

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

IN RE: JOE KELLY HARDIN

ARKANSAS BAR ID #78065

CPC Docket No. 2002-099

COMPLAINT

Attached hereto as Exhibit "A" is the Motion for Rule on the Clerk filed on June 26, 2002, in the matter of Robert James Lord v. State of Arkansas, CR 2002-674. Attached and marked as Exhibit "B" is the Per Curiam, delivered July 11, 2002, granting the Motion for Rule on the Clerk. This Complaint and the attached Exhibits are hereby directed to you as a formal disciplinary complaint pursuant to Section 9A(1) of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law. From the information contained in the attached Exhibits, the following violations of the Arkansas Model Rules of Professional Conduct (Model Rules) are alleged:

A. Your conduct, collectively and singularly, violated Model Rule 1.3, to wit:

1. You failed to undertake the necessary steps to obtain an Order extending the time to file the record on appeal beyond the initial ninety (90) day limit.
2. You failed to file in a timely manner with the Arkansas Supreme Court the record of the lower court proceedings on behalf of Robert James Lord, your client.

Model Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

B. Your conduct, as set forth in the attached Exhibits, violated Model Rule 8.4(d), to wit:

1. Your failure to file the record with the Supreme Court in a timely manner resulted in a delay in the orderly and timely resolution of appellate proceedings.
2. Your failure to timely file your client's record with the Supreme Court required the Court to expend additional time and effort which would not have been necessary otherwise.

Model 8.4(d) requires that a lawyer not engage in conduct that is prejudicial to the administration of justice.

The Office of Professional Conduct also prays, pursuant to Section 18.A of the Procedures, that it be awarded its costs of investigation and hearing of the proceedings in this case; for such fine as the Committee deems appropriate under Section 18.B of the Procedures; for such restitution as the Committee deems appropriate under Section 18.C of the Procedures; and for all other proper relief.

Office of Professional Conduct

Justice Building, Room 100

625 Marshall Street

Little Rock, AR 72201

501-376-0313

By _____

Stark Ligon, AR Bar No. 75077

Executive Director

and

Michael E. Harmon, AR Bar No. 91224 Staff Attorney