

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL A

IN RE: **RALPH M. PATTERSON, JR.**

Arkansas Bar ID # 68048

CPC Docket No. 2003-050

FINDINGS & CONSENT ORDER OF DISCIPLINE

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Ralph M. Patterson, Jr. of North Little Rock, Pulaski County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Valerie Johnson (now Farlee) in March 2002.

Following Respondent Attorney's receipt of the formal complaint, the attorney and his counsel, Morgan "Chip" Welch, 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 A of the Committee on Professional Conduct, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

1. That Mr. Patterson's conduct violated Model Rule Model Rule 1.3, in that he received settlement proceeds of \$50,000.00 in his client's case in January 1995, but did not distribute the bulk of these funds to her until early 1998; he failed to distribute the last \$6,446.81 of the 1995 settlement funds to the client and Dr. Steven Cathey, to whom said funds were due, as of April 7, 2003; and a after he paid Dr. Cathey \$4,000.00 on April 8, 2003, to settle his claim for Ms. Farlee's old account, Patterson failed to account to and pay over to his client, Valerie Johnson (now Farlee), the \$2,446.81 balance of her 1995 settlement funds. Model Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.
2. That Mr. Patterson's conduct violated Model Rule 1.4(a), in that he failed to inform his client that he had failed to distribute the last \$6,446.81 of her settlement funds from 1995 until at least August 2001, and failed to respond to her request for information about the distribution of her settlement funds to Dr. Cathey at that time. 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. That Mr. Patterson's conduct violated Model Rule 1.15(a), in that in the late summer and Fall of 2002, when the Office of Professional Conduct requested the production and inspection of his trust account records for transactions with the account of his client Valerie Johnson (now Farlee) in early 1998, he was unable to produce for inspection his trust account records for the period. Model Rule 1.15(a) requires that a lawyer shall 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. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Patterson and his counsel and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent Ralph M. Patterson, Jr., Arkansas Bar No. 68048, be, and hereby is, **REPRIMANDED** for his conduct in this matter, fined \$500.00, assessed costs of \$50.00, and ordered to pay restitution for the benefit of Valerie Johnson of \$2,500.00. The fine, 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 with 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 _____

Gwendolyn Hodge, Chairperson

Date _____