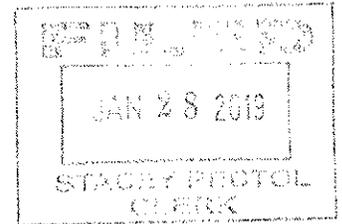


BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT  
PANEL B

IN RE: JENNIFER LYNN MAHER  
ARKANSAS BAR No. 2010126  
CPC DOCKET No. 2018-006



FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from the case of *State of Arkansas v. Jennifer Lynn Maher*, Pulaski County Circuit Court Case No. PCS-17-2188. Jennifer Lynn Maher, an attorney based in North Little Rock, Arkansas, entered a plea of guilty to one count of theft by receiving, a class A misdemeanor, and was fined One Hundred Dollars (\$100.00) and ordered to pay restitution in the amount of Five Hundred Twenty-Nine Dollars (\$529.00).

The facts which led to the theft by receiving charge are as follows:

The home of Franklin and Christine Early was burgled on February 20, 2017. Among the items stolen from the Early home were an iPad tablet and some jewelry. Though Jennifer Maher ("Maher") was not involved in the burglary, she did come into possession of the iPad and the jewelry. On March 6, 2017, Maher sold a silver chain with a pink heart and a multicolored watch to the daughter of Sequoyah Barton-Glover for \$2. On that same date, Maher offered to sell the iPad to Ms. Barton-Glover for One Hundred Twenty-Five Dollars (\$125.00). When the iPad was powered up, it displayed a message, "you are fucked." Barton-Glover contacted Ms. Early via email and telephone about the iPad. Barton-Glover then advised Maher the iPad was stolen. Maher then retrieved the iPad and left in her vehicle. Maher disposed of the iPad by throwing it out of her car window.

Maher was charged with theft by receiving in violation of Arkansas Code Annotated §5-36-106. Trial in the matter was set for August 23, 2017, but Maher failed to appear, and a warrant

was issued for her as a result. On November 17, 2017, Maher entered a plea of guilty to the charge of theft by receiving. Maher was fined One Hundred Dollars (\$100.00) and ordered to pay restitution in the amount of Five Hundred Twenty-Nine Dollars (\$529.00). In her response to the plea, Maher stated that she did not receive adequate legal advice from the public defender concerning the collateral consequences of her plea. Maher stated that the criminal conviction is expungable and that it is her intention to have the conviction expunged. The Office of Professional Conduct alleged that the criminal conviction was a serious crime as defined in Section 2.J(2) and 2.J(3) of the Procedures. Section 2.J(2) and (3) state as follows:

“SERIOUS CRIME” is defined as (1) any felony, (2) any lessor crime that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects, or (3) any crime a necessary element of which, as determined by the statutory or common law definition of the crime, involves interference with the administration of justice, false swearing, misrepresentation, fraud, deceit, bribery, extortion, misappropriation, theft or an attempt, conspiracy or solicitation of another to commit a “serious crime.”

Upon consideration of the Formal Complainant filed by the Office of Professional Conduct, the exhibits attached thereto, and the Response filed by Maher, the Arkansas Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee finds:

1. Jennifer Lynn Maher violated Rule 8.4(b) when she entered a plea of guilty to Theft of Property in violation of Arkansas Code Annotated §5-36-106. Rule 8.4(b) states that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects.

WHEREFORE, it is the Finding of the Committee on Professional Conduct, acting through its authorized Panel B, that the conduct of JENNIFER LYNN MAHER, Arkansas Bar No. 2010126, be, and hereby is, SUSPENDED for a period of TWELVE MONTHS and costs in the amount of FIFTY DOLLARS. The Panel has placed conditions on Maher’s reinstatement to the

practice of law which are set out in a separate document which is made a part of this order. In determining the appropriate sanction, Maher's prior disciplinary record was a factor in the Panel's decision. The fine and costs assessed herein shall be payable by cashier's check or money order payable to "Clerk, Arkansas Supreme Court" and 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: Stephen R. Crane  
Stephen R. Crane, Chair, Panel B