

IN THE MATTER OF THE UNIFICATION OF THE
BAR OF ARKANSAS

5-5116

448 S. W. 2d 948

Opinion delivered January 12, 1970

ATTORNEY & CLIENT—BAR ASSOCIATIONS—UNIFICATION OF BAR.—
Where poll disclosed that of 2,600 licensed attorneys in the State,
889 were against unification of the bar and 825 were for unifi-
cation, *held*: Petition for an order approving unification denied.

Original petition; petition denied.

Bruce Bullion, Nathan Gordon, Richard Mays, W. S. Mitchell, J. L. Shaver, Sr. and Henry Woods, for petitioners.

PER CURIAM. This is the second attempt by the

Arkansas Bar Association to obtain an order of this court integrating or unifying the bar of Arkansas. In the earlier instance petitions for integration, signed by a substantial majority of the actively practicing lawyers in the State, were filed. After the announcement of our preliminary order granting the petition the Bar Association reversed its position in the matter and adopted a resolution opposing integration. A poll then taken by the court resulted in a vote of 489 for integration and 1,003 against it. We therefore rescinded our order and denied the petitions. *In the Matter of the Intégration of the Bar*, 222 Ark. 35, 259 S. W. 2d 144 (1953).

In substance the earlier procedure was followed in the present instance. The executive committee of the Bar Association first filed a petition asking for an order approving the unification of the bar. A proposed constitution and by-laws were also submitted. Those documents, together with briefs for and against the proposal, were mailed by the Bar Association to all licensed members of our bar.

Thereafter we again took a poll of the lawyers. Of about 2,600 licensed attorneys there were 1,714 valid votes, as follows:

Attorney's Category	For	Against	Total
Active Resident Lawyer	610	597	1,207
Active Nonresident Lawyer	9	6	15
Inactive Resident Lawyer	95	183	278
Inactive Nonresident Lawyer	111	103	214
	825	889	1,714

It will be seen that slightly less than a majority of the votes were cast in favor of unification and that those favoring the proposal constituted only about 32% of the 2,600 licensed lawyers. Regardless of the merits of the proposal, about which we need express no opinion, we

are unanimously of the view that the organization would have little chance of success with such a small part of the bar sufficiently interested in it to cast a favorable vote. The petition is therefore denied.
