

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

IN RE: **CRAIG LAMBERT**
Arkansas Bar ID # 87100
CPC Docket No. 2006–151

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).

The Arkansas Supreme Court granted a Motion for Belated Appeal filed by Mr. Craig Lambert on behalf of his client Jimmy Bumgardner. According to the Court file and the Per Curiam Order, Mr. Lambert represented Bumgardner in Saline County Circuit Court, Case No. CR2004-452-2. Lambert unsuccessfully petitioned to be relieved as trial counsel, and subsequently, Bumgardner entered into a conditional plea of guilty.

Pursuant to Rule 16(a) of the Arkansas Rules of Appellate Procedure - Criminal, Mr. Lambert was still obligated to represent Mr. Bumgardner in his appeal. Instead, Mr. Bumgardner prepared a *pro se* notice of appeal and mailed it to Mr. Lambert. Mr. Lambert admittedly reviewed the *pro se* notice of appeal and timely filed it on behalf of his client. The notice of appeal mistakenly referenced a “final order . . . entered on March 16, 2005,” instead of the actual judgment entered on March 21, 2005, and the Arkansas Court of Appeals issued an opinion on March 8, 2006,

dismissing the appeal for lack of jurisdiction. Thereafter, on September 13, 2006, Mr. Lambert filed a Motion for Belated Appeal, and the Arkansas Supreme Court granted that motion on October 26, 2006. The Court found that Mr. Lambert was obligated to timely perfect Bumgardner's appeal and that he failed to do so.

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 he was not thorough enough in his representation of Mr. Bumgardner to be certain that he filed a timely notice of appeal from the final judgment of March 21, 2005, entered by the Saline County Circuit Court. 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.

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, **CAUTIONED** 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: _____