

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

IN RE: **W. Q. HALL**

Arkansas Bar ID #57009

CPC Docket No. 2006-003

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based were developed from information provided to the Committee by attorney Paul A. Prater on January 5, 2006. The information related to the representation of Juanita Collier in 2005 Respondent Hall, an attorney practicing primarily in Huntsville, Madison County, Arkansas.

On January 27, 2006, Respondent was served with a formal complaint, supported by affidavits from Paul A. Prater, Denise Parks, and certain case filings from Madison County Circuit No. CIV-2005-145-4. Respondent failed to file a response to the complaint, which failure to timely respond, pursuant to Section 9.C(4) of the Procedures, constitutes an admission of the factual allegations of the formal complaint and extinguishes Respondent's right to a public hearing.

On April 30, 2003, Respondent Hall was apparently transferred to "voluntary inactive status," whatever that status may be, by the Arkansas Supreme Court Clerk, at Hall's request, and without any petition by Hall to or any action by the Committee on Professional Conduct. He did not thereafter pay the annual law license fees required by the Arkansas Supreme Court for 2004 and 2005 until December 20, 2005.

On September 9, 2005, Hall wrote counsel Joel Boyd (who practices with Mr. Prater), on Hall Law Offices letterhead, on behalf of Juanita Collier, a litigant in a pending circuit court case in Madison County. On that date Hall filed a Motion to Dismiss in CIV-2005-145-4 for Ms. Collier and signed same as her attorney. On November 1, 2005, Hall filed an Amended Motion to Dismiss for Ms. Collier, and signed same as her attorney. On November 2, 2005, Hall wrote Mr. Boyd, on Hall Law Offices letterhead as Ms. Collier's attorney, and forwarded to him the Amended Motion to Dismiss and Ms. Collier's Response to Interrogatories and Requests for Production. By these acts Hall engaged in the practice of law while he was in voluntary inactive status. Hall was never placed in any form of inactive status by the Committee on Professional Conduct.

On December 20, 2005, Hall apparently was reinstated to active status by the Arkansas Supreme Court Clerk's office by his payment to that office that date of his 2004, 2005, and 2006 license fee requirements, as set out in the letter dated December 21, 2005, from Denise Parks of the Clerk's Office.

Upon consideration of the formal complaint and attached exhibit materials 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:

A. Mr. Hall's conduct violated Rule 5.5(a), in that at a time when he was registered as being in "voluntary inactive status" with the Arkansas Supreme Court, he practiced law by filing pleadings for his client Collier in Madison County Circuit No. CIV-2005-145-4, *Excalibur I, LLC v. Juanita Collier*, on September 9, and November 1, 2005, and submitted on her behalf Response to Interrogatories and Requests for Production on November 2, 2005, to opposing counsel. Arkansas Rule 5.5(a) provides that a lawyer shall not practice law in a jurisdiction in violation of the regulations of the legal profession in that jurisdiction, or assist another in doing so.

B. Mr. Hall's conduct violated Rule 8.4(d), in that a court was required to devote unneeded time and attention at a hearing to determining the status of pleadings he filed for his client while Hall was on voluntary inactive status. Arkansas Rule 8.4(d) provides that an attorney shall not engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that **W. Q. HALL**, Arkansas Bar ID# 57009, be, and hereby is, **CAUTIONED** for his conduct in this matter, and assessed a \$750.00 fine and \$50.00 Committee costs. The fine 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. Mr. Hall is additionally **CAUTIONED** for his failure to file a response to the Complaint.

ARKANSAS SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT - PANEL A

By: _____
Phillip D. Hout, Chair, Panel A

Date: _____