

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

IN RE: **WILLIAM ASA HUTCHINSON III**, Respondent  
Arkansas Bar No. 2001115  
Docket No. CPC 2019-039

**CONSENT FINDINGS & ORDER**

This Consent Order, involving Respondent William Asa Hutchinson III of Benton County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Mr. Hutchinson, based on his obligation to reciprocally report any suspension of his law license by a court in another state pursuant to Section 14.A. of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law ("Procedures"):

1. Mr. Hutchinson is licensed to practice law in Arkansas (Bar #2001115) and Missouri (Bar #60278).

2. On September 21, 2018, the Missouri Office of Chief Disciplinary Counsel, as the Informant, filed an Information and Motion for Final Order of Discipline against Mr. Hutchinson with the Supreme Court of Missouri in Case No. SC97422, which was filed based on an Alabama criminal case brought to the attention of the Office of Chief Disciplinary Counsel by Mr. Hutchinson voluntarily.<sup>1</sup> Mr. Hutchinson filed his Response to Order for Show Cause in Missouri.

3. By Order issued December 18, 2018, the Supreme Court of Missouri found that Mr. Hutchinson violated Missouri Rule of Professional Conduct 4-8.4(b) as a result of his pleading guilty in 2016 to a criminal offense in Baldwin County, Alabama; he was disciplined by an indefinite suspension of his law license, with said suspension stayed, and Mr. Hutchinson was placed on

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<sup>1</sup> The case had charged, by Information, Mr. Hutchinson with committing a criminal act in Alabama, and on July 3, 2018, the Alabama Court granted the prosecution's Motion to Nolle Prosequi the case after Mr. Hutchinson had completed a Pre-trial Intervention Program, resulting in the dismissal of the case with no conviction of Mr. Hutchinson.

probation for two years from the date of the Order on the following terms and conditions: (a) Mr. Hutchinson shall not engage in conduct that violates Missouri's Rules of Professional Conduct; (b) Mr. Hutchinson shall maintain malpractice insurance with certain minimum amounts of coverage and report same to the designated probation monitor; (c) Mr. Hutchinson shall notify Missouri's Chief Disciplinary Counsel within 14 days of any change in employment or if he engages in the practice of law in Missouri; and (d) Mr. Hutchinson pays all costs incurred in connection with the probation program and complies with Missouri Supreme Court Rule 5.225 governing probations.

Following Respondent Attorney's receipt of the formal complaint, the attorney entered into discussion with the Executive Director which has resulted in an agreement to discipline by consent pursuant to Section 20.B of the Procedures. Upon consideration of the formal complaint and attached exhibits, admissions made by the Respondent Attorney, the terms of the written consent, the approval of Panel A of the Committee on Professional Conduct, the Procedures, and the Arkansas Rules of Professional Conduct, the Committee on Professional Conduct finds:

1. That Mr. Hutchinson should be disciplined under Section 14.F. of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law in that the Supreme Court of Missouri suspended Mr. Hutchinson's Missouri law license indefinitely, with such suspension stayed, for violation of Missouri Rule of Professional Conduct 4-8.4(b) and placed Mr. Hutchinson on a two-year probation<sup>2</sup>; and

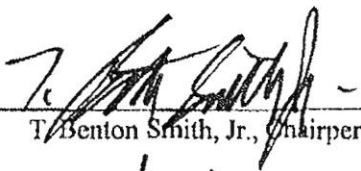
2. That identical discipline must be imposed by the Committee as required by Section 14.F. of the Procedures.

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<sup>2</sup> Under Missouri Supreme Court Rule 5.225, a lawyer is only eligible for probation if the lawyer (a) is unlikely to harm the public during the period of probation and can be adequately supervised; (b) is able to perform legal services and is able to practice law without causing the courts or profession to fall into disrepute; and (c) has not committed acts warranting disbarment. Rule 5.225 also requires the nature and circumstances of the lawyer's misconduct and the

WHEREFORE, in accordance with the consent to reciprocal discipline presented by Mr. Hutchinson and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that the Arkansas law license of Respondent WILLIAM ASA HUTCHINSON III, Arkansas Bar No. 2001115, be, and hereby is, suspended indefinitely, with the right to file a petition requesting reinstatement after six (6) months, from December 18, 2018, with the imposition of the entire suspension being deferred until the expiration of the stay of his Missouri license occurs, if ever. Effective December 18, 2018, Respondent will also be on probation in Arkansas, under the supervision of Arkansas attorney Chad Atwell of Fayetteville, for twenty-four (24) months and subject to the terms and conditions in a separate agreement. Upon the termination of Respondent's Arkansas probation due to compliance pursuant to Section 17.E.(7) of the Procedures, the suspension issued herein shall terminate. \$50.00 in case costs are assessed and 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 Consent 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   
T. Benton Smith, Jr., Chairperson

Date 7/17/20

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history, character, and health status of the lawyer to be considered with placing a lawyer on probation.