



# Arkansas Supreme Court Committee on Professional Conduct

---

## 2021 Annual Report

---

### Office of Professional Conduct

Riverdale Plaza  
2100 Riverfront Drive, Suite 200  
Little Rock, AR 72202-1747

(501) 376-0313 Telephone  
(800) 506-6631 Toll Free  
(501) 376-3438 Facsimile

Arkansas Judiciary Homepage  
<https://www.arcourts.gov/>

Arkansas Attorney Discipline Homepage  
<https://www.arcourts.gov/professional-conduct>

---

# I. Introduction

**Authority:** Pursuant to the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (“Procedures”), the Committee on Professional Conduct (“Committee”) is granted the authority to investigate all complaints alleging violation of the Arkansas Model Rules of Professional Conduct and impose any sanctions permitted and deemed appropriate. During 2002, major revisions to the Procedures adopted by Per Curiam Order of the Arkansas Supreme Court on July 9, 2001, effective on January 1, 2002, were implemented. The Committee again submitted major proposed revisions of the Procedures to the Court on December 15, 2010, which were adopted by the Court in its Per Curiam issued and effective May 26, 2011, found at 2011 Ark. 242.

**History:** Amendment 28 to the Arkansas Constitution was adopted by the voters in 1938. The amendment placed with the Arkansas Supreme Court the authority to regulate the practice of law in Arkansas and to regulate, and thereby discipline, attorneys. In 1939 the Bar Rules Committee, an entity of the Arkansas Bar Association and the forerunner of the present Committee on Professional Conduct, was established. In 1940 the Canons for Professional Conduct of Lawyers was approved. The Arkansas version of the American Bar Association’s Model Code of Professional Responsibility was first adopted by the Arkansas Supreme Court in 1970. A revised version of the Code became effective July 1, 1976. The Arkansas version of the American Bar Association’s Model Rules of Professional Conduct was adopted by the Arkansas Supreme Court and became effective January 1, 1986. Various revisions have been made to the Arkansas version of the Model Rules since 1986. Comprehensive revisions became effective May 1, 2005, as the Arkansas Rules of Professional Conduct, now found at pages 409-533 of the 2016 Court Rules, Volume 2, of the Arkansas Code. The attorney discipline Procedures implementing these Rules are in the same Volume 2, at pages 357-407. On May 26, 2011, the Supreme Court adopted and made effective significant revisions to the Procedures, in a per curiam found at 2011 Ark. 242

**Mission:** The purpose of lawyer discipline and disability proceedings is to maintain appropriate standards of professional conduct in order to protect the public and the administration of justice from lawyers who have demonstrated by their conduct that they are unable or are likely to be unable to properly discharge their professional duties. Standard 1.1 of the ABA's 1979 Standards for Lawyer Discipline and Disability Proceedings.

---

## II. Structure

### 1. COMMITTEE ON PROFESSIONAL CONDUCT

For the year 2021, the Committee continued to operate in the new model of four Panels authorized by the Supreme Court as of January 1, 2002, designated Panels A, B, C, and D (Reserve). Each panel is composed of seven members appointed by the Arkansas Supreme Court. Five members are lawyers, with one lawyer appointed from each Congressional District and one from the State at large. The remaining two positions are filled by persons who are not lawyers and are selected by the Court from the state at large. Panel membership in 2021 was as follows:

**Panel A:** Don R. Etherly, Helena, Attorney, First Congressional District  
Heather G. Zachary, Little Rock, Attorney, Second Congressional District  
Mark L. Martin, Fayetteville, Attorney, Third Congressional District  
Michael W. Boyd, Magnolia, Attorney, Fourth Congressional District  
Erin E. Cassinelli, Little Rock, Attorney at Large  
Paul W. Hoggard, Piggott, Non-attorney at Large  
Tanya R. Owen, Fayetteville, Non-attorney at Large

**Panel B:** Mark W. Rees, Jonesboro, Attorney, First Congressional District  
David P. Glover, Little Rock, Attorney, Second Congressional District  
James S. Dunham, Russellville, Attorney, Third Congressional District  
Leanne P. Burch, Monticello, Attorney, Fourth Congressional District  
Timothy F. Snively, Fayetteville, Attorney, Attorney at Large  
Elmer Ritchie, Little Rock, Non-attorney at Large  
Miles J. Kimble, Forrest City, Non-attorney at Large

