

BEFORE THE ARKANSAS SUPREME COURT
COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

IN RE: SHEILA ANN WHARTON
ARKANSAS BAR ID #80206
CPC Docket No. 2004-090

FINDINGS AND ORDER OF RECIPROCAL SUSPENSION

The formal charges of misconduct upon which this Order is premised arose from the information provided by the Office of the Disciplinary Counsel of the Louisiana Disciplinary Board. The information was received in the Office of Professional Conduct on January 12, 2004, following request made by the staff of the Office of Professional Conduct. The information first came to the attention of the Office of Professional Conduct by notice from the Louisiana Attorney Disciplinary Board to the Office of Professional Programs of the Arkansas Supreme Court.

The Committee on Professional Conduct (Committee) has been provided the Order filed with the Supreme Court of the State of Louisiana which was entered of record on October 17, 2003. (Certified copy of the Order is attached hereto as Exhibit "A"). As a result of that Order, Sheila Ann Wharton, was suspended from the practice of law in the State of Louisiana for a period of three (3) years.

The Order filed with the Supreme Court of Louisiana revealed that Ms. Wharton did not respond to any of the allegations of misconduct pursued by the Louisiana Disciplinary Board. Ms. Wharton was found to have violated Louisiana Rules of Professional Conduct 1.3 (failure to act with reasonable diligence and promptness in representing a client), 1.4 (failure to communicate with a client), 1.5(f)(6) (failure to refund an unearned fee), 8.1(c) (failure to cooperate with the Office of Disciplinary Counsel in its investigation), 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation) and 8.4(g) (failure to cooperate with the Office of Disciplinary Counsel in its investigation). All of the findings were made with regard to two sets of formal charges, more specifically set out in the attached Order from the Supreme Court of the State of Louisiana.

Pursuant to Section 14.A. of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (2002), the suspension of any person from the practice of law in any other state shall operate as a suspension of such person from the practice of law in this State under any license issued to such person by the Arkansas

Supreme Court prior to his or her suspension in such other state. Upon presentation of a certified order or other proper document of a tribunal or corresponding disciplinary authority of another jurisdiction evidencing suspension, the Committee by summary proceedings shall cause a like sanction to be imposed and shall notify the Clerk of such action. Notice of the Committee's action shall be sent to the attorney's mailing address of record with the Clerk.

Upon consideration of the certified Order from the Supreme Court of State of Louisiana and the Procedures of the Arkansas Supreme Court Regulating the Professional Conduct of Attorneys at Law, the Committee on Professional Conduct, Panel A, finds:

1. That Ms. Wharton was suspended for a period of three (3) years from the practice of law in the State of Louisiana effective October 17, 2003.
2. That Ms. Wharton was licensed to practice law in the State of Arkansas on September 11, 1980, which is prior to the date of her suspension in the State of Louisiana.
3. That pursuant to the mandate of Section 14 of the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (2002), the Committee is imposing a like suspension of three (3) years on Ms. Wharton's license to practice law in the State of Arkansas effective as of the date this Findings and Order is filed with the Clerk of the Arkansas Supreme Court.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, through Panel A, that SHEILA ANN WHARTON, Arkansas Bar ID #80206 be, and hereby is, RECIPROCALLY SUSPENDED for a period of THREE (3) YEARS. The suspension shall be effective as of the date this Order is filed with the Clerk of the Arkansas Supreme Court. Ms. Wharton shall not be reinstated to the practice of law in Arkansas until a Petition for Reinstatement has been granted by a Panel of the Committee on Professional Conduct.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT

By:

Gwendolyn D. Hodge, Chair, Panel A

Date:
