

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL A

IN RE: **RONALD DALE JONES**

Arkansas Bar ID #92132

CPC Docket No. 2004-159

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by Teri M. Hays on September 1, 2004. The information related to Respondent's contractual arrangement to provide legal services to clients of the State Attorney Ad Litem Program in 2004. On November 9, 2004, Respondent was served with a formal complaint, supported by an affidavit from Teri M. Hays.

Ronald Dale Jones, a lawyer practicing primarily in Benton, Arkansas, AR Bar No. 92132, first contracted with the Administrative Office of the Courts (AOC) in 2000 to provide certain legal services on dependency-neglect cases. On July 1, 2003, he entered into the current contract as described in Ms. Hays' Affidavit. His contract was canceled August 11, 2004. In his 2003 contract application he certified he was not an employee of the State of Arkansas. On August 9, 2004, the AOC first learned he became a full-time state employee in January 2004 in the office of the Saline County Prosecuting Attorney. The circumstances of his state employment and holding a state contract are a conflict of interest under state law. The AOC was not notified by him of the change in his employment status when he became a full-time state employee in January 2004.

On August 9, 2004, the AOC learned from the *Arkansas Lawyer* magazine that Mr. Jones' Arkansas law license was suspended from April 2, 2004 to May 24, 2004, in Committee case No. 2003-164. Attached monthly reports and invoices he submitted to the AOC covering that time period indicate he was practicing law for the AOC's program clients at a time when his law license was in suspended status. He failed to report this

law license suspension to the AOC. He failed to report to the AOC two material changes in his professional status - that he became a full-time state employee during the term of his state professional services contract with AOC, and that his law license was suspended during the contract period. He allowed the AOC to unknowingly continue to pay him for legal services rendered to clients either by him or someone working at his direction without AOC knowledge. He received \$1,536.78 under his contract by state warrant issued May 27, 2004. This payment is the equivalent of one month's payment under his contract.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, 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. Jones' conduct violated Model Rule 5.5(a), in that he practiced law while his Arkansas law license was suspended April 21 - May 24, 2004, by the Committee on Professional Conduct for misconduct in Case No. 2003-164. Model Rule 5.5(a) provides that a lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.

B. Mr. Jones' conduct violated Model Rule 8.4(c), in that he accepted payment from the State of Arkansas for contracted legal services performed by him while his Arkansas law license was suspended April 21 - May 24, 2004, by the Committee on Professional Conduct for misconduct in Case No. 2003-164. He failed to advise the Administrative Office of the Courts after January 1, 2004, that he had become a full-time state employee, a material restriction on his ability to legally contract with the State of Arkansas to provide legal services under his ad litem contract. He failed to advise the Administrative Office of the Courts at any time that his Arkansas law license had been suspended by the Committee from April 21 - May 24, 2004, making him ineligible to render contractual legal services for AOC clients and ineligible to receive payment during that period from the AOC under his contract. Model Rule 8.4(c) requires that a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that Ronald Dale Jones, Arkansas Bar ID# 92132, be, and hereby is, **REPRIMANDED** for his conduct in this matter, and ordered to paid \$50.00 Committee costs and \$1,536.78 restitution for the benefit of the State of Arkansas, if he does not present proof that this amount has already been paid by him. The 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: _____

Bart F. Virden, Chair, Panel A

Date: _____