

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

IN RE: Charles D. Davidson, Sr., Respondent

Arkansas Bar ID# 73026

CPC Docket No. 2003-043

**FINDINGS AND ORDER**

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by Dane Arnell Blunt on November 15, 2001. The information related to the representation of Blunt by Respondent beginning May 16, 1999.

On April 14, 2003, Respondent was served with a formal complaint, supported by an affidavit from Blunt. Respondent filed a timely response on May 5, 2003.

The allegations giving rise to the complaint are that Blunt hired Respondent to represent him in a paternity/child custody/wrongful death action after the mother of Blunt's daughter was killed in an accident at Six Flags. Blunt was living in Pine Bluff at the time and did not have any transportation, and Blunt stated in his affidavit that Respondent offered to help him get a car. Blunt said Respondent told him the car could not cost more than \$30,000 and that Respondent would get it financed through one of his banks and that Respondent would make the payments. Blunt found a 1991 Acura Legend and Respondent had it financed in Blunt's name through one of Respondent's banks and Respondent was making the payment of \$535.80 per month. Blunt further stated in his affidavit that Respondent failed to make the payments on time and there were attempts to repossess the vehicle and then Respondent would catch up on the payments. Blunt stated that the late payments caused several problems with his credit. Respondent made payments totaling \$13,924.40 on the car. Paternity was never established and nothing ever became of the wrongful death action and the court granted guardianship of the minor to the maternal grandparents. Blunt stated after guardianship was granted to the maternal grandparents, he never heard from Mr. Davidson again. On May 4, 2002, Blunt had an accident and the car was totaled. The insurance company paid the car off with the bank.

In his response, Respondent admitted that he agreed to help Blunt get the car financed since Blunt had no credit established at the time. Respondent also stated that Blunt agreed to work on Respondent's farm and to pay for the vehicle through payroll deductions. Respondent denies that he agreed to pay Blunt's car payment. Respondent further stated that complications arose and Blunt did not go to work on Respondent's farm and did not make the car payments. Therefore, the bank requested that Respondent make the payments since Respondent had recommended Blunt. Respondent stated that he made the payments to protect his own credibility with the bank. Respondent further admitted that involving himself with the purchase of the car was a mistake.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, and other matters before it, and the Arkansas Model Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

Mr. Davidson's conduct violated Model Rule 1.8(e) when he purchased a 1991 Acura Legend for Mr. Blunt while representing him, and when he made car payments totaling at least \$13,924.40. Model Rule 1.8(e) provides that a lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that (1) a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and (2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

Mr. Davidson's conduct violated Model Rule 8.4(a) when he purchased a car for Mr. Blunt while representing him. However, such financial assistance was not court costs or expenses of litigation. Model Rule 8.4(a) provides that a lawyer shall not violate or attempt to violate the rules of professional conduct, knowingly assist or induce another to do so, or do so through the acts of another.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that Charles D. Davidson, Sr, Arkansas Bar ID# 73026, be, and hereby is, CAUTIONED for his conduct in this matter, fined \$1,000, and ordered to pay \$50 in costs, pursuant to Section 18A of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct for Attorneys at Law. The fine and costs assessed herein shall be payable by cashier's check or money order to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct with 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

By: \_\_\_\_\_

John L. Rush, Chair, Panel B

Date: \_\_\_\_\_