

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

IN RE: Jason L. Watson, Respondent
 Arkansas Bar ID# 89191
 CPC Docket No. 2003-107

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by Wendy Golden on May 3, 2002. The information related to the representation of Ms. Golden by Attorney Jason L. Watson in May 2001.

On August 11, 2003, Mr. Watson was served with a formal complaint, supported by an affidavit from Ms. Golden. Mr. Watson filed a timely response on September 29, 2003, and Ms. Golden filed a rebuttal on October 20, 2003.

In her affidavit Ms. Golden stated that she hired Mr. Watson on May 24, 2001, to represent her in a disability claim against Sun Life Insurance Company. Mr. Watson gave Ms. Golden an attorney-client fee agreement and he sent a letter to the insurance company on May 25, 2001, requesting a copy of Ms. Golden's file. Thereafter, Ms. Golden stated in her affidavit, she called and made appointments to see Mr. Watson but he would later cancel them. Eventually Mr. Watson's secretary began refusing to schedule the appointments Ms. Golden requested. Ms. Golden also sent Mr. Watson letters to which he never responded. Ms. Golden received a letter from Mr. Watson around March 13, 2003, asking her to call him and make an appointment to discuss the matter. Ms. Golden scheduled the appointment and met with Mr. Watson. During the meeting Mr. Watson told Ms. Golden he would do what he could to try to salvage the case. After the meeting, Ms. Golden did not hear from Mr. Watson again and he never filed anything on her behalf.

Mr. Watson filed a response to the formal complaint and admitted that he failed to act with reasonable diligence, that he failed to keep his client reasonably informed about the status of the matter, and that he failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions

regarding the representation. Mr. Watson stated that he believed that Ms. Golden's claim was an administrative appeal and when he discovered it was not, he should have terminated his representation. He admits that his failure to terminate his services was also a violation of the Model Rules of Professional Conduct.

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 Mr. Watson's conduct violated Model Rule 1.3 when, after Ms. Golden hired him on May 24, 2001, to represent her in a disability claim, he failed to take any action on her behalf other than to request a copy of her file from the insurance company. Model Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.
2. That Mr. Watson's conduct violated Model Rule 1.4(a) when he failed to communicate with Ms. Golden on her case by failing to return her calls, by canceling all the appointments she made to see him, and by failing to respond to the letters she sent him. Model Rule 1.4(a) requires that a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.
3. That Mr. Watson's conduct violated Model Rule 1.4(b) when he failed to return Ms. Golden's calls, when he canceled the scheduled appointments, and when he failed to respond to her letters. Model Rule 1.4(b) requires that a lawyer explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
4. That Mr. Watson's conduct violated Model Rule 8.4(a) when he failed to take any action on behalf of Ms. Golden other than to request a copy of her file from the insurance company, and when he failed to communicate with Ms. Golden on her case. Model Rule 8.4(a) requires that a lawyer not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.

5. That Mr. Watson's conduct violated Model Rule 8.4(d) when he failed to take any action in Ms. Golden's case thereby effectively leaving her without representation at the risk of losing the opportunity to have her case heard on the merits. 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 JASON L. WATSON, Arkansas Bar ID# 89191, be, and hereby is, CAUTIONED for his 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 (2002), Mr. Watson is ordered to pay costs in the amount of \$50. The costs assessed herein shall be paid in the form of a money order or cashier's check made payable to the "Clerk, Arkansas Supreme Court" and 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: _____

Gwendolyn D. Hodge, Chair, Panel A

Date: _____