

**BEFORE THE ARKANSAS SUPREME COURT
COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

IN RE: CHARLES CLAYTON LAMEY, III
 Arkansas Bar ID #2009244
 CPC Docket No. 2022-006

CONSENT FINDINGS AND ORDER

The formal charges of misconduct against Charles Clayton Lamey, III upon which this Findings and Order is based arose from a grievance filed by Robert Washington. Lamey is an attorney practicing primarily in Conway, Arkansas. Following service of the formal complaint, Lamey, through his attorney Traci LaCerra, entered into discussions with the Office of Professional Conduct which resulted in an agreement by consent pursuant to Section 20.B. of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys At Law (2011).

Robert Washington retained Lamey to represent him relating to a motor vehicle accident and related injuries. Lamey settled Washington's claim without Washington's authorization. Lamey received payment from the insurance company and retained \$2,393.67 for his attorney fee and expenses. Washington rejected payment of \$2,412.33 from Lamey as Washington did not agree to the settlement.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, 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. Charles Lamey's conduct violated Arkansas Rule 1.2(a) when Lamey settled the case of his client Robert Washington without Washington's express approval for the amount settled. Arkansas Rule 1.2 (a) requires that a lawyer shall abide by a client's

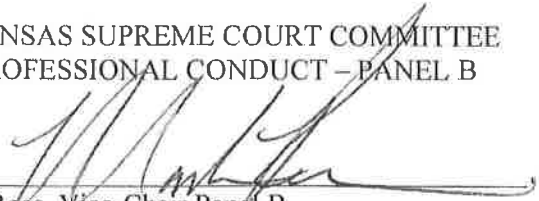
decisions concerning the objectives of representation, subject to paragraphs (c), (d) and (e), and shall consult with the client as to the means by which they are to be pursued. A lawyer shall abide by a client's decision whether to accept an offer of settlement of a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.

2. Charles Lamey's conduct violated Arkansas Rule 1.4(a)(3) when Lamey failed to keep his client, Robert Washington, informed about the status of his matter as Lamey settled Washington's case without notification to Washington. Arkansas Rule 1.4(a) requires that a lawyer shall keep a client reasonably informed about the status of a matter.

3. Charles Lamey's conduct violated Arkansas Rule 8.4(d) as Lamey's actions of settling the claim of his client Robert Washington without Washington's approval was prejudicial to the administration of justice. Arkansas Rule 8.4(d) requires that a lawyer shall 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 Charles Clayton Lamey, III, Arkansas Bar ID 2009244 be, and hereby is, REPRIMANDED for his conduct in this matter, and ordered to pay \$4,806.00 to Robert Washington and \$100.00 Costs. The restitution and 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 B



Mark Rees, Vice-Chair Panel B

Date



10/26/22