

**BEFORE THE EVIDENTIARY PANEL OF THE  
STATE BAR DISTRICT NO. 4-2 GRIEVANCE COMMITTEE**

<b>COMMISSION FOR LAWYER DISCIPLINE,</b>	§	<b>201702871 [JADE JOHNSON]</b>
	§	
<b>Petitioner,</b>	§	
	§	
v.	§	
	§	<b>HARRIS COUNTY, TEXAS</b>
<b>WILLIAM E. JONES,</b>	§	
	§	
<b>Respondent.</b>	§	

**JUDGMENT OF FULLY PROBATED SUSPENSION**

**Parties and Appearance**

On April 5, 2019, came to be heard the above-styled and numbered cause. Petitioner, the **COMMISSION FOR LAWYER DISCIPLINE**, appeared by and through its attorney of record, Melisa H. Jordan, Assistant Disciplinary Counsel, and announced ready. Respondent, **WILLIAM E. JONES** (hereinafter referred to as "Respondent"), Texas Bar Number 10964700, appeared in person and announced ready.

**Jurisdiction and Venue**

The Evidentiary Panel 4-2, having been duly appointed to hear this complaint by the chair of the Grievance Committee for STATE BAR OF TEXAS District 4, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

**Professional Misconduct**

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations, and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

### **Findings of Fact**

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS.
2. Respondent resides in and maintains his principal place of practice in Harris County, Texas.
3. In representing Jade Johnson, Respondent neglected the legal matter entrusted to him.
4. Respondent failed to keep Jade Johnson reasonably informed about the status of her case.
5. Respondent failed to promptly comply with reasonable requests for information from Jade Johnson about her case.
6. Upon termination of his representation of Jade Johnson, Respondent failed to refund advance payments of fee that had not been earned.
7. Respondent failed to timely furnish to the Chief Disciplinary Counsel's Office a response or other information as required by the TEXAS RULES OF DISCIPLINARY PROCEDURE.
8. Respondent owes restitution in the amount of Eight Hundred Fifty and No/100 Dollars (\$850.00) payable to Jade Gee.
9. The Chief Disciplinary Counsel of the STATE BAR OF TEXAS has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of One Thousand Two Hundred Seventy-Five and No/100 Dollars (\$1,275.00).

### **Conclusions of Law**

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT have been violated: 1.01(b)(1) [in representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer]; 1.03(a) [a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information]; 1.15(d) [upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable

notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payments of fee that has not been earned]; and 8.04(a)(8) [a lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's Office or a district grievance committee a response or other information as required by the TEXAS RULES OF DISCIPLINARY PROCEDURE, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so].

### Sanction

The Evidentiary Panel, having found that Respondent has committed professional misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument and after having considered the factors in Rule 2.18 of the TEXAS RULE OF DISCIPLINARY PROCEDURE, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a fully probated suspension.

Accordingly, it is **ORDERED, ADJUDGED and DECREED** that Respondent be suspended from the practice of law for a period of three (3) years, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on April 5, 2022, and shall end on April 4, 2025.

### Terms of Probation

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this *Judgment*.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep the STATE BAR OF TEXAS membership department notified of current mailing, residence and business addresses and telephone numbers.
5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall pay restitution to Jade Gee in the amount of Eight Hundred Fifty and No/100 Dollars (\$850.00). Beginning May 1, 2019, Respondent shall make five (5) monthly payments each in the amount of One Hundred Fifty and No/100 Dollars (\$150.00), with the last and final payment due of One Hundred and No 100/100 Dollars (\$100.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Jade Gee and delivered to the STATE BAR OF TEXAS, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado St., Austin, Texas 78701).
9. Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the STATE BAR OF TEXAS in the amount of One Thousand Two Hundred Seventy-Five and No/100 Dollars (\$1,275.00). Once all restitution has been paid to Jade Gee, Respondent shall make eight (8) monthly payments each in the amount of One Hundred Fifty and No/100 Dollars (\$150.00), with the last and final payment due of Seventy-Five and No/100 Dollars (\$75.00). The payments shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the STATE BAR OF TEXAS, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado St., Austin, Texas 78701).
10. Respondent shall make contact with the Texas Lawyers' Assistance Program ("TLAP") at its hotline number, 800-343-8527, not later than seven (7) days after receipt of a copy of this *Judgment* to inquire as to services and referrals offered by that program to aid in Respondent's rehabilitation. Respondent shall additionally send verification of contact with TLAP to the STATE BAR OF TEXAS within fifteen (15) days such contact.
11. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this *Judgment* to coordinate Respondent's compliance.

### **Probation Revocation**

Upon information that Respondent has violated a term of this *Judgment*, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the TEXAS RULES OF DISCIPLINARY PROCEDURE with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this *Judgment*. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT and TEXAS RULES OF DISCIPLINARY PROCEDURE.

### **Restitution, Attorneys' Fees and Expenses**

It is further **ORDERED** that Respondent shall pay restitution to Jade Gee in the amount of Eight Hundred Fifty and No/100 Dollars (\$850.00). Beginning May 1, 2019, Respondent shall make five (5) monthly payments each in the amount of One Hundred Fifty and No/100 Dollars (\$150.00), with the last and final payment due of One Hundred and No 100/100 Dollars (\$100.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Jade Gee and delivered to the STATE BAR OF TEXAS, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado St., Austin, Texas 78701).

It is further **ORDERED** that Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the STATE BAR OF TEXAS in the amount of One Thousand Two Hundred Seventy-Five and No/100 Dollars (\$1,275.00). Once all restitution has been paid to Jade Gee, Respondent shall make eight (8) monthly payments each in the amount of One Hundred Fifty and No/100 Dollars (\$150.00), with the last and final payment due of Seventy-Five and No/100 Dollars (\$75.00). The payments shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the STATE BAR OF TEXAS, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado St., Austin, Texas 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the TEXAS RULES OF DISCIPLINARY PROCEDURE. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the STATE BAR OF TEXAS shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

This suspension shall be made a matter of record and appropriately published in accordance with the TEXAS RULES OF DISCIPLINARY PROCEDURE.

**Other Relief**

All requested relief not expressly granted herein is expressly **DENIED**.

SIGNED this 22<sup>nd</sup> day of April, 2019.

**EVIDENTIARY PANEL  
DISTRICT NO. 4-2  
STATE BAR OF TEXAS**

  
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**RUBEN R. PEREZ**  
District 4-2 Presiding Member