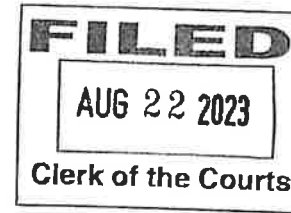


BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT  
PANEL D

IN RE: MAURICE L. TAGGART  
ARKANSAS BAR ID #2021042  
CPC Docket No. 2023-011



FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from a grievance filed by Hosia Thomas. Maurice L. Taggart, of Pine Bluff, Arkansas is an attorney licensed to practice law in the State of Arkansas and assigned Bar Number 2021042.

1. On May 25, 2021, Thomas filed pro se action in Jefferson County District Court against an alarm company who had been making automatic withdrawals from his bank account for services he was not provided.

2. On November 1, 2021, Thomas hired Taggart to represent him in the breach of contract case against the alarm company. Thomas wanted Taggart to file the claim in circuit court. He paid Taggart \$2,250.00 for his representation on that day. Thomas paid Taggart an additional \$700.00 out of \$860.00 owed on November 8, 2021.

3. On November 11, 2021, Thomas signed a fee agreement with Taggart.

4. Thomas states he paid Taggart a total of \$3,250.00 for his representation.

5. On November 23, 2021, Taggart filed a Motion to Dismiss Without Prejudice in the District Court Case. The Order to Dismiss Without Prejudice was entered on November 29, 2021.

6. Thomas contacted Taggart several times by telephone, text message, and once in person, after running into him at a local grocery store, regarding whether he had filed the claim in circuit court. Each time Taggart advised Thomas that he had filed the claim but would not give Thomas the date of the filing.

7. On April 22, 2022, Thomas texted Taggart that if the claim was not filed, he wanted a refund of the fees he paid and information he provided Taggart.

8. Taggart responded on April 29, 2022, by text message advising Thomas he was sending Thomas a draft of a document for his review. Taggart sent Thomas a draft of a Verified Complaint For Breach of Contract, however, Taggart never filed the complaint.

9. On July 15, 2022, Thomas texted Taggart to advise that he had checked with the Jefferson County Circuit Clerk's office, and he was advised that Taggart had not filed the complaint. Thomas requested Taggart return the money he paid and the information he had given Taggart.

10. Taggart responded by text message the same day asking Thomas how he wanted to get the check and information, with Thomas replying to Taggart he could mail them and gave Taggart his mailing address.

11. On July 22, 2022, Taggart texted that he would mail the check and information the following morning. Taggart failed to mail the refund and information.

12. When Taggart failed to return the fees paid, Thomas sued Taggart in Jefferson County District Court.

13. Taggart failed to respond or show for court, and the court entered a Default Judgment against Taggart for \$3,320.00 on August 23, 2022.

14. Not having any contact with Taggart for months and with Taggart having failed to pay the judgment, Thomas texted Taggart on October 4, 2022, advising him that he was filing a complaint with the Arkansas Office of Professional Conduct. Taggart responded by text that he would refund the fee minus \$450.00 for preparing a verified complaint that was never filed. Thomas disagreed and advised Taggart of the judgment amount entered against him.

15. Taggart did not pay Thomas the judgment amount nor return his file. Thomas filed a grievance against Taggart with the Office of Professional Conduct (“OPC”) as he had advised Taggart he would.

16. On December 5, 2022, the Office of Professional Conduct (OPC), through Deputy Director Charlene Fleetwood (“Fleetwood”), in the ordinary course of its everyday business, sent an email request to Taggart for information as part of its investigation into the grievance filed by Thomas, with a request that he provide a response by December 14, 2022, and that Taggart acknowledge the email. Taggart acknowledged receipt of the email. Taggart failed to provide his written response as requested.

17. On March 29, 2023, OPC, through Fleetwood, sent Taggart a follow up email advising him of the previously sent email investigative response request in this matter and that he had until April 5 to respond. It was the final request. Taggart failed to respond and there has been no further communication from Taggart.

18. Taggart failed to provide a response to the request for information despite his acknowledgment of the request and the emails between himself and Fleetwood regarding the request for information and his response. All emails were delivered to [REDACTED], the email address of record on file with the Arkansas Supreme Court Clerk.

19. Taggart was served with the Formal Complaint in this matter on May 23, 2023, and failed to file a response.

Upon consideration of the formal complaint and attached exhibit materials and the Arkansas Rules of Professional Conduct, Panel D of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. That Taggart's conduct violated Rule 1.1 when he drafted but failed to file the Verified Complaint for Breach of Contract with the Jefferson County Circuit Clerk. Arkansas Rule 1.1 states a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

2. That Taggart's conduct violated Rule 1.3 when he failed to take diligent action on the matter for which his client hired him. Taggart drafted a Verified Complaint for Breach of Contract but took no action to file it. Arkansas Rule 1.3 states a lawyer shall act with reasonable diligence and promptness in representing a client.

3. That Taggart's conduct violated Rule 1.4(a)(4) when he failed to advise his client, after several requests for its status, that he had failed to file the Verified Complaint for Breach of Contract. Arkansas Rule 1.4(a)(4) states a lawyer shall promptly comply with reasonable requests for information.

4. That Taggart's conduct violated Rule 1.16(d) when he failed to return the unearned fee to Thomas, when he failed to take any action in Thomas's case and failed to file the Verified Complaint for Breach of Contract. Taggart also failed to return to Thomas all information provided to him regarding Thomas's breach of contract claim. Thomas sued Taggart in district court for return of fees and was successful in obtaining a default judgment against Taggart when he failed to respond to the suit. Taggart has failed to pay the judgment entered against him. Arkansas Rule 1.16(d) states upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and

property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred...

5. That Taggart's conduct violated Rule 1.19(a)(3) when he failed to return to Thomas the information submitted to him in furtherance of Taggart's representation of Thomas in a breach of contract case after Thomas's several requests for Taggart to do so. Arkansas Rule 1.19(a)(3) states upon the client's written request in any format, the lawyer shall surrender the client's original file or a copy of the file, in paper or electronic format, to the client...

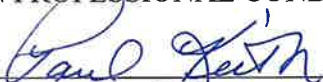
6. That Taggart's conduct violated Rule 8.1(b) when he failed to respond to OPC's request for information in their investigation of the allegations made against him. Arkansas Rule 8.1(b) states an applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this rule does not require disclosure of information otherwise protected by Rule 1.6.

7. That Taggart's conduct constitutes "serious misconduct" as defined in the Procedures Section 17.B.

**WHEREFORE**, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel D, to **INITIATE DISBARMENT PROCEEDINGS AGAINST MAURICE L TAGGART**, Arkansas Bar ID #2021042, for his conduct in this matter. Taggart shall pay restitution in the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$3,250.00)** in accordance with Section 18.C of the Procedures. Taggart shall also pay costs in the amount of **ONE HUNDRED FIFTY DOLLARS (\$150.00)** in accordance with Section 18.A of the Procedures. The restitution and cost assessed

herein totaling THREE THOUSAND FOUR HUNDRED DOLLARS (\$3,400.00) 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.

ARKANSAS SUPREME COURT COMMITTEE  
ON PROFESSIONAL CONDUCT - PANEL D

  
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Paul W. Keith, Chair, Panel D

Date: August 22, 2023