

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

IN RE: CRAIG LAMBERT

Arkansas Bar ID # 87100

CPC Docket No. 2006-097

FINDINGS & CONSENT ORDER OF DISCIPLINE

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Craig Lambert of Pulaski County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by the Arkansas Supreme Court. 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).

On June 29, 2006, the Arkansas Supreme Court recalled its mandate that affirmed Ledell Lee's request for post-conviction relief in his death-sentence case and remanded Lee's case to the circuit court for a new post-conviction proceeding. This mandate was warranted after Mr. Craig Lambert filed a Motion to Withdraw with the United States District Court - Eastern District of Arkansas requesting that he be allowed to withdraw based on the admission that he was impaired during Lee's Rule 37 hearing in 1998-1999 and had failed to render adequate representation to his client.

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:

A. Mr. Lambert's conduct violated Rule 1.1 in that, due to his admitted substance-abuse impairment during Ledell Lee's Rule 37 hearing, his representation fell below an objective standard of reasonableness, thereby depriving Lee of adequate and competent representation. Model Rule 1.1 requires that a lawyer provide competent representation to a client. Competent representation requires the legal knowledge, skill,

thoroughness and preparation reasonably necessary for the representation.

B. Mr. Lambert's conduct violated Rule 1.16(a)(2) in that he should have declined or terminated representation of Ledell Lee due to his alcohol and substance abuse addictions that materially impaired his ability to represent Lee. Model Rule 1.16(a)(2) provides that a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client.

C. Mr. Lambert's conduct violated Rule 8.4(d) in that his admitted substance-abuse impairment during Ledell Lee's Rule 37 proceeding prejudiced the administration of justice by denying Lee the right to competent and adequate representation and requiring additional court proceedings. Model Rule 8.4(d) provides that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, in accordance with the consent to discipline presented by Craig Lambert and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent **CRAIG LAMBERT**, Arkansas Bar No. 87100, be, and hereby is, **REPRIMANDED** for his conduct in this matter and assessed Committee costs of \$50.00. The 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 _____

Phil Hout, Chairperson

Date _____