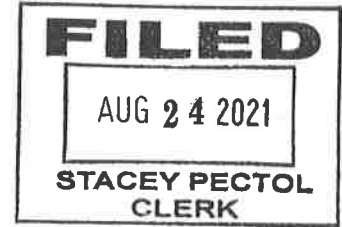


**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

IN RE: **ROBERT DAVID KLOCK**, Respondent
 Arkansas Bar No. 76066
 Docket No. CPC-2020-009



CONSENT FINDINGS & ORDER

These Consent Findings and resulting Order arise from information provided in November 2019 by Hugo Portillo Interiano and his current attorney, Nathan Bogart. Klock is an Arkansas licensed attorney practicing primarily in Rogers, Arkansas. Following Respondent Attorney’s receipt of the formal Complaint, Klock initiated communication with the Executive Director, which has resulted in an agreement to discipline by consent, pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2012).

In June 2014, Portillo entered the United States seeking asylum from El Salvador due to persecution and a fear for his personal safety.

In November 2014, Klock agreed to represent Portillo in asylum immigration proceedings and Portillo began paying fees for representation.

On June 24, 2015, Klock “lodged” an application for asylum for Portillo with the Immigration Court (IC) in Memphis, Tennessee. However, Klock did not actually file the application for asylum for Portillo until June 1, 2018, which should have been filed within one (1) year of Portillo’s entry into the United States and no less than fifteen (15) days prior to the immigration hearing. Further, the application Klock filed was incomplete.

During the immigration hearing on June 7, 2018, the Judge admonished Klock for missing both the one-year deadline and the 15-day deadline and for filing an incomplete application. The Judge dismissed Portillo’s application based upon Klock’s failure to timely submit complete and proper evidence to the IC and advised Portillo he had thirty (30) days to file an appeal.

Upon consideration of the formal Complaint and attached exhibits, admissions made by Klock, the terms of the written consent, the approval of Panel B of the Committee on Professional Conduct, and the Arkansas Rules of Professional Conduct, the Committee on Professional Conduct finds:


1. Klock's conduct violated Rule 1.1 when he failed to provide Portillo with competent and thorough representation, which resulted in Portillo's asylum application being dismissed. Rule 1.1 requires that 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. Klock's conduct violated Rule 1.3 when he failed to timely file Portillo's asylum application. Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

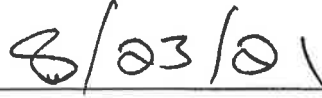
WHEREFORE, in accordance with the consent to discipline executed by Klock and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent Robert David Klock, Arkansas Bar No. 76066, be, and hereby is, CAUTIONED for his conduct in this matter. Klock is assessed costs in the amount of FIFTY DOLLARS (\$50.00) and agrees to pay restitution to HUGH PORTILLO in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00).

The costs and restitution assessed herein, totaling SEVEN THOUSAND FIVE HUNDRED FIFTY DOLLARS AND NO CENTS (\$7,550.00), 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 B



David P. Glover, Chair, Panel B



Date