attorneys utilizing their firm's services. Specifically, the Code of Ethics prohibits the giving, directly or indirectly, of any gift, incentive, reward or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$50 in the aggregate per recipient each year.

Following the initiation of the grievance proceeding, Brown & Gallo filed suit against the Board and the Judicial Council of Georgia in Fulton County Superior Court alleging, among other things, that Part I(H) of the Code of Ethics violated Georgia law and the Constitution. The Court issued an order denying the Board's motion to dismiss. The Board appealed first to the Court of Appeals and then to the Supreme Court of Georgia. The Board was represented by Assistant Attorney General Stefan Ritter. Former Chief Justice Norman Fletcher filed an amicus brief in support of the Board's position, and on November 22, 2010, the Supreme Court issued an order finding for the Board and reversing the Court of Appeal's previous affirmations of the lower court ruling. Judicial Council of Georgia et al. v. Brown & Gallo, LLC, 288 Ga. 294 (2010). The case was remanded to the Superior Court, and the Honorable Jerry Baxter issued an order on March 18, 2011, vacating his previous order and entering summary judgment in favor of the Board and the Judicial Council.

In February, Brown & Gallo, LLC, through its counsel Hank Fellows of Fellows LaBriola LLP, acknowledged that it had violated the Board of Court Reporting Code of Professional Ethics when it provided \$25 gas cards to 79 clients which exceeded \$50 in the aggregate per recipient in 2008. The Board accepted Brown & Gallo's request for a public reprimand and fine of \$3,000 in disposition of the grievance proceeding.

The Board of Court Reporting of the Judicial Council of Georgia is charged with the registration and regulation of court reporters and reporting firms. The Board is attached to the Administrative Office of the Courts.

For more information on the Board please contact Billie Bolton, Administrative Office of the Courts at (404)656-6784 and see <http://www.georgiacourts.org/agencies/bcr/index.html>