

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL B

IN RE: **MICHAEL ANTHONY PRICE**

Arkansas Bar ID #81133

CPC Docket No. 2001-145

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by the affidavit of complaint of Cleodis Gatson filed with the Office of Professional Conduct on December 27, 2001.

The affidavit and complaint alleged Cleodis Gatson hired Michael Price of Sherwood, Arkansas, on March 14, 2001, to perform very specific legal services for Mr. Gatson relating to issues about the Estate of Daisy Gatson Bates, pursuant to a written contract Price prepared and the parties signed. Mr. Price was paid \$500 then for the work to be performed. Since that time, as set out in his affidavit, Mr. Gatson has had great difficulty getting status reports from Mr. Price about this assignment. The detailed legal memorandum contemplated by the written employment agreement has not been submitted to the client by Mr. Price. Mr. Price alleges he substantially complied with the contract by giving periodic oral reports to his client.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, rebuttal, and other matters before it at a public hearing August 17, 2002, and the Arkansas Model Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds that:

1. Michael Price's conduct violated Model Rule 1.3 when he was hired on March 14, 2001, to do very specific work relating to "intellectual property" issues for the client on behalf of

the Daisy Bates Estate, including providing the client, after investigation and research, with a comprehensive written legal memorandum. Respondent has failed to provide the client such a memorandum. Model Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

2. Michael Price's conduct violated Model Rule 1.4(a) when the client contacted him in writing at least twice after May 29, 2001, and several times by telephone, requesting status reports, and received no reports of any real substance as to the specific legal services Price was hired to perform. Model Rule 1.4(a) requires that a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

3. Michael Price's conduct violated Model Rule 1.4(b) when his client advised him that the work he was hired to perform was needed for the personal representative of the Daisy Bates estate to be able to make informed decisions on issues likely to come before him in that capacity before her first state holiday, in February 2002. Model Rule 1.4(b) requires that a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that **MICHAEL ANTHONY PRICE**, Arkansas Bar ID# 81133, be, and hereby is, **REPRIMANDED** for his conduct in this matter, and fined \$750.00, to be paid to the Clerk of the Arkansas Supreme Court within thirty (30) days after this order becomes final.

ARKANSAS SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT - PANEL B

By: _____

Date: _____