

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

IN RE: MORRIS THOMPSON

ARKANSAS BAR ID #80145

CPC DOCKET NO. 2000-124

FINDINGS AND CONSENT ORDER OF DISCIPLINE

The formal charges of misconduct upon which this Order is premised arose from an Arkansas Supreme Court Opinion dated May 10, 2000, in the case of Judicial Discipline & Disability Commission v. Morris W. Thompson. The Court, pursuant to Rule 12D of the Rules of Procedure of the Arkansas Judicial Discipline and Disability Commission, forwarded a copy of the opinion to the Arkansas Supreme Court Committee on Professional Conduct for a hearing on the issue of imposition of lawyer discipline concerning Morris W. Thompson, an attorney practicing law in Little Rock, Arkansas. The May 10, 2000, Opinion cited testimony of Mr. Thompson before the Arkansas Judicial Discipline and Disability Commission where Mr. Thompson was cross-examined about a number of checks made out to him and other clients prior to his taking the office as Pulaski County Circuit Judge. The checks bore the names of Bertha Chambers, Vivian Lamini, Gertie Mason, Irma Reshada, Diana Cross and Diana Brickman. Mr. Thompson admitted that those checks were deposited into his law office operating account and that he had "technically" commingled his clients' monies with his. Based on that evidence and Mr. Thompson's admissions, the Arkansas Supreme Court concluded that Mr. Thompson violated Model Rule 1.15.

Mr. Thompson was stopped by the Little Rock Police Department on June 18, 1997, and given a citation for exhibiting a fictitious license plate tag in violation of Ark. Code Ann. §27-14-306, a misdemeanor. Although Mr. Thompson denied that he had any purpose to mislead law enforcement, the Arkansas Supreme Court found that the purpose for attaching the fictitious license tag was to mislead law enforcement officers to believe the vehicle was properly registered.

Immediately prior to commencement of a public hearing scheduled for September 20, 2001, Mr. Thompson and his attorneys tendered a consent to discipline to the Arkansas Supreme Court Committee on Professional Conduct pursuant to Section 8C(1)(c). Upon being apprised of the proposed consent to discipline, the Committee, in executive session, considered the proposal. Following discussion in executive session, the Committee accepted the proposed consent to discipline and based upon the proposed consent to discipline, the referral of the May 10, 2000 opinion of the Arkansas Supreme Court pursuant to Rule 12D of the Rules of the Judicial Discipline and Disability Commission, and the limitations on jurisdiction in Rule 6B of the Rules of the Judicial Discipline and Disability Commission, the Committee on Professional Conduct finds:

1. That Mr. Thompson's conduct violated Model Rule 1.15(a) when he received a check from IFG Insurance Company in the amount of \$9,000 and made payable to his client, Bertha Chamber and her attorney, Morris Thompson, and, following receipt, deposited the check into his operating account; when he received a draft from Southern Farm Bureau Casualty in the amount of \$19,500 and made payable to his client, Vivian Diamini, and Morris Thompson Law Office and, following receipt, deposited the draft into his operating account; when he received a check from Farmers Insurance Group in the amount of \$8,000 and made payable to his client, Gertie Mason, and her attorney, Morris Thompson, and, following receipt, deposited the check into his operating account on December 15, 1992; when he received a check from St. Paul Fire and Marine Insurance Company in the amount of \$9,000 which was made payable to his client, Earma Rashada as legal guardian of Brandi Jones, a minor, and her attorney of record, Morris Thompson, and following receipt, deposited the check into his operating account; when he received a check from Country Mutual Insurance Company in the amount of \$4,500 made payable to his client, Lisa Barnes, and her attorney, Morris Thompson, and the State of Arkansas Public Employees Division, and, following receipt, deposited the check into his operating account; and when he deposited proceeds from Ada Gant's settlement into his operating account instead of a readily identifiable trust account allowing the proceeds to become commingled with his own funds and property. Model Rule 1.15(a) (1992) requires that a lawyer hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property.

2. That Mr. Thompson's conduct violated Model Rule 8.4(b) when he was cited for exhibiting a fictitious license plate tag on his pickup truck in violation of Ark. Code Ann. § 27-14-306, an unclassified misdemeanor. Model Rule 8.4(b) requires that a lawyer not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other aspects.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Thompson and his attorneys, Jeff Rosenzweig and Jack Kearney, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that MORRIS W. THOMPSON, Arkansas Bar ID #80145, be, and hereby is, SUSPENDED for a period of one hundred twenty (120) days for his conduct in this matter. The suspension shall become effective on the 1<sup>st</sup> day of December, 2001.

IT IS SO ORDERED.

ARKANSAS SUPREME COURT COMMITTEE

ON PROFESSIONAL CONDUCT

By:

Bart Virden

Chairman

Date:

Approved:

\_\_\_\_\_  
Jeff Rosenzweig

Attorney for Morris W. Thompson