

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

**SEAN LYNN and
LAURA HAMMETT**

PLAINTIFFS

V.

CASE NO. 60CV-26-216

**BOARD OF TRUSTEES OF THE
UNIVERSITY OF ARKANSAS; et al.**

DEFENDANTS

**BRIEF IN SUPPORT OF MOTION TO DISMISS
ON BEHALF OF SEPARATE DEFENDANT
BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS**

The Board of Trustees of the University of Arkansas (Board) is immune from this lawsuit. State law claims against state agencies are barred by express constitutional declaration. Article 5, section 20, of the Arkansas Constitution provides: “The State of Arkansas shall **never** be made a defendant in any of her courts.” (emphasis added). Suits against the State are expressly forbidden by this provision. *Grine v. Bd. of Trustees*, 338 Ark. 791, 796, 2 S.W.3d 54, 57-58 (1999). The Arkansas Supreme Court stated long ago in *Pitcock v. State*, 91 Ark. 527, 535, 121 S.W. 742 (1909), “[A] sovereign State cannot be sued except by its own consent; and such consent is expressly withheld by the Constitution of this State.”

The Board, which manages and oversees the campuses of the University of Arkansas System, is an instrumentality of the state and immune from suit. *See Washington County v. Bd. of Trs.*, 2016 Ark. 34, 480 S.W. 3d 173. In *The Board of Trustees of the University of Arkansas v. Andrews*, the Arkansas Supreme Court confirmed that there cannot be a legislative waiver of the State’s sovereign immunity because that would be contradictory to the express prohibition in the Arkansas Constitution. 2018 Ark. 12, at 10-12, 535 S.W.3d at 622-23. *See also, Ark. Cmty. Corr.*

v. Barnes, 2018 Ark. 122. A suit is barred “if a judgment for the plaintiff will operate to control the action of the State or subject it to liability.” *Ark. State Med. Bd. v. Byers*, 2017 Ark. 213, 521 S.W.3d 459. Because a decision against the Board will “operate to control the action of the State or subject it to liability,” the Board must be dismissed with prejudice.

While this argument is dispositive of the case raised against the Board, Board counsel has a professional obligation to bring another concern to the Court’s attention. The complaint in this matter lists Sean Lynn and Laura Hammett as pro se plaintiffs, and it appears that both individuals have signed the complaint. However, the Board notes that only Ms. Hammett is listed on the Summons issued to the Board of Trustees raising the obvious question of whether Ms. Hammett is attempting to represent both herself and her son, Mr. Lynn.

Arkansas Supreme Court case law is clear that a non-attorney may represent himself or herself in a lawsuit, but they may not represent anyone else, including a family member, and to do so would be the unauthorized practice of law. See *Davidson Props., LLC v. Summers*, 368 Ark. 283, 284085, 244 S.W.3d 674, 675 (2006). The Supreme Court Committee on the Unauthorized Practice of Law even has a specific FAQ on this very issue.

Q. May I represent a family member in a court proceeding?

A. No. While a non-lawyer may be allowed to represent a family member in certain administrative proceedings, the non-lawyer cannot represent the family member in a court proceeding, including the appeal of an administrative proceeding to a court of law.

See <https://arcourts.gov/courts/supreme-court/boards-committees/committee-unauthorized-practice-law/home/faq>.

Finally, the Arkansas State Claims Commission has expressed concerns over this same issue in the Order it entered on November 14, 2025 placing the claim before it in abeyance pending the exhaustion of available remedies in circuit court.

Specifically, the Commission stated:

The Commission has serious concerns about the legality of Ms. Hammett, as the mother of Mr. Lynn, representing Mr. Lynn before the Commission. Based upon Ms. Hammett's filings thus far, it appears that Ms. Hammett is a law student but is not an attorney licensed to practice law in Arkansas. As such, while Ms. Hammett is entitled to represent herself before the Commission with regard to her individual claims, any attempt by her to represent Mr. Lynn would appear to be the unauthorized practice of law (and similar attempts have been rejected in other matters). Before this claim can proceed at the conclusion of the abeyance, this issue will have to be resolved.

Sean Lynn and Laura Hammett v. University of Medical Sciences, Claim No. 250191, Order dated November 14, 2025. See Exhibit 1.

WHEREFORE, Separate Defendant, the Board of Trustees of the University of Arkansas, respectfully requests that the Complaint be dismissed as to it and for all other relief to which it is entitled.

Respectfully submitted,

THE BOARD OF TRUSTEES OF
THE UNIVERSITY OF ARKANSAS,

BY: /s/ Sherri L. Robinson
SHERRI L. ROBINSON, #97194
Sr. Associate General Counsel
University of Arkansas System | UAMS
4301 West Markham, Slot 860
Little Rock, AR 72205
(501) 686-7608
SLRobinson@uams.edu

Attorney for Separate Defendant,
Board of Trustees of the University of Arkansas

CERTIFICATE OF SERVICE

I, Sherri L. Robinson, hereby certify that on March 2, 2026, I filed the foregoing electronically with the Clerk of Court using the Arkansas Judiciary Electronic Filing System, which shall send notification to any other attorneys in this matter. I also mailed a copy by U.S. Mail, postage prepaid to both Plaintiffs:

Sean Lynn, Pro Se
10 Theresa Drive North
Little Rock, AR 72118

Laura Lynn Hammett, Pro Se
16 Gold Lake Club Road
Conway, AR 72032

/s/ Sherri L. Robinson
Sherri L. Robinson