

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

IN RE: DAVID KEITH SARVER, Respondent
 Arkansas Bar ID # 2006051
 CPC Docket No. 2014-007

CONSENT FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information obtained from the self-report of Respondent David Keith Sarver. Mr. Sarver is an attorney practicing primarily in Memphis, Tennessee. Following Mr. Sarver's receipt of the formal complaint, Mr. Sarver entered in to discussion with the Executive Director which resulted in an agreement by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2011).

Mr. Sarver's then law firm represented a client in a civil matter, and during the course of his representation the two began a sexual relationship. The sexual relationship had not been in place prior to the commencement of the client-lawyer relationship. The lawyer-client relationship was in place when Mr. Sarver admitted this conduct in his December 23, 2013 letter to the Office of Professional Conduct and through follow-up communications with OPC.

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 A of the Arkansas Supreme Court Committee on Professional Conduct finds:

Mr. Sarver's conduct violated Rule 1.8(j) in that Mr. Sarver engaged in a sexual relationship with a client, and the sexual relationship began following the commencement of a civil suit in which Sarver's firm represented client.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that David Keith Sarver, Arkansas Bar ID# 2006051, be, and hereby is, **CAUTIONED** for his conduct in this matter, and assessed \$50 costs. 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.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL A

By: /s/ Michael Boyd, Chair, Panel A

Date: March 20, 2015

Original filed with the Arkansas Supreme Court
Clerk on March 20, 2015.