**Panel C:** Keith L. Chrestman, Jonesboro, Attorney, First Congressional District  
James A. Simpson, Jr., Searcy, Attorney, Second Congressional District  
Candice A. Settle, Van Buren, Attorney, Third Congressional District  
Jackie B. Harris, Pine Bluff, Attorney, Fourth Congressional District  
Marshall S. Ney, Rogers, Attorney, At Large  
Mark F. Smith, Marianna, Non-attorney at Large  
Carlton Saffa, Non-attorney at Large

**Panel D:** James Gregory Crumpton, Cabot, Attorney, First Congressional District  
(Reserve) Scott S. Hilburn, Little Rock, Attorney, Second Congressional District  
Timothy C. Hutchinson, Fayetteville, Attorney, Third Congressional District  
Paul W. Keith, Monticello, Attorney, Fourth Congressional District  
Angela S. Cole Lowther, Little Rock, Attorney at Large  
Mitchell Lowe, Little Rock, Non-attorney at large  
William A. Finer, Fayetteville, Non-attorney at large

The **2021 Executive Committee** consisted of:

Timothy F. Snively, Fayetteville, Panel B, Committee Chair  
Paul W. Hoggard, Piggott, Panel A, Committee Secretary  
Mark L. Martin, Fayetteville, Panel A Chair  
David P. Glover, Little Rock, Panel B Chair  
James A. Simpson, Jr., Searcy, Panel C Chair

The **2022 Executive Committee** will consist of:

Mark L. Martin, Fayetteville, Panel A, Committee Chair  
Elmer Ritchie, Little Rock, Panel B, Committee Secretary  
Erin E. Cassinelli, Little Rock, Panel A Chair  
David P. Glover, Little Rock, Panel B Chair  
James A. Simpson, Jr., Searcy, Panel C Chair

Panel C primarily serves: (1) as the review panel for dismissals of grievances by the staff, (2) as a third hearing panel as needed, and (3) individual Panel C members are used as substitute panel members when a member of Panel A or B is not available or has disqualified in any case on a ballot vote or a hearing. Panel D members are substitutes as needed for members of the other three panels who may not be available or who recuse from a case.

#### **COMMITTEE MEETING CALENDAR:**

Panel A meets on the third Friday of the months of January, March, May, July, September, and November.

Panel B meets on the third Friday of the months of February, April, June, August, October, and the second Friday of December.

Panels C and D meet “on call” for special settings of hearings.

## **2. OFFICE OF PROFESSIONAL CONDUCT**

The Committee employs an attorney Executive Director and staff who function as the Office of Professional Conduct, which is housed in offices at the Riverdale Plaza at 2100 Riverfront Drive, Little Rock, Arkansas 72202. The Office of Professional Conduct receives all grievances involving attorneys licensed to practice law in the State of Arkansas, investigates the grievances, provides assistance in the preparation of formal complaints, and processes formal complaints for submission to the Committee. The budget of the Committee and Office for 2021-2022 is about \$964,000 (allocated as: \$530,000 for personnel and \$434,100 for operations), completely funded by the Supreme Court by a portion of the annual license fee paid by Arkansas-licensed attorneys to the Arkansas Supreme Court. No state or taxpayer funds are directly provided to support the office and committee.

The Office of Professional Conduct is staffed by four staff attorneys, a paralegal, and one administrative assistant. The staff attorneys perform all duties and possess such authority of the Executive Director as the Executive Director may delegate, except for the final determination of sufficiency of formal complaints. In addition to Executive Director Lisa Ballard, the Office staff attorneys during 2021 were Charlene Fleetwood - Deputy Director, Caroline Bednar - Senior Staff Attorney, and Anna Catherine Cargile - Staff Attorney.

In 2021, as in previous years, the staff presented several “continuing legal education” programs or speeches on law-related topics across the state.

The Arkansas Supreme Court has not authorized the Office of Professional Conduct to give advice or legal opinions, formal or informal, on legal or ethical issues to anyone.

The Office of Professional Conduct also provides staff support for the Supreme Court’s Unauthorized Practice of Law Committee and the Client Security Fund Committee.

---

---

### **III. Administration**

The Office of Professional Conduct receives telephone calls, letters, e-mails and faxes from individuals across the country requesting information on how to initiate grievances against attorneys licensed to practice law in the State of Arkansas. During the 2021 calendar year, the Office opened 569 new grievance files on alleged attorney misconduct. This number was an increase from 559 new files opened in 2020. See attached Appendix A.

