

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

IN RE: ROBERT BRENT CREWS
Arkansas Bar ID #91237
CPC Docket No. 2011-047

FILED

OCT 24 2011

FINDINGS AND ORDER

**LESLIE W. STEEN
CLERK**

The formal charges of misconduct upon which this Findings and Order is based were developed from information provided to the Committee by United States District Judge James M. Moody on March 23, 2011. The information related to the representation of Robert Doffee-Maxwell in late 2009-early 2011 in United States District Court Case No. 08-CV-15, Eastern District of Arkansas, a civil rights claim and suit against the Arkansas Department of Correction, by Respondent Robert Brent Crews, an attorney practicing primarily in Walnut Ridge and Jonesboro, Arkansas.

On June 16, 2011, Respondent Crews was served with a formal complaint, supported by Judge Moody's referral letter, materials from the Doffee-Maxwell case file, and an affidavit from Denise Parks, Deputy Clerk, Supreme Court of Arkansas, concerning the "standing" status of Mr. Crews's Arkansas law license. Respondent Crews failed to file a response to the complaint, which failure to timely respond, pursuant to Section 9.C(4) of the Procedures (Rev. 2011), constitutes an admission of the factual allegations of the formal complaint and extinguishes Respondent's right to a public hearing.

By letter dated March 23, 2011, United States District Judge James M. Moody reported this matter to the Committee. Judge Moody provided information and court

documents showing Brent Crews was appointed to represent Robert Doffee-Maxwell in his claim in federal court against the Arkansas Department of Correction for violation of Doffee-Maxwell's civil rights, filed as Case No. 08-CV-15. Mr. Crews was appointed to represent this client on December 7, 2009. Judge Moody outlined Crews's pattern of not responding to communications from the court on the case, culminating the need to cancel a trial, relieve Crews as counsel, and appoint new counsel for the client.

Mr. Crews was contacted by e-mails from the Office of Professional Conduct (OPC) on March 28, April 8, and May 13, 2011, about this case and he did not respond. Many attempts were made after April 2011 to contact Mr. Crews by telephone at his Jonesboro and Walnut Ridge offices, his home number, and his cell number about this case and he did not respond.

Mr. Crews did not pay his 2011 Arkansas Supreme Court mandated law license renewal fee, due by March 1, 2011, until May 13, 2011, and he was thus practicing law while his license was suspended from March 2 - May 12, 2011.

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

A. The conduct of Robert Brent Crews violated Rule 1.1, in that from his appointment to the case of Robert Doffee-Maxwell in December 2009, until relieved as counsel in February 2011, on the eve of trial, Mr. Crews totally failed to communicate with the trial court, causing the February 25, 2011, trial to be cancelled two days before trial, conduct by Mr. Crews demonstrating a lack of the legal knowledge, skill, thoroughness and preparation reasonably

necessary for the representation. Arkansas 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.

B. The conduct of Robert Brent Crews violated Rule 1.3 in that by failing totally to respond to the inquiries and orders of the trial court in the case, Mr. Crews failed to act with reasonable diligence and promptness in representing his client Robert Doffee-Maxwell. Arkansas Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

C. The conduct of Robert Brent Crews violated Rule 3.4(c) in that (1) Mr. Crews failed to pay his 2011 Arkansas bar license fee by March 1, 2011, as required by Arkansas Supreme Court Rule VII.C, Rules Governing Admission to the Bar, and (2) Mr. Crews failed to file the Pre-Trial Disclosure Sheet, required by Fed.R.Civ.P. 26(a)(3), as ordered by the trial court to be filed by January 28, 2011, in the Doffee-Maxwell case. Arkansas Rule 3.4(c) requires that a lawyer shall not knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists;

D. The conduct of Robert Brent Crews violated Rule 5.5(a) in that Mr. Crews failed to pay his 2011 Arkansas Bar license fee by March 1, 2011, as required by Arkansas Supreme Court Rule VII.C, Rules Governing Admission to the Bar, resulting in the automatic suspension of his Arkansas law license on March 2, 2011, until he paid his 2011 license fee on May 13, 2011. Mr. Crews practiced law from March 2 - May 12, 2011, while his Arkansas law license was suspended during this period. 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.

E. The conduct of Robert Brent Crews violated Rule 8.1(b) in that by failing to respond to e-mail communications on this matter from the Office of Professional Conduct sent on March 28, April 8, and May 13, 2011, Mr. Crews knowingly failed to respond to a lawful demand for information from an admissions or disciplinary authority. Arkansas Rule 8.1(b) provides that an applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not: (a) ...; or (b) ..., or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this rule does not require disclosure of information otherwise protected by Rule 1.6.

F. The conduct of Robert Brent Crews violated Rule 8.4(d) in that (1) the complete failure of Mr. Crews to communicate with the trial court from April 14, 2010, through February 25, 2011, resulted in the cancellation of his client's trial set for February 28, 2011, conduct by Mr. Crews that is prejudicial to the administration of justice, costing his client a trial date and the court the efficient use of an available trial date, and (2) Mr. Crews abandoned his client Robert Doffee-Maxwell in this case, requiring the appointment of new counsel, conduct by Mr. Crews that is prejudicial to the administration of justice. Arkansas Rule 8.4(d) provides that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice;

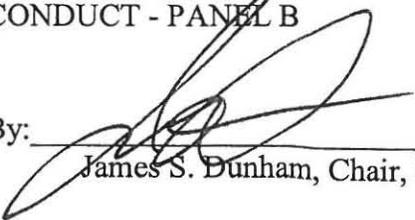
WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that the Arkansas law license of **ROBERT BRENT CREWS**, Arkansas Bar ID# 91237, be, and hereby is,

SUSPENDED for TWELVE (12) MONTHS, he is FINED \$2,500.00, and ASSESSED \$50.00 CASE COSTS for his conduct in this matter. In assessing the sanction, the Respondent attorney's prior disciplinary record was a factor considered by the Panel.

For his failure to file a Response to the Complaint, a separate violation, he is **REPRIMANDED** and additionally **FINED \$2,500.00**.

The suspension shall become effective on the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court. The fines and costs assessed herein, totaling \$5,050.00, shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct 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: 
James S. Dunham, Chair, Panel B

Date: August 29, 2011