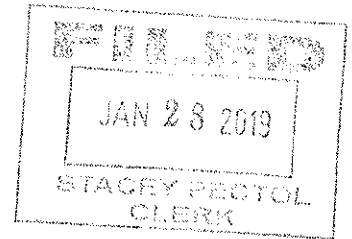


BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B

IN RE: JENNIFER LYNN MAHER
ARKANSAS BAR No. 2010126
CPC DOCKET No. 2018-025



CONSENT FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee from public records. The information related to two criminal convictions; one in Saline County and one in Pulaski County. Following receipt of the Formal Complaint, Jennifer Lynn Maher (“Respondent” herein) 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) (“Procedures”).

I. State v. Jennifer Lynn Maher, Saline County Circuit Court Case No. 63CR-18-7.

Respondent was the driver of a vehicle traveling on Interstate 30 in Saline County. Kyle West, also an Arkansas attorney, was a passenger in the vehicle. Respondent’s vehicle was stopped by an officer of the Bryant Police Department for speeding. Respondent’s driver’s license and Mr. West’s identification were requested. Respondent’s driver’s license was in a suspended status. Mr. West was on probation at the time of the stop and a check revealed that he had a search waiver on file. A canine search of the vehicle was conducted and suspected methamphetamine, used hypodermic syringes, suspected suboxone strips, and marijuana were discovered hidden behind a panel of the car console. Respondent was arrested and charged with violation of Arkansas Code §5-64-420(b)(1), Possession of Methamphetamine or Cocaine with the Purpose to Deliver, a Class C Felony. On August 16, 2018, Respondent, with the assistance of her attorney, entered a negotiated plea of guilty to a reduced charge of violation of Arkansas

Code §5-64-419(b)(1)(A), Possession of Controlled Substance, a Class D Felony. The guilty plea was accepted by the court and Respondent was placed on probation for a period of twenty-four (24) months.

II. State of Arkansas v. Michael David Jones and Jennifer Maher, Pulaski County Circuit Court Case No. 60CR-1-115.

On June 24, 2017, Sherwood Police Department was called to a storage unit at American Storage. The officer found Respondent and another individual asleep inside the storage unit. While the officer cleared the storage unit of persons, narcotics were observed in plain sight. Respondent was arrested and charged with violation of Arkansas Code §5-64-443(a)(2), Possession of Drug Paraphernalia, a Class D Felony. On August 15, 2018, Respondent, with the assistance of her attorney, entered a negotiated plea of guilty to violation of Arkansas Code §5-64-443(a)(2), a Class D Felony. The guilty plea was accepted by the court and Respondent was placed on probation for a period of twenty-four (24) months.

III. Discipline By Consent Proposal.

Pursuant to §20.B of the Procedures, Respondent admits to two violations of Rule 8.4(b) for engaging in a criminal act on October 11, 2017, in Saline County, Arkansas, by possessing less than 2 grams of methamphetamine in violation of Arkansas Code §5-64-419(b)(1)(A) and on June 24, 2017, in Pulaski County, Arkansas by possession drug paraphernalia in violation of Arkansas Code §5-64-443(a)(2). Respondent admits that the convictions are “Serious Crimes” as defined in §2.J of the procedures as both convictions are for felony offenses. Respondent offers as mitigation that on the evening of October 11, 2017, she was returning Mr. West to his

rehabilitation center when she was stopped. She states that West's probationary status led at least in part to a search of the car, but that the charge was related to her drug problem. Respondent admitted that she had a drug abuse problem; that her drug abuse problem did not result in harm to clients; and that her conduct brought disrepute to the profession. For her admission to violation of the Arkansas Rules of Professional Conduct, Respondent offers a suspension of her Arkansas license to practice law for a period of three years.

Upon consideration of the formal complaint and attached exhibit materials, admissions made by Respondent, the terms of the written consent, and the Arkansas Rules of Professional Conduct, Panel B of the Committee on Professional Conduct finds:

1. Jennifer Lynn Maher engaged in a criminal act in Saline County, Arkansas, when she possessed less than 2 grams of a Schedule II narcotic in violation of Arkansas Code Annotated §5-64-419(b)(1)(A), a Class D Felony in violation of Rule 8.4(b) which states that a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.
2. Jennifer Lynn Maher engaged in a criminal act in Pulaski County, Arkansas, when she possessed drug paraphernalia in violation of Arkansas Code Annotated §5-64-443(a)(2), a Class D Felony in violation of Rule 8.4(b) which states that a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that JENNIFER LYNN MAHER,

Arkansas Bar No. 2010126 be, and hereby is, SUSPENDED for a period of THIRTY-SIX (36) MONTHS and assessed costs in this matter of FIFTY DOLLARS (\$50.00) for her conduct in this matter. The suspension shall become effective on the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court. The costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court. In determining the appropriate sanction, Maher's prior disciplinary record was a factor in the Panel's decision. The Panel has placed conditions on Maher's reinstatement to the practice of law which are set out in a separate document which is made a part of this order.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL B

By: Stephen R. Crane
Stephen R. Crane, Chair, Panel B

Date: 1-21-19