In 2021, 796 grievance files were closed, up from 675 files closed in 2020. For additional statistical information, see attached Appendix B.

---

---

### **IV. 2021 Formal Actions Initiated**

In 2021, there were thirty-two (32) new formal Complaint cases opened, up from the thirty (30) new formal Complaint cases opened in 2020. In 2021, fifty (50) formal Complaint cases were closed, compared to twenty-one (21) closed in 2020.

---

---

### **V. 2021 Final Committee Actions**

Final action was taken in twenty-two (22) formal Complaint cases involving Arkansas attorneys during the 2021 calendar year by the Office and the Committee on Professional Conduct. There are five primary forms of action, or sanction, that the Committee on Professional Conduct may take. The lowest sanction, a warning, is non-public. The other forms of sanction - caution, reprimand, license suspension, and disbarment - are public sanctions. In 2021, seventeen (17) attorneys received at least one public sanction, down from eighteen (18) in 2020. A number of formal Complaint cases initiated in 2020 and 2021 are still pending.

---

---

## VI. 2021 - Most Common Rule Violations

In 2021, the most common rule violations involved Arkansas Rules 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation), 1.4(a) (client communication), 1.3 (acting with reasonable diligence and promptness in representing a client), and 1.1 (competence). A list containing the Arkansas Rule alleged and the number of times the Committee found the rule to have been violated in 2021 is attached as Appendix “C”.

---

## VII. “Practice Aging” of Attorneys Disciplined (2021)

Of the 2021 final disciplinary actions by the Committee, based on number of years licensed in Arkansas, seventeen (17) attorneys were publicly sanctioned as follows. (Attorney age information is not available):

Years Licensed	No. of Attorneys Publicly Sanctioned	Percentage
01-10 (2011-2020)	2	11.76%
11-20 (2001-2010)	7	41.18%
21-30 (1991-2000)	5	29.42%
31-40 (1981-1999)	1	5.88%
41+ (before 1981)	2	11.76%
Total	17	100%

(Several attorneys were publicly sanctioned more than once in 2021.)

## VIII. 2021 Fines, Restitution & Costs

Type	Amount Imposed (2021)	Amount Collected (2021)
FINES:	\$ 19,250.00	\$ 6,250.00
RESTITUTION:	\$ 31,080.00	\$ 25,534.37
COSTS:	\$ 1,100.00	\$ 550.00
TOTALS:	\$ 51,430.00	\$ 32,334.37

(Note: Some of the collections in 2021 were assessed in cases finalized in earlier years. Costs in disbarment cases are rarely collected.)

---

## **IX. 2021 Trust Account “Overdraft” Reporting**

There were twenty-nine (29) notices received in 2021 from all banks and reporters, compared to thirty-seven (37) in 2020. Most of these files were closed after a summary investigation and explanation by the attorney involved. None of the 2021 files has resulted in filing a formal Complaint to date.

There are a few 2021 files still “open” to some extent, such as awaiting additional documentation from the attorney. Of those, none are believed to involve a loss of client funds.

The overwhelming majority of overdraft reports were due to some form of “attorney/firm error” such as bookkeeping math mistakes, failure to make timely deposits of settlement funds, release of settlement checks to clients and third parties before settlement funds were available in the trust account, depositing checks into the wrong account, failure to account for IOLTA interest withdrawals or bank service fees, client fee and expense checks bouncing, etc. Some admitted bank errors are reported.

