

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

IN RE: WILLIAM BRUCE LEASURE

ARKANSAS BAR ID #83109

CPC DOCKET NO. 2002-006

FINDINGS AND ORDER

The formal complaint of misconduct arose from the complaint of Richard A. Matthews, DC, of Heber Springs, Arkansas. Dr. Matthews is a chiropractor who treated Yent Ying Fu following a motor vehicle accident. Ms. Fu was a client of William Bruce Leasure, Attorney at Law, Little Rock, Arkansas. Dr. Matthews was informed that Mr. Leasure represented Ms. Fu and filed with the Cleburne County Circuit Clerk on August 2, 2000, an Affidavit and Notice of Medical Lien concerning any money to which Ms. Fu was entitled to receive as a result of the motor vehicle accident.

Ms. Fu informed Dr. Matthews that her legal matter had been settled and showed him a copy of the settlement agreement she received from Leasure Law Firm. The settlement agreement was dated January 22, 2001. Dr. Matthews was reflected on the settlement agreement as medical provider to whom \$1,856.00 was owed. As Dr. Matthews had not received payment for his services, he called Mr. Leasure to discuss the status of the amount owed him. According to Dr. Matthews, Mr. Leasure was evasive and would not state whether funds were received on Ms. Fu's behalf. Mr. Leasure indicated that he could send \$700 but informed Dr. Matthews that he would have to enforce his lien for the remainder of the amount owed.

Dr. Matthews received a check, drawn on the IOLTA Trust Account of Leasure Law Firm and dated February 5, 2001, in the amount of \$1,322.00. Dr. Matthews presented the check to his bank but the bank teller refused to accept the check due to insufficient funds in the client trust account. Dr. Matthews re-submitted the check to the bank approximately two weeks later on February 16, 2001, and the check was honored. Dr. Matthews stated that he received the full amount of funds to which he was entitled.

Mr. Leasure responded to the allegation that he violated Model Rules 1.15(b) and 1.15(d)(2) by stating that his checking account did not reflect any charge for an insufficient check charge.

Upon consideration of the formal complaint, Mr. Leasure's response, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

1. That Mr. Leasure's conduct violated Model Rules 1.15(b) and 1.15(d)(2) when he presented to Richard Matthews, DC, a check, drawn on his IOLTA Client Trust Account and which represented payment for services rendered to Yent Ying Fu, which was not honored due to insufficient funds in his IOLTA Client Trust Account. Model Rules 1.15(b) and 1.15(d)(2) require, in pertinent part, that upon receiving funds in which a third person has an interest, a lawyer promptly deliver to the third person any funds that the third person is entitled to receive and that the funds be subject to withdrawal upon request and without delay.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that WILLIAM BRUCE LEASURE, Arkansas Bar ID #83109, be, and hereby is, REPRIMANDED for his conduct in this matter. Pursuant to Section 18B of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law, WILLIAM BRUCE LEASURE is fined the sum of \$500.00, which is to be paid within thirty (30) days of the

filing of this Order with the Arkansas Supreme Court Clerk.

ARKANSAS SUPREME COURT COMMITTEE ON

PROFESSIONAL CONDUCT

By:

Richard Hatfield, Chair - Panel B

Date:
