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Lawmaker questioned about inheritance
Associated Press

BENTON — A state senator who once declared himself “hooked on ethics” is being questioned about a possible ethics violation regarding an inheritance he received from a widow friend.

Sen. Doyle Webb, R-Benton, said recently that he legitimately inherited assets worth between \$200,000 and \$300,000 from Merle S. Salberg of Benton after he helped her draw up her will, then carried it out after her death.

But Saline County Chancery Judge Robert Garrett, Circuit-Chancery Judge Grisham Phillips and Circuit-Chancery Judge Gary Arnold are trying to determine if they should file an ethics complaint against Webb with the Arkansas Supreme Court Committee on Professional Conduct.

The attorneys’ code of conduct says that neither a lawyer nor a partner may prepare an instrument providing the lawyer a substantial gift.

Garrett said the judges have agreed not to comment on the matter until and unless formal action is taken.

Webb acknowledged recently that the judges have asked him for an explanation, and Webb’s former associate, Charles J. Doerpinghaus, said the judges have taken a sworn statement from him, the Donrey Media Group reported Saturday.

In explaining his inheritance, Webb said that he and Salberg were old friends, that he had been friends with her husband, and that they had attended the same church. He cites rules seeming to provide a waiver from the ethics guideline if the client is adamant and the attorney determines that nothing would change materially if the client went to another lawyer.

In 1993, Webb prepared a will for Salberg naming her niece, Kathryn LaNelle Mazander of Hot Springs, as the recipient of all her property except the property specified in the will.

Webb said Salberg then told him in January 1996 that she wanted to leave the bulk of her estate to him. He said he told her he couldn’t change the will, naming himself. She then suggested she go to his law associate at the time, Doerpinghaus, Webb said.

Salberg died Dec. 18, 1996, at age 86.

Webb noted that Doerpinghaus prepared the actual amendment to the will, adding Webb as an heir. Webb said Doerpinghaus was not his actual law partner, but was an associate at the time. He said Doerpinghaus shared expenses but not fees.

Webb said he couldn’t be sure of the amount he received from the will because he never took inventory. The widow’s family heirs, Mazander and Mazander’s son, who received specified and smaller inheritances while Webb got everything else — a house, car, stocks and cash — signed documents prepared in Webb’s office waiving the inventory requirement.

Webb said he offered at the reading of the will Dec. 23, 1996, to disclaim his portion but the family members insisted on following Salberg's wishes. He said he let the family members go into the house to take whatever they wanted.

Alan Mazander of Sherwood, Mazander's son, said Webb never made such an offer and Webb limited the family's access to the house to an hour.

Alan Mazander said that when Webb told the family at the reading of the will that he was the primary heir, "we were just kind of shocked."