---

## **X. Summaries of 2021 Public Sanctions – Appendix “D”**

	Number	Designation	Description	Annual Total
2		<b>Attorney</b>		
3	001	A-A/C	Attorney Conduct	41
4	002	A-A/S	Advertisement / Solicitation	2
5		<b>Criminal</b>		
6	003	CR-D	Criminal Defense	160
7	004	CR-P	Criminal Prosecution	62
8	005	CR-A	Criminal Appeal	2
9		<b>Domestic Relations</b>		
10	006	DR-D	Divorce	51
11	007	DR-C	Custody	39
12	008	DR-C/S	Child Support	9
13	009	DR-QDRO	Qualified Domestic Relations Order	1
14	010	DR-V	Visitation	3
15	011	DR-DA/OP	Domestic Abuse / Order of Protection	6
16	012	DR-P	Paternity	4
17		<b>Juvenile</b>		
18	013	J-DHS	Department of Human Services	2
19	014	J-FINS	Families in Need of Services	0
20		<b>Probate</b>		
21	015	PR-E	Estate	41
22	016	PR-T	Trust	7
23	017	PR-W	Will	2
24	018	PR-POA	Power of Attorney	3
25	019	PR-G	Guardianship	16
26	020	PR-A	Adoption	4
27	021	PR-CC	Civil Commitment	0
28		<b>Bankruptcy</b>		
29	022	BNK-7	Chapter 7	6
30	023	BNK-11	Chapter 11	0
31	024	BNK-13	Chapter 13	2
32		<b>Civil</b>		
33	025	CV-A	Appeal	1
34	026	CV-C	Contract	19
35	027	CV-DC	Debt Collection	5
36	028	CV-F	Foreclosure	0
37	029	CV-J	Judgment	0
38	030	CV-LL/TN	Landlord / Tenant	4
39	031	CV-MM	Medical Malpractice	0
40	032	CV-MVA	Motor Vehicle Accident	7
41	033	CV-FED	Civil - Federal	2
42	034	CV-PI	Personal Injury	15
43	035	CV-PR	Property	19
44	036	CV-T	Tort	5
45	037	CV-UD	Unlawful Detainer	0

46	038	CV-N	Negligence	1
47	039	CV-INJ	Injunction	0
48	040	CV-MISC	Miscellaneous	18
49		<b>Miscellaneous</b>		
50	041	SSD-SSI	Social Security Disability / Income	3
51	042	WC	Workers Compensation	0
52	043	ACC	Arkansas Claims Commission	0
53	044	IMGN	Immigration	3
54	045	SCPC	Supreme Court Per Curiam	0
55	046	ARGV	Arkansas State Government	2
56	047	IRS	Federal or State Taxes	0
57	048	EMP	Employment	0
58	049	DC-SC	District Court - Small Claims	2
59	050	INT-PR	Intellectual Property	0
60	051	BS-CP	Business / Corporation	0
61	052	USVA	Veterans Administration	0
			TOTAL GRIEVANCES:	569
No.	Disposition	Description		
12	Formal	Formal Complaint		
3	Diversion*	Diversion / Probation	*6 additional cases (from previous years) were closed by diversion	
5	ACL*	Atty/Client Resolution Letter	*10 additional cases (from previous years) were closed through resolution facilitated by OPC	
291	NPC	No Probable Cause		
13	W/D	Withdrawn by Complainant		
2	Merged-S	Merged with Surrender		
0	Merged-D	Merged with Disbarment		
1	Disbarred	Closed - Disbarred		
1	Closed-D	Closed - Deceased		
0	Closed-S	Closed - Surrendered		
6	Closed-A	Closed - Administrative		
0	FTR	Complainant Failed to Respond		
0	UPL	Unauthorized Practice of Law		
233	Open*	Investigation Pending	*There are 235 additional cases still open from previous years	
2	FWD	Transfer to Alt. Jurisdiction		
569	Total			

## APPENDIX "B"

Category	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Files opened	1,028	972	892	826	804	819	859	861	888	735	794	716	744	657	725	616	697	607	559	569
Closed by staff	737	825	796	868	1137	784	786	742	845	806	646	478	732	595	663	550	549	557	675	796
Complaints filed	186	200	164	159	156	140	114	144	119	97	85	67	51	57	52	34	33	44	30	32
Appellate Referrals	45	50	40	34	39	50	33	41	18	17	40	7	14	7	14	3	2	1	3	0
Judicial Referrals	12	12	8	8	19	6	4	4	6	10	18	3	8	11	7	13	13	4	9	9
Attorney Referrals	N/A	N/A	24	7	16	9	15	15	7	14	38	37	28	33	14	9	16	2	13	2
Complaints closed	178	185	211	181	173	182	122	128	119	106	74	78	63	45	53	47	41	26	21	16
Withdrawn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	6
No Actions	30	15	24	18	19	13	10	11	10	7	4	4	5	2	3	5	2	0	1	2
Warnings	53	54	38	33	53	41	37	46	26	20	13	8	10	17	14	10	6	2	1	12
Cautions	31	28	53	41	29	34	20	28	15	24	8	10	17	10	7	6	9	3	4	8
Reprimands	35	37	36	31	30	26	14	14	19	20	11	11	5	7	7	11	9	2	5	10
Suspensions	14	20	9	17	12	23	12	10	10	11	9	12	4	3	5	13	14	6	4	3
Surrenders	5	5	11	6	7	1	6	5	3	14	8	3	2	6	6	1	0	9	5	3
Merge / surrender	1	14	29	5	4	0	6	18	6	9	1	1	2	3	2	0	0	0	0	1
Deemed Surrendered (Rule 7)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	0	0	0	1
Disbarment initiated	3	3	3	7	2	1	1	2	1	2	1	4	2	0	1	0	0	0	0	1
Disbarments	0	0	3	0	2	2	2	4	3	0	0	5	2	0	0	2	1	0	1	1
Reinstated	3	8	10	13	11	6	0	6	2	2	5	9	7	11	2	2	2	0	1	2
Consents	35	54	71	51	64		45	50	28	29	18	7	8	13	13	14	7	4	6	7
Refer to ArJLAP	2	0	0	1	3	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
No. of Attys Publicly Sanctioned*	61	72	101	102	68	67	49	44	44	60	29	30	27	25	21	18	23	20	18	17

