

**BEFORE THE ARKANSAS SUPREME COURT
COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A**

IN RE: **TERRI W. KIENLEN**, Respondent
Arkansas Bar ID # 2001181
CPC Docket No. 2016-158

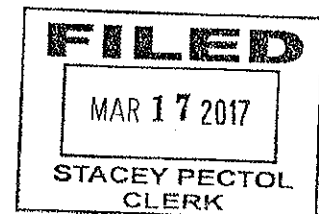
CONSENT FINDINGS & ORDER

The formal charges of misconduct upon which this Consent Order is based, involving respondent attorney Terri W. Kienlen of Conway, Faulkner County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Candie Beck of Conway, Arkansas. Following Respondent Attorney's receipt of the formal complaint, she entered into discussion with the Executive Director which has resulted in an agreement to discipline by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2011).

1. In February 2013, Beck engaged Kienlen to obtain for Beck an uncontested divorce from her husband, Richard Adams, who resided in Texas, and Beck paid Kienlen the full quoted \$500 fee for the divorce.

2. Kienlen prepared necessary divorce pleadings and documents and mailed them to Adams in Texas on May 23, 2013, for signature. The divorce papers, signed by Adams were returned to Kienlen. Kienlen failed to file for a divorce for Beck.

3. Beck's repeated efforts to contact Kienlen in person, by telephone and by email during late 2013-early 2014 were unsuccessful, even though Beck worked for the Conway Police Department. Kienlen knew where Beck worked and could have easily contacted Beck at any time.



4. In mid-2014, Beck engaged Conway attorney Molly Lucas to do her divorce and paid Lucas \$545. Lucas obtained some Beck divorce documents from Kienlen, found the Kienlen pleadings and documents were not suitable for use, redid the documents, sent the documents to Texas, and got the documents properly executed by Adams.

5. Lucas filed the Beck divorce complaint on July 11, 2014, obtained newly-signed documents from Adams in August, and had the final divorce decree for Beck entered on September 4, 2014.

Upon consideration of the formal complaint and attached exhibits, admissions made by the respondent attorney, the terms of the written consent, the approval of Panel A of the Committee on Professional Conduct, and the Arkansas Rules of Professional Conduct, the Committee on Professional Conduct finds:

A. The conduct of Terri Kienlen violated Rule 1.1 in that from February 2013 through at least early 2014, Kienlen was unable to obtain from the opposing party, Richard Adams, the necessary and properly executed documents for an uncontested divorce for her client, Connie Beck. Arkansas Rule 1.1 requires that a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

B. The conduct of Terri Kienlen violated Rule 1.3 in that after her employment and payment of her full fee in February 2013, Kienlen did not file a complaint for divorce for client Candi Beck well into mid-2014, necessitating Beck employing new counsel. Arkansas Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

C. The conduct of Terri Kienlen violated Rule 1.4(a)(3) in that during 2013-2014, Kienlen failed to keep her client Candi Beck reasonably informed about the status of the Beck divorce matter. Arkansas Rule 1.4(a)(3) requires that a lawyer shall keep the client reasonably informed about the status of the matter.

D. The conduct of Terri Kienlen violated Rule 1.4(a)(4) in that during 20013-2014, Kienlen failed to promptly comply with reasonable requests for information from her client Candi Beck about the status of the Beck divorce. Arkansas Rule 1.4(a)(4) requires that a lawyer shall promptly comply with reasonable requests for information.

WHEREFORE, in accordance with the consent to discipline presented by Ms. Kienlen and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent **TERRI W. KIENLEN**, Arkansas Bar No. 2001181, be, and hereby is, **CAUTIONED** for her conduct in this matter, ordered to pay \$50.00 case costs and to pay \$500.00 restitution for the benefit of Candi Beck, the total of \$550.00 all payable by cashier's checks or money orders payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within sixty (60) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL A

By Steve Shults
Steve Shults, Chairperson, Panel A

Date March 17, 2017