

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

FILED

IN RE: **RALPH THEODOR STRICKER**
ARKANSAS BAR ID #80139
CPC Docket No. 2012-007

MAY 18 2012

LESLIE W. STEEN
CLERK

CONSENT FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by Mr. Jerry Harrison, Jr., and Attorney Mark Rees. The information is related to Mr. Stricker's representation of Ms. Leesia Harrison and his concurrent romantic relationship with Ms. Harrison.

Ms. Harrison was seriously injured in an automobile accident on August 18, 2009. In November 2009, Ms. Harrison went to Mr. Stricker's office and hired him to represent her in a personal injury claim. In February 2010, Ms. Harrison, along with her husband, Mr. Jerry Harrison, went to Mr. Stricker's office to discuss the personal injury case and Ms. Harrison's medical bills. The driver of the vehicle had no insurance coverage, therefore, Mr. Stricker began negotiations with Ms. Harrison's insurance company for payment under her uninsured motorists coverage.

Mr. Harrison states that at the time of the February meeting, Mr. Stricker began giving them unsolicited advice on their marriage. On April 28, 2010, Ms. Harrison filed for divorce from Mr. Harrison. Ms. Harrison employed the Mooney Law Firm to represent her in her divorce action on the recommendation of Mr. Stricker. The personal injury matter was still pending during the Harrison's divorce action. Mr. Stricker and Ms. Harrison soon began contacting each other for other reasons than the pending personal injury matter.

In May 2010, a settlement of \$25,000.00 was reached with the Harrison's insurance company. However, the settlement had not been finalized and the funds were not disbursed to the Harrisons and Mr. Stricker until July 29, 2010.

On May 15, 2010, Mr. Stricker filed a Complaint on behalf of Ms. Harrison for another motor vehicle accident Ms. Harrison was involved in on April 8, 2010. On May 20, 2010, Mr. Stricker filed a Complaint on behalf of Ms. Harrison against both the owner of the vehicle and driver of the vehicle from the August 2009 motor vehicle accident. In addition, Mr. Stricker also represented Ms. Harrison on her Social Security Disability Claim.

During the pendency of the Harrisons divorce action and the personal injury claims, Mr. Harrison's divorce attorney, Mark Rees, received an anonymous letter post marked July 15, 2010. The letter alleged that Mr. Stricker, who is also married, was having an affair with Ms. Harrison, and that the affair "had been going on for a long time now...", and that Mr. Stricker's RV was parked in the backyard of Ms. Harrison's home. After receiving the letter, Mr. Rees went to the property and took photographs, which showed the RV parked on the property as described in the anonymous letter.

During a hearing held on August 23, 2010, in the Harrison's divorce matter, Ms. Harrison testified to her relationship with Mr. Stricker, and that Mr. Stricker was to receive forty percent (40%) of any monies she received from her August 2009 motor vehicle accident. Ms. Harrison testified that she and her son moved into the apartment over Mr. Stricker's Law Firm at 249 South Main Street when she could no longer afford the mortgage on the house in which she was living. When asked by Mr. Rees on cross-examination, if she was sexually involved with Mr. Stricker, Ms. Harrison responded, "Yes, I am." Ms. Harrison also confirmed in her testimony that Mr. Stricker was still representing her on the pending personal injury claims. Ms. Harrison also testified that she took a couple of trips with Mr. Stricker, once to Las Vegas and another to Seattle, Washington. Ms. Harrison testified that Mr. Stricker and she shared a hotel room together during their trip to Las Vegas.

Ms. Harrison also gave testimony confirming the allegations that Mr. Stricker's RV was

parked in her back yard. She testified that on occasions Mr. Stricker did spend the night at her house and that both she and Mr. Stricker shared her bed in the home. In his January 3, 2011, written response to an investigation letter sent to him by the Office of Professional Conduct staff attorney, Mr. Stricker admits that he and Ms. Harrison developed a romantic and sexual relationship, and that he was still representing her in a personal injury civil suit. Mr. Stricker argued in his letter that the personal injury matter from the August 18, 2009, accident he was representing Ms. Harrison on predated the sexual relationship. However, Mr. Stricker himself states that the matter was not yet resolved as the settlement check was not received until July 29, 2010. In addition, Mr. Stricker had filed a civil action in the matter on May 20, 2010, which was still pending.

Mr. Stricker filed for divorce against his wife on June 18, 2010, using the same Law Firm used by Ms. Harrison for her divorce. The Harrison's divorce was finalized on January 4, 2011.

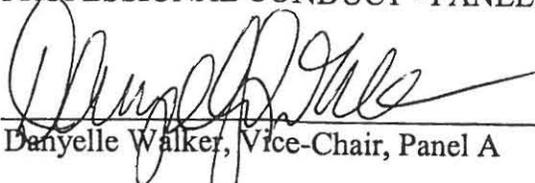
Upon consideration of the formal complaint and attached exhibit materials, the response, the consent proposal, and other matters before it, and the Arkansas Model Rules of Professional Conduct, Panel A of the Arkansas Supreme court Committee on Professional Conduct finds:

1. That Ralph Theodor Stricker's conduct violated Rule 1.8(j) when he engaged in a romantic and sexual relationship with his client, Ms. Harrison, that commenced after he began representing her on a personal injury matter. Arkansas Rule 1.8(j) states a lawyer shall not have sexual relations with a client unless a consensual sexual relationship existed between them when the client-lawyer relationship promptly in representing a client.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that Ralph Theodor Stricker, Arkansas Bar ID# 80139, be and hereby is, **REPRIMANDED** for his conduct in this matter. Pursuant to Section 18.A of the Procedures of the Arkansas Supreme Court Regulating

Professional Conduct of Attorneys at Law (2011). Mr. Stricker is assessed the costs of this proceeding in the amount of **FIFTY DOLLARS (\$50.00)**. The cost 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: 
Danyelle Walker, Vice-Chair, Panel A

Date: 5-18-12