Alleged	No.	Alleged	No.		Found	No.	Found	No.
1.1	11	2.1	1		1.1	8	2.1	1
1.1(d)		3.1			1.1(d)		3.1	
1.2		3.2	1		1.2		3.2	
1.2(a)	3	3.3(a)			1.2(a)	2	3.3(a)	
1.2(b)		3.3(a)(1)	3		1.2(b)		3.3(a)(1)	1
1.2(d)		3.3(a)(3)	1		1.2(d)		3.3(a)(3)	
1.3	14	3.4(a)			1.3	11	3.4(a)	
1.4(a)		3.4(b)			1.4(a)		3.4(b)	
1.4(a)(1)		3.4(c)	3		1.4(a)(1)		3.4(c)	2
1.4(a)(2)	1	3.4(d)			1.4(a)(2)		3.4(d)	
1.4(a)(3)	11	3.7(a)			1.4(a)(3)	9	3.7(a)	
1.4(a)(4)	7	4.1(a)			1.4(a)(4)	8	4.1(a)	
1.4(a)(5)		4.1(b)			1.4(a)(5)		4.1(b)	
1.4(b)	2	4.2			1.4(b)	1	4.2	
1.5(a)		4.3			1.5(a)		4.3	
1.5(b)		4.4			1.5(b)		4.4	
1.5(c)		4.4(a)			1.5(c)		4.4(a)	
1.5(d)		5.3(b)	1		1.5(d)		5.3(b)	1
1.6(a)		5.4(a)			1.6(a)		5.4(a)	
1.7(a)		5.4(a)(2)			1.7(a)		5.4(a)(2)	
1.8(a)	1	5.5(a)	2		1.8(a)	1	5.5(a)	2
1.8(b)		5.7	1		1.8(b)		5.7	
1.8(e)	4	7.1			1.8(e)	4	7.1	
1.8(i)		7.1(b)	1		1.8(i)		7.1(b)	
1.8(j)	1	7.2(e)			1.8(j)	1	7.2(e)	
1.9(a)		7.3(a)			1.9(a)		7.3(a)	
1.9(b)		8.1			1.9(b)		8.1	
1.14(a)		8.1(a)	2		1.14(a)		8.1(a)	2
1.14(b)		8.1(b)	2		1.14(b)		8.1(b)	2
1.15(a)(1)	2	8.3(a)			1.15(a)(1)	1	8.3(a)	
1.15(a)(2)	1	8.4(a)			1.15(a)(2)		8.4(a)	
1.15(a)(4)	1	8.4(b)			1.15(a)(4)		8.4(b)	
1.15(a)(5)	1	8.4(c)	14		1.15(a)(5)	1	8.4(c)	10
1.15(a)(6)		8.4(d)	8		1.15(a)(6)		8.4(d)	4
1.15(b)(1)		8.4(e)			1.15(b)(1)		8.4(e)	
1.15(b)(3)	1				1.15(b)(3)	1		
1.16(a)					1.16(a)			
1.16(a)(1)					1.16(a)(1)			
1.16(a)(2)	1				1.16(a)(2)	1		
1.16(c)					1.16(c)			
1.16(d)	8				1.16(d)	7		
1.19(a)	2				1.19(a)	1		
1.19(b)(1)	1				1.19(b)(1)			
Subtotal	73	Subtotal	40		Subtotal	57	Subtotal	25
		TOTAL	113				TOTAL	82

## Appendix “D” – 2021 Cases

### DISBARMENT

**VAN ES, TODD A., of Centerton, ABN: 2008202**, in Supreme Court Case No. D-21-200, was disbarred by the Arkansas Supreme Court on September 9, 2021, upon referral by the Committee for violations found on a complaint by former client, Dawn Rodriguez. Van Es failed to respond to the Petition for Disbarment served on him, and the Supreme Court granted the Petitioner’s Motion for Default Judgment of Disbarment.

