

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

IN RE: **STEPHEN LEE LEWIS**
Arkansas Bar ID # 2003112
CPC Docket No. 2006-159

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based were developed from information provided to the Committee by Mindy Franks on February 9, 2006. The information related to the representation of Tommy Franks in late 2005-early 2006 by Respondent Stephen Lee Lewis, an attorney practicing primarily in Calico Rock, Izard County, Arkansas. On November 21, 2006, Respondent was served with a formal complaint, supported by an affidavit from Ms. Franks.

Mr. Lewis altered a file-marked copy of a final divorce decree in the case of *Mindy Franks v. Tommy Franks*, Izard Circuit No. DR-2004-191-4, added an unauthorized provision related to child care to it, and at some date shortly before January 4, 2006, presented the altered divorce decree to the Calico Rock school authorities as a genuine order. In response to a letter from the Office of Professional Conduct, on November 10, 2006, he responded in writing basically admitting his conduct as alleged in Mindy Franks' Affidavit and attached exhibits.

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. Lewis's conduct violated Rule 4.4(a) in that, for the purpose of assisting his client Tommy Franks in delaying or burdening a third person, his ex-wife Mindy Franks, in her

provision of child care and transportation of their minor daughter Samantha from her school by Ms. Franks' other, adult daughter Nicole Cleveland, Mr. Lewis presented to the Calico Rock school authorities, as a genuine court order, a file-marked copy of the Judgment and Decree of Divorce filed June 21, 2005, in *Franks v. Franks*, IZARD County Circuit No. DR-2004-191-4, which Mr. Lewis had knowingly altered and to which copy he had added an unauthorized provision that prohibited Ms. Franks' daughter Nicole Cleveland from having care of Ms. Franks' other, minor, daughter Samantha. Arkansas Rule 4.4(a) requires that, in representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

B. Mr. Lewis's conduct violated Rule 8.4(c) in that he engaged in conduct involving dishonesty, fraud, deceit or misrepresentation when he knowingly altered a file-marked copy of the Judgment and Decree of Divorce filed June 21, 2005, in *Franks v. Franks*, IZARD County Circuit No. DR-2004-191-4, and added to the copy an unauthorized provision that prohibited Ms. Franks' daughter Nicole Cleveland from having care of Ms. Franks' other daughter Samantha, and when he knowingly provided to the Calico Rock school authorities an altered file-marked copy of the Judgment and Decree of Divorce filed June 21, 2005, in *Franks v. Franks*, IZARD County Circuit No. DR-2004-191-4, to which he had added to the copy an unauthorized provision that prohibited Ms. Franks' daughter Nicole Cleveland from having care of Ms. Franks' other daughter Samantha, and which copy he represented to be a genuine court order or decree, or which he failed to explain to the school authorities was not an accurate copy of the true court order or decree. Arkansas Rule 8.4(c) provides that it is professional misconduct for a

lawyer to 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 the Arkansas law license of **STEPHEN LEE LEWIS**, Arkansas Bar ID# 2003112, be, and hereby is, **SUSPENDED FOR THREE (3) MONTHS** for his conduct in this matter, and he is assessed Committee costs of \$50.00. The suspension shall become effective on the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court. The \$50.00 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: _____
Jerry D. Pinson, Chair, Panel A

Date: _____