

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL A

IN RE: BARBARA A. KETRING-BEUCH

Arkansas Bar ID # 97074

CPC Docket No. 2005-112

CONSENT FINDINGS & ORDER

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Barbara A. Ketring-Beuch of Pulaski, County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Pamela J. Austin of Saline County, Arkansas. Following Respondent Attorney's receipt of the formal complaint, the attorney entered into discussion with the Executive Director which has resulted in an agreement to discipline by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2002).

Ms. Ketring-Beuch represented Pamela Austin in a child visitation matter in Faulkner County Circuit Court in 2004-2005. In July 2004 the two of them participated in a mediation. An order was generated at the mediation and signed by those present, to be filed and distributed to the parties. Ms. Austin did not receive a file-marked copy and attempted to contact Respondent several times over the next few months to get a copy. The order was finally filed May 23, 2005, and the Office of Professional Conduct obtained a copy and provided it to Ms. Austin. Respondent's Arkansas law license was in automatic suspended status from March 2 - May 17, 2005, due to her non-payment of her 2005 law license fee by March 1, 2005. Respondent practiced law in Arkansas, on the Pamela Austin matter and others, while her license was in suspended status.

Upon consideration of the formal complaint and attached exhibits, admissions made by the respondent attorney, the terms of the written consent, the approval of Panel A of the Committee on Professional Conduct, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

A. Ms. Ketring-Beuch's conduct violated Model Rule 1.3 in that an order on child visitation terms was generated from a mediation in which she and her client Pamela Austin participated in July 2004. Ms. Austin sought from Respondent a filed copy of this order, without success, until May 2005. Model Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

B. Ms. Ketring-Beuch's conduct violated Model Rule 3.4(c) in that she failed to pay her 2005 Arkansas law license fee by March 1, 2005, as required by Arkansas Supreme Court Rule VII.C, Rules Governing Admission to the Bar. Model Rule 3.4(c) requires that a lawyer shall not knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists.

C. Ms. Ketring-Beuch's conduct violated Model Rule 5.5(a) in that she failed to pay her 2005 Arkansas Bar law license fee by March 1, 2005, as required by Arkansas Supreme Court Rule VII.C, Rules Governing Admission to the Bar, resulting in the automatic suspension of her Arkansas law license until May 17, 2005, when she paid her 2005 license fee. She practiced law, including on Pamela Austin's matter, while her law license was suspended during this period. Model Rule 5.5(a) provides that a lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.

WHEREFORE, in accordance with the consent to discipline presented by Respondent and Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent Barbara A. Ketring-Beuch, Arkansas Bar No. 97074, be, and hereby is, CAUTIONED for her conduct in this matter and assessed Committee costs of \$50.00.

The 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 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 _____

Bart F. Virden, Chairperson, Panel A

Date _____