---

### REFERRED TO DISBARMENT

**VAN ES, TODD A., of Centerton, ABN 2008202**, in Committee Case No. CPC 2020-029, on a complaint by former client Dawn Rodriguez, by Findings & Order issued March 22, 2021, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.4(b), 1.16(d), 3.2, 3.4(c), 5.5(a), 8.1(a), and 8.4(c), and in considering his prior disciplinary record, was referred to disbarment proceedings to be initiated by OPC if Van Es does not first surrender his law license.

---

### SURRENDER

**DUMAS, PAUL F., of Morrilton, Bar No. 96123**, through Committee Case No. CPC-2021-015, petitioned the Supreme Court for the surrender of his law license in lieu of disciplinary proceedings. On June 3, 2021, in Case No. D-21-209, the Court accepted his petition and removed him as an attorney. Dumas’ surrender arose from several complaints and his subsequent guilty plea in Conway County Circuit Court to a felony, in violation of AR Rule 8.4(b).

**WILSON, THOMAS BONDS, of Morrilton, Bar No. 97165**, through Committee Case No. CPC-2021-017, petitioned the Supreme Court for the surrender of his law license in lieu of disciplinary proceedings. On July 22, 2021, in Case No. D-21-264, the Court accepted his petition and removed him as an attorney. Wilson’s surrender arose from his guilty plea in Conway County Circuit Court to a felony, in violation of AR Rule 8.4(b).

**BRYANT, JOSHUA S., of Rogers, Bar No. 2008217**, through Committee Case No. CPC-2021-026, petitioned the Supreme Court for the surrender of his law license in lieu of disciplinary proceedings. On September 9, 2021, in Case No. D-21-316, the Court accepted his petition and removed him as an attorney. Bryant acknowledged his conduct in several pending complaints violated the Arkansas Rules of Professional Conduct.

---

### INTERIM SUSPENSION

**DONALDSON, BRYAN DEWITT, of Marion, ABN: 95071**, in Committee Case No. CPC-2021-033, on a complaint before the Committee, by Order of Interim Suspension issued November 17, 2021, was placed on Interim Suspension for allegations of serious misconduct involving criminal activity.

**STEWART, DANIEL A., of Greenwood, ABN: 95024**, in Committee Case No. CPC-2021-034, on a complaint before the Committee, by Order of Interim Suspension issued November 12, 2021, was placed on Interim Suspension for allegations of serious misconduct involving criminal activity.

---

### **SUSPENSION**

**CARTER, BRADLEY M., of Franklin, TN, ABN 2012186**, in Committee Case No. CPC 2020-025 by Findings and Order filed on January 19, 2021, was suspended from the practice of law for two (2) years, with four (4) months active suspension and the remainder on probation subject to conditions, as reciprocal discipline to Tennessee No. M2020-01394-SC-BAR-BP.

**VAN ES, TODD A., of Centerton, ABN 2008202**, in Committee Case No. CPC 2020-019, on a complaint by Mark McCutcheon, by Findings & Order filed January 12, 2021, was suspended for twelve (12) months, fined \$500, and ordered to pay \$950 restitution to McCutcheon for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), 1.19(a), 5.5(a), 8.1(a), and 8.4(c).

---

### **SUSPENSION-STAYED**

**HUTCHINSON, WILLIAM ASA, III, of Rogers, ABN 2001115**, in Committee Case No. CPC 2019-039, by Consent Findings & Order filed July 20, 2020, was suspended, fully stayed, as reciprocal discipline to sanctions imposed by the Supreme Court of Missouri, where he is also licensed.

---

### **REPRIMAND**

**DUMAS, PAUL F., of Morrilton, Bar No. 96123**, in Committee Case No. CPC 2020-016, on a complaint by Jamie Coffman, by Findings & Order filed January 20, 2021, was reprimanded for violations of AR Rules 1.4(a)(3), 1.16(a)(2), 1.16(d), 3.4(c), 8.4(c), and 8.4(d). Dumas was also warned for his failure to respond to the Complaint, to which he was in default.

