

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

IN RE:           **CLAUDE RAYMOND JONES**  
                  ARKANSAS BAR No. 78082  
                  CPC Docket No. 2007-004

**CONSENT FINDINGS & ORDER**

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Claude Raymond Jones of Harrison, Boone County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Betty Albertson of Newton, Iowa.

Frances E. Weltch of Harrison, Arkansas, a widow, died testate in May 2000, at age 88 or 89, survived by a daughter, Betty Albertson, and a son, John Smith, both residents of Iowa. Ms. Weltch's long-time attorney in Harrison, Claude R. Jones, prepared a will at her direction that she executed on June 24, 1998. The will nominated Jones to be her executor, and left Ms. Weltch's entire estate to Jones at her death. Both her children were disinherited under the will. Jones never opened probate administration of her estate or offered the will for probate. Betty Albertson obtained a letter dated September 10, 1998, from Mahlon O. Maris, M.D., with the Claude Parrish Community Health Clinic of the Boone County area, in which Doctor Maris opined that Ms. Weltch was at the time an 87 year old female with paranoid delusional disorder, and series of other personal health and hygiene problems, and that because of her psychosis and medical problems she could not care for herself and that appointment of a guardian is imperative. The children contacted Jones about their mother's estate. In April 2002 Jones replied to their attorney in Iowa with a copy of the Weltch will and Jones's statement that "She left everything to me. However, I didn't think it was fair and I told Betty that she and your client would get a third

each.” In February 2003, Jones sold some Welch estate realty in Arkansas and sent checks for \$7,100.00 to each child, promising a complete accounting to them of the estate after the sale was finalized. From the \$13,800 left from the land sale, which Jones retained, he later claimed credit for paying estate obligations, including the funeral home bill of about \$4,600 in May 2003, which totaled \$7,177.67, leaving a balance of \$6,702.40 as Jones’s net share of the estate. Mr. Jones provided this accounting to the children by his letter to Stark Ligon dated October 13, 2006, in reply to Ligon’s letter of September 10, 2006, to Jones, written after Ms. Albertson filed her complaint against Jones in 2003.

Following Respondent Attorney’s receipt of the formal complaint, the attorney entered into discussion 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 (2002). Upon consideration of the formal complaint and attached exhibits, admissions made by the respondent attorney, the terms of the written consent, the approval of Panel B of the Committee on Professional Conduct, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

A. Mr. Jones’s conduct violated Model Rule 1.8(c) in that he prepared a Last Will and Testament for Frances E. Welch, executed by her on June 24, 1998, in his law office, in which he was named as the executor and the sole beneficiary of the Estate of Frances E. Welch, to whom he was not related in any manner. Since Mr. Jones knew of her assets, including at least about nineteen acres of land in Boone County, Arkansas, he reasonably knew, or should have known at the time, that the potential for a substantial future testamentary gift from Ms. Welch to him existed by reason of her will he prepared. Model Rule 1.8(c) provides that a lawyer shall not

prepare an instrument giving the lawyer or a person related to the lawyer as parent, child sibling, or spouse any substantial gift from a client, including a testamentary gift, except where the client is related to the donee. (1998 Model Rules of Professional Conduct.)

WHEREFORE, in accordance with the consent to discipline presented by Mr. Jones and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent **CLAUDE RAYMOND JONES**, Arkansas Bar No. 78082, be, and hereby is, **CAUTIONED** for his conduct in this matter, assessed Committee case costs of \$50.00, and ordered to pay restitution of \$3,351.20 to each of Betty F. Albertson and John G. Smith. The restitution and 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 B

By \_\_\_\_\_  
Henry Hodges, Chairperson, Panel B

Date \_\_\_\_\_