

July 21, 2008

Honorable Phillip Smith
2nd Division Circuit Court
108 South Marr
Pocahontas, AR 72455

LETTER OF ADMONISHMENT

RE: Cases 07-370

Dear Judge Smith:

During its July 18, 2008 meeting, the Judicial Discipline & Disability Commission decided to issue a Letter of Reprimand to you in complaint(s) #07370 and 08104. At a Probable Cause Hearing the Commission considered the findings of the investigation, your admissions and apology. The Commission found that you violated the Arkansas Code of Judicial Conduct.

The Commission found that you were an elected circuit court judge at all times relevant to the matter under consideration. The Commission also found that since the year 2006 you have failed to decide matters before you in a prompt and expedient manner and failed to report those delays under Administrative Order #3.

You subsequently admitted that you violated the Code of Judicial Conduct and apologized to the complainant. The Commission considered your agreement to hereafter report cases under advisement for more than 90 days to the proper authorities, clear the backlog of long-pending cases in your court within 20 days and waive your right to a Formal Disciplinary Hearing. Therefore, it is the judgment of this Commission that you be hereby admonished.

This public admonishment constitutes adequate discipline and no further action is warranted. This final Commission action is public information. A copy of this correspondence will be forwarded to the respective complainants.

BY DIRECTION OF THE COMMISSION.

Sincerely,

David A. Stewart
Executive Director