

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

**PANEL B**

IN RE:           JEFFREY DENNIS HALL, Respondent  
                  Arkansas Bar ID#95260  
                  CPC Docket No. 2006-019

**CONSENT FINDINGS AND ORDER**

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee through Orders of the Arkansas Supreme Court which dismissed the appeal in the matter of *Robert Hightower v. Carrel Wade, et al.*, 05-01185. The information related to the representation of Robert Hightower by Respondent in an attempt to appeal the lower Court's decision with regard to his minor children.

On February 16, 2006, Respondent was served with a formal complaint, supported by the Orders of the 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 Committee reflected that Jeffrey Dennis Hall, an attorney practicing primarily in Conway, Arkansas, filed a Motion for Rule on the Clerk on October 28, 2005 with the Arkansas Supreme Court. The Motion for Rule on the Clerk reveals that a timely Notice of Appeal was filed to the Arkansas Court of Appeals on April 15, 2005, from an Order of Guardianship entered on March 28, 2005. The Motion reflects that the Court Reporter needed additional time to complete the record. On July 12, 2005, an Order for Extension of Time was filed extending the time for filing the record on appeal for an additional period of sixty (60) days until Friday, September 9, 2005. Another Order was signed on September 6, 2005, extending the time to file the record until October 15, 2005. The Order was not delivered to the Faulkner County Clerk's office for filing until Monday, September 12, 2005, after the time of the first extension had elapsed and therefore was not valid. Mr. Hall accepted responsibility for the late filing of the record. After consideration of the Motion, the Court denied the same in a Per Curiam delivered November 17, 2005. On

January 17, 2006, Mr. Hall filed a Motion and Memorandum of Authorities in Support of Reconsideration of Rule on Clerk or in the alternative Motion to File Belated Appeal, which set out basically the same information as in the Motion for Rule on the Clerk. On February 9, 2006, the Supreme Court denied the Motion.

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

1. That Mr. Hall's conduct violated Arkansas Rule 1.1, when he failed to be thorough enough in your representation of Robert Hightower to be certain that he filed the Order for Second Extension of Time to file the record on appeal prior to the expiration of the time granted in the first Order of Extension. Arkansas Rule 1.1 requires that a lawyer provide competent representation to a client, including the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

2. That Mr. Hall's conduct violated Arkansas Rule 1.3, when he failed to be certain that the Order for Second Extension of Time to file the record on appeal for his client, Robert Hightower, was filed prior to expiration of the time granted him in the first Order of Extension. Arkansas Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

3. That Mr. Hall's conduct violated Arkansas Rule 8.4(d), because his failure to be certain that the Order for Second Extension of Time to file his client's record on appeal was filed prior to the expiration of the time granted him in the first Order of Extension caused his client, Robert Hightower, not to be able to have his appeal of the Order of March 28, 2005, heard by the appellate court. Arkansas 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 Jeffrey Dennis Hall, Arkansas Bar ID#95260, be, and hereby is, CAUTIONED for his conduct in this matter. Pursuant to Section 18.A of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (2002), Mr. Hall is assessed the costs of this proceeding in the amount of \$50. Further, pursuant to Section 18.C. of the Procedures, Mr. Hall is

ordered to pay appropriate restitution to his client, Robert Hightower, in the amount of \$3,384.20, which represents \$1,000 in legal fees and \$2,384.20 in costs expended for preparation and filing of the record in the matter. The costs assessed and restitution ordered herein, totaling \$3,434.20, 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: \_\_\_\_\_

Harry Truman Moore, Chair, Panel B

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