

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

IN RE: **ROBERT B. LESLIE**, Respondent

Arkansas Bar ID #69044

CPC Docket No. 2001-135

FINDINGS & CONSENT ORDER OF DISCIPLINE

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Robert B. Leslie of Little Rock, Pulaski County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by James Middlebrook and his mother Jennifer Kerrisk in August 2001.

Following Respondent Attorney's receipt of the formal complaint, the attorney 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 recommendation of the Executive Director, and the Arkansas Model Rules of Professional Conduct, Panel C of the Committee on Professional Conduct finds, by a vote of 4-2 with one recusal:

1. That Mr. Leslie's conduct violated Model Rule 1.4(a), when Mr. Middlebrook contacted or attempted to contact Mr. Leslie's law office many times since August 1997, in addition to letters written by him and others on his behalf to Mr. Leslie, asking for status reports and action by Mr. Leslie. Mr. Leslie failed to respond to most of these inquiries and requests. 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.

2. That Mr. Leslie's conduct violated Model Rule 1.15(a)(1), in that he failed to deposit into his attorney trust account a \$10,000 wire transfer from Jennifer Kerrisk to him August 30, 1997, that was intended to be a fee for legal services to be provided by Leslie to her son James Middlebrook in the future. 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. Funds of a client shall be deposited and maintained in one or more identifiable trust accounts in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. 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. Leslie and the Executive Director, it is the decision and order of Panel C of the Arkansas Supreme Court Committee on Professional Conduct that respondent Arkansas Bar No. 69044, be, and hereby is, REPRIMANDED for his conduct in this matter; that restitution in the amount of \$10,000.00 tendered by Mr. Leslie shall be made to Jennifer Kerrisk of New Zealand from funds in escrow with the Clerk of the Arkansas Supreme Court; and costs of the Office of Professional Conduct in the investigation of this matter, in the agreed amount of \$200.00, are assessed against Mr. Leslie, to be paid from funds in escrow with the Clerk of the Arkansas Supreme Court..

ON PROFESSIONAL CONDUCT - PANEL C

By _____

Bart F. Virden, Committee Chairperson

Date _____