



**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

IN RE: **MARY ELIZABETH SKINNER**, Respondent
ABN: 2003178
Docket No. CPC-2022-034

FINDINGS AND ORDER

These Findings and resulting Order arise from information provided to the Committee by Nathan Blankenship (Blankenship).

In 2020, Blankenship received a summons regarding a Trust in case 54CV-20-162, which sued “Nathan Ray Blankenship, Individually, and as Trustee of the L.R. BLANKENSHIP AND ROSEMARY BLANKENSHIP FAMILY TRUST.” The Plaintiff in the case was Blankenship’s brother, L.R. Blankenship, Jr. The facts in the Complaint did not allege any wrongdoing by the Trust, only by Blankenship personally and as the Trustee.

Blankenship consulted with Skinner on August 27, 2020, regarding the lawsuit, and Skinner agreed to represent Blankenship and to keep the Trust intact. Skinner filed an Answer to the Complaint on September 21, 2020, naming herself as Blankenship’s attorney. In her Answer, Skinner said that she would prepare the requested accounting.

On October 23, 2020, the Plaintiff filed an Amended Complaint, as well as a Motion for Accounting. The Motion alleged that attempts to contact Skinner to discuss her previous promise to provide the accounting were unsuccessful.

Skinner did not answer the amended complaint, or the motion for accounting. The Plaintiff filed a Motion for Summary Judgment on December 1, 2020.

On December 8, 2020, the Judge granted the Motion for Accounting, ordering Skinner to provide the same within fifteen (15) business days. Skinner did not provide the accounting.

On January 4, 2021, the Plaintiff filed a Motion for Contempt based on failure to comply with statutory duties as the trustee, and for ignoring orders of the Court.

The Judge's trial court administrator and Plaintiff's Counsel were repeatedly unsuccessful at contacting Skinner. The trial court administrator sent a scheduling order to Skinner by US Mail, that required written confirmation within seven (7) days of receipt of the order, for a hearing on February 12, 2021. Skinner did not acknowledge the court date.

A few days prior to the hearing, Skinner contacted Blankenship and told him that she did not represent him, that she only represented the Trust, and that she would appear in court in that capacity. Blankenship hired other counsel.

The February 12, 2021, hearing was rescheduled to April 16, 2021, and Skinner again failed to provide written confirmation of the rescheduled hearing date, as ordered.

Skinner did not appear on April 16. Blankenship's wife texted Skinner during the hearing, informing her of the contempt issue, and told Skinner that Skinner's presence was requested at a future hearing. The Judge ordered Skinner to appear on July 9, 2021, to provide information as to why Blankenship should not be held in contempt and/or default.

Skinner did not appear on July 9, 2021. At the hearing, the Judge granted the motion for contempt and motion for default judgment and found that "the actions of Defendant's previous attorney inure to the detriment of the Defendants."

With the advice of his new counsel, because of Blankenship's exposure, he agreed to dissolve the Trust, which was directly contrary to the intent of the Trust.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, and other matters before it, and the Arkansas Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. Arkansas Rule 1.1 requires that a lawyer shall provide competent representation to a client.

The conduct of Elizabeth Skinner violated Rule 1.1 by her failure to exhibit knowledge required to represent the Defendant in trust litigation. Skinner engaged representation of Blankenship, missed a critical deadline, and disguised her disappearance as acting only as the attorney for the Trust, when there was no allegation of wrongdoing by the Trust. Skinner did not adhere to the Court's practices and did not take the steps required to be relieved as counsel for Blankenship.

2. Arkansas Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

The conduct of Elizabeth Skinner violated Rule 1.3 by her failure to timely answer the amended complaint, by failure to provide the accounting, and by failure to appear in Court to defend the same. Skinner's lack of diligence was detrimental to her client and to the intent of the Trust that was ultimately dissolved due to Skinner's lack of diligence.

3. Arkansas Rule 8.4(d) states that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

The conduct of Elizabeth Skinner violated Rule 8.4 by her failure to advocate for her client, failure to respond to the Court to confirm court dates, failure to appear in court, failure to abide by Court orders, and by allowing her client to default and be found in contempt of court. Skinner's inactions resulted in Blankenship losing the right to contest the complaint and have a decision based on the merits.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that Mary Elizabeth Skinner,

Arkansas Bar Number 2003178, be, and hereby is, **REPRIMANDED** for her conduct in this matter. In assessing Skinner's sanction, her prior disciplinary history was a factor.

Ms. Skinner shall pay a fine in the amount of \$2,000.00 and costs in the amount of \$150.00. The fine and 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.

IT IS SO ORDERED

ARKANSAS SUPREME COURT
COMMITTEE ON PROFESSIONAL CONDUCT

By: Mark Rees
Mark W. Rees, Chair, Panel B

Date: 02/23/2023