**GRAHAM, JEFFREY M., of Little Rock, ABN 81075**, in Committee Case No. CPC 2020-022, on a Complaint by OPC, was Reprimanded based on his conduct regarding his IOLTA client trust account and improper financial “advances” to his clients, by Consent Findings & Order filed January 19, 2021. Graham admitted twenty-five advances to clients totaling about \$56,715 over a two year period in 2016-2018 in violation of AR Rule 1.8(e), and three violations of AR Rule 1.15(b)(3) by depositing a total of \$16,250 of personal funds into his IOLTA account, in violation of the allowable \$500 on each occasion.

**HURST, JOSH Q., of Hot Springs, ABN 2004016**, in Committee Case No. CPC 2019-003, on a complaint by former client Kimberly Peters, by Findings & Order filed March 23, 2021, for his violations of AR Rules 1.2(a), 1.3, 1.8(j), 2.1, and 8.4(c), was Reprimanded and ordered to pay \$5,000 restitution to Ms. Peters.

**VAN ES, TODD A., of Centeron, ABN 2008202**, in Committee Case No. CPC 2020-023, on a complaint by former client Mary Washburn, for violations of AR Rules 1.4(a)(4), 1.16(d), 3.4(c), 5.5(a), and 8.4(c), by Findings & Order filed March 24, 2021, was Reprimanded and fined \$1,000 for his conduct in the matter. For failing to file a response to the Complaint, he was separately reprimanded and fined an additional \$1,000.

**VAN ES, TODD A., of Centeron, ABN: 2008202**, in Committee Case No. CPC 2020-030, on a complaint by former client Joshua Lambert, by Findings & Order issued April 20, 2021, for violations of AR Rules 1.2(a), 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), and 8.1(b); and, in consideration of his prior disciplinary record, was Reprimanded, fined \$1,000.00, assessed costs of \$50.00, and ordered to pay \$930.00 in restitution for his conduct in the matter. For failing to file a response to the Complaint, he was separately reprimanded and fined an additional \$1,000.00. Lambert hired Van Es to represent him in a probate matter and Van Es failed to provide any services for which he was paid.

**MAY, QUENTIN ELLERY, of Little Rock, ABN: 2006034**, in Committee Case No. CPC-2020-027, on a complaint by former client Larry Thomas Moorhead, by Findings & Order issued April 21, 2021, for violations of AR Rules 1.3, 1.4(a)(3), 1.4(a)(4), 8.1(b), and 8.4(c); and, in consideration of his prior disciplinary record, was Reprimanded, fined \$2,500.00, and ordered to pay \$5,000.00 in restitution for his conduct in this matter. Moorhead hired May to represent him in a civil matter and May failed to provide any services for which he was paid.

**MORITZ, ASHLEY TOLLESON, of Hope, ABN: 2010026**, in Committee Case No. CPC-2021-004, on a complaint by former client Celia Vershay, by Findings & Order issued July 21, 2021, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(b), 1.16(d), 1.19(b)(1), 3.2, and 8.4(c), was Reprimanded and assessed costs of \$50.00 for her conduct in this matter. Vershay hired Moritz and paid a fee of \$1,600.00 to represent her in a bankruptcy matter. Moritz failed to communicate with her client and never filed the bankruptcy petition. Moritz also failed to maintain the file and was unable to return it to her client, but did refund the fee paid by Vershay.

**FORD, DANIEL DEMOTTE, of Little Rock, ABN: 2014162**, in Committee Case No. CPC-2020-026, on a self-reported complaint, by Findings & Order issued July 21, 2021, for violations of AR Rules 1.1, 3.3(a)(1), 8.4(c), and 8.4(d), was Reprimanded and assessed costs of \$50.00 for his conduct in this matter. Ford represented Ronnie Latiolais in a civil case in federal court. Ford failed to properly serve the individual defendants and then failed to comply with the Court's directive to serve hearing notices on the business defendants. Ford's failure to provide documentary evidence of service caused his client's case to be dismissed. Ford also made false representations to the Court regarding the service and was sanctioned for doing so.

**BERRY, ROBERT MILES, of Little Rock, ABN: 96224**, in Committee Case No. CPC-2021-009, on a complaint by former client Shara Richards, by Findings & Order issued August 17, 2021, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), and 8.4(c), was Reprimanded, fined \$1,000.00, assessed costs of \$50.00, and ordered to pay \$1,600.00 in restitution for his conduct in this matter. For his failure to file a response to the Complaint, he was separately reprimanded and fined an additional \$1,500.00. Richards hired Berry to represent her in a divorce matter. Berry filed an answer in the case and then failed to communicate with Richards and failed to take any further action to complete the representation.

