

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL A

IN RE: KATHY LOUISE HALL

ARKANSAS BAR NO. 98110

CPC DOCKET NO. 2004-051

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by the Arkansas Supreme Court on February 19, 2004. The information related to the representation of Donald Strom by Kathy Louise Hall, Attorney at Law, Little Rock, Arkansas in 2003 and 2004.

Donald Strom appealed from an April 16, 2003, denial by the Grant County Circuit Court of his Rule 37 Petition for Post-Conviction Relief. Ms. Hall filed a timely Notice of Appeal and a briefing schedule was issued by the Arkansas Supreme Court. A brief was originally due to be filed by Ms. Hall on or before August 6, 2003. On August 6, 2003, a Motion for Extension of Time to file the brief was filed. Ms. Hall was granted an extension and the brief was due on or before October 5, 2003. On October 6, 2003, Ms. Hall filed a second Motion for Extension of Time to file the brief. Ms. Hall was granted until December 4, 2003, to file a brief on Mr. Strom's behalf. No brief was filed on or before December 4, 2003.

On February 3, 2004, Ms. Hall filed a Motion to File Belated Brief. In the Motion, Ms. Hall stated that she believed she had filed a third Motion for Extension of Time to file the brief but discovered belatedly that she had not. Ms. Hall admitted that the error was entirely her fault and that her client should not be denied the opportunity to be heard on the appeal of his post-conviction proceeding. The Arkansas Supreme Court granted the Motion to File Belated Brief and referred the matter to the Office of Professional Conduct.

Ms. Hall admitted in her response to the Formal Complaint that she failed to timely request an extension of time to file a brief on Mr. Strom's behalf and that her actions caused a delay in the appellate proceedings and caused the Arkansas Supreme Court to expend additional time which would not have been

necessary otherwise.

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:

1. That KATHY LOUISE HALL violated Model Rule 1.3 when she failed to undertake the necessary steps to obtain an Order extending the time to file an appeal brief on behalf of her client, Donald Strom. Model Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

2. That KATHY LOUISE HALL violated Model Rule 8.4(d) when her failure to file a brief with the Arkansas Supreme Court in a timely manner which resulted in a delay in the orderly and timely resolution of appellate proceedings and when her failure to timely file a brief with the Arkansas Supreme Court 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 A, that KATHY LOUISE HALL, Arkansas Bar ID No. 98110, be, and hereby is, CAUTIONED for her conduct in this matter and assessed costs in the amount of FIFTY DOLLARS (\$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 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 A

By: _____

Gwendolyn D. Hodge, Chair, Panel A

Date: _____

