BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

FILED
JUL 16 2010
LESLIE W. STEEN
CLERK

IN RE: **DARRELL W. JOHNSON**
Arkansas Bar ID #65026
CPC Docket No. 2010-029

CONSENT FINDINGS & ORDER

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Darrell W. Johnson of Fort Smith, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by the Oklahoma Bar Association.

Darrell W. Johnson is licensed in Arkansas but not in Oklahoma. During the period 2008-2009, he practiced law in the district courts of the State of Oklahoma, in Sequoyah and LeFlore Counties, by filing pleadings in cases there while not licensed or admitted to do so. An Unauthorized Practice of Law (UPL) Complaint, No. GC 10-049, was filed against him with the Oklahoma Bar Association on a complaint filed by Oklahoma counsel in those cases. After an investigation, Johnson was ordered to cease practicing law in Oklahoma until he was duly admitted by the Oklahoma Supreme Court or by *pro hac vice* application. Johnson admitted he had practiced law in those Oklahoma courts as alleged.

Mr. Johnson explained that the bulk of his practice is in bankruptcy, and that his appearances and filings in Oklahoma courts were for clients who were going to file bankruptcy petitions through him. His filing in Oklahoma was for the purpose of buying time to get the new client's bankruptcy filed in the bankruptcy court for the Eastern District of

Oklahoma, where he could practice without being admitted or licensed by the Supreme Court of Oklahoma. Mr. Johnson was admitted to practice before the United States District Court for the Eastern District of Oklahoma in 1998.

After Respondent received the Complaint, he entered into discussion with the Executive Director which 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 (2002). Upon consideration of the Complaint, admissions made by the respondent attorney, and the terms of the written consent, Panel A of the Committee on Professional Conduct finds:

A. The conduct of Darrell W. Johnson violated Arkansas Rule 5.5(a) in that in 2008-2009 Mr. Johnson practiced law in the district courts of the State of Oklahoma by filing pleadings for clients in those courts at times when he was neither licensed to practice law in Oklahoma state courts nor admitted on motion or *pro hac vice* to appear in those particular Oklahoma cases and courts. Arkansas Rule 5.5(a) provides that a lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Johnson and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, by its Panel A, that Respondent **DARRELL W. JOHNSON**, Arkansas Bar No. 65026, be, and hereby is, **CAUTIONED** for his conduct in this matter and ordered to pay $50.00 case costs. The $50.00 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 _____
T. Benton Smith, Jr., Chairperson, Panel A

Date July 16, 2010