**BERRY, ROBERT MILES, of Little Rock, ABN: 96224**, in Committee Case No. CPC-2021-010, on a complaint by former client Beth Davis, by Findings & Order issued August 17, 2021, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.16(d), and 8.4(c), was Reprimanded, fined \$1,500.00, assessed costs of \$50.00, and ordered to pay \$850.00 in restitution for his conduct in this matter. For his failure to file a response to the Complaint, he was separately reprimanded and fined an additional \$2,500.00. Davis hired Berry to represent her in a domestic relations matter. Berry set a hearing date with the Court and then failed to appear with his client. Berry failed to communicate with Davis and failed to take action to complete the representation.

---

### CAUTION

**GRAHAM, JEFFREY M., of Little Rock, ABN 81075**, in Committee Case No. CPC 2020-008, on a complaint by former client Joann Dixon, for violation of AR Rule 1.8(e), for making prohibited financial advances to a client, by Consent Findings & Order filed January 20, 2021, Graham was cautioned for his conduct.

**GRAHAM, JEFFREY M., of Little Rock, ABN 81075**, in Committee Case No. CPC 2020-005, on a complaint by a client Janice Samms, for violation of AR Rule 1.8(e), for making prohibited financial advances to a client, by Consent Findings & Order filed January 20, 2021, Graham was cautioned for his conduct.

**NEWCOMB, ROBERT A., of Little Rock, ABN 73087**, in Committee Case No. CPC 2020-021, on a complaint by client Christopher Young, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), and 8.4(d), by Consent Findings & Order filed January 6, 2021, was Cautioned, and ordered to pay \$2,000 restitution to Young.

**OLDHAM, CHAD R., of Jonesboro, ABN: 2002058**, in Committee Case No. CPC-2021-012, on a complaint by Cara Ashley Woodward, by Consent Findings & Order issued June 18, 2021, for violation of AR Rule 5.3(b), was Cautioned, fined \$1,500.00 and assessed costs of \$50.00. Oldham employed Bethany Barnes, a convicted felon, as a paralegal and fiduciary administrator for his office and other businesses. Barnes embezzled, converted, or misappropriated funds belonging to Oldham's legal clients and Oldham's related businesses. Barnes admitted to her criminal conduct upon discovery of her conduct and reimbursed Oldham's clients and related businesses. Barnes was able to engage in her conduct by using a stamp of Attorney's signature. Barnes was charged with theft and forgery and entered a guilty plea.

**KLOCK, ROBERT DAVID, of Bentonville, ABN: 76066**, in Committee Case No. CPC-2020-009, on a complaint by former client Hugo Portillo, by Consent Findings & Order issued August 24, 2021, for violations of AR Rules 1.1 and 1.3, was Cautioned, assessed costs of \$50.00, and agreed to pay \$7,500.00 in restitution for his conduct in this matter. Portillo hired Klock to file an asylum application with the Immigration Court. Klock failed to timely and properly file the application, which resulted in Portillo's case being dismissed.

**KELLEY, KEVIN L., of Dallas, TX, ABN: 2010089**, in Committee Case No. CPC-2020-014, on a complaint by former clients Lakesia Chandler and Jasmine Davis, by Findings & Order issued September 14, 2021, for violations of AR Rules 1.4(a)(3), 1.8(e), 1.15(a)(1), was Cautioned, fined \$1,500.00, and assessed costs of \$50.00 for his conduct in this matter. Chandler hired Kelley to

represent her daughter in a personal injury matter. Kelley failed to timely inform his clients of the status of the Summary Judgment in their case. Kelley advanced monthly payments to Chandler as financial assistance during the litigation, which was also an improper use of IOLTA funds.

**BURKS, CHRISTOPHER WESLEY, of North Little Rock, ABN: 2010207**, in Committee Case No. CPC-2021-018, on a complaint before the Committee, by Consent Findings & Order issued November 1, 2021, for violations of AR Rules 8.4(c) and 8.4(d), was Cautioned, and assessed costs of \$50.00 for his conduct in this matter. Burks violated a Circuit Court Protective Order and provided false information, which caused harm to the parties involved and undue burden on the judicial system.