

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

IN RE:           ANN HILL, Respondent  
                  Arkansas Bar ID#93164  
                  CPC Docket No. 2003-200

**CONSENT FINDINGS AND ORDER**

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee in the Orders of the Arkansas Supreme Court, delivered on December 11, 2003, in the matter of *Timothy Anderson v. State of Arkansas*, CR 2003-1286. The information related to the representation of Mr. Anderson by Respondent in 2003.

On February 19, 2004, Respondent was served with a formal complaint, supported by the Orders of the Arkansas Supreme Court. A response was filed. The Respondent and the Executive Director negotiated a discipline by consent proposal, which was submitted to this Panel.

The information before the Panel reflected that on November 12, 2003, Ann Hill, an attorney practicing primarily in Hot Springs, Garland County, Arkansas, filed a Motion for Rule on the Clerk in the matter of *Timothy Anderson v. State of Arkansas*. The Motion revealed that on June 26, 2003, Mr. Anderson was convicted of Criminal Mischief, First Degree, a Class C felony. A timely Notice of Appeal was filed on July 7, 2003. On September 10, 2003, a Motion for Extension of Time to Docket Appeal was filed and an Order granting the same was filed that date as well. The extension allowed for the transcript to be filed no later than November 5, 2003. Ms. Hill did not tender the transcript until November 6, 2003. Ms. Hill accepted full responsibility for the late filing. On December 11, 2003, the Arkansas Supreme Court granted the Motion and referred Ms. Hill's conduct to the Committee on Professional Conduct.

Upon consideration of the formal complaint and attached exhibit materials, the response, the consent proposal, other matters before it, and the Arkansas Model Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. That Ms. Hill's conduct violated Model Rule 1.3 when she failed to file in a timely manner with the Arkansas Supreme Court the record of the lower court proceedings on behalf of Timothy Anderson, her client. The Order Extending the Time to File the Record on Appeal granted Ms. Hill until November 5, 2003, to do so. The transcript was not received in the Clerk's Office until November 6, 2003. Model Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.
2. That Ms. Hill's conduct violated Model Rule 8.4(d) because her failure to file the record with the Clerk of the Supreme Court in a timely manner resulted in a delay in the orderly and timely resolution of appellate proceedings and because her failure required the Court to expend additional time and effort which would not have been necessary otherwise. Model Rule 8.4(d) requires that a lawyer 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 B, that ANN HILL, Arkansas Bar ID#93164, be, and hereby is, CAUTIONED for her conduct in this matter. Further, pursuant to Section 18.A. of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law, Ms. Hill is assessed the costs of this proceeding in the amount of \$50. 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 within 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 B

By: \_\_\_\_\_

J. Michael Cogbill, Chair, Panel B

Date: \_\_\_\_\_

(13.M, Rev.1-1-02)