

**05/07/2020**

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



**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

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**201901362 [FLORES]**

**V.**

**JUANA MARIA CALVILLO,  
Respondent**

***Houston Office***  
**Chief Disciplinary Counsel**

**HARRIS COUNTY, TEXAS**

**AGREED JUDGMENT OF PARTIALLY PROBATED SUSPENSION**

**Parties and Appearance**

On this date, came to be heard the above styled and numbered cause. Petitioner and Respondent, Juana Maria Calvillo, Texas Bar Number 24067537, announce that an agreement has been reached on all matters including the imposition of a Partially Probated Suspension.

**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 the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

### **Findings of Fact**

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:

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 her principal place of practice in Harris County, Texas.
3. Respondent was hired by Katherine Flores (Flores) to handle a family law matter.
4. In representing Flores, Respondent neglected the legal matter entrusted to her.
5. Respondent failed to keep Flores reasonably informed about the status of her case and failed to promptly comply with reasonable requests for information.
6. Respondent failed to timely furnish a response to the Chief Disciplinary Counsel's office without timely asserting in good faith a privilege or other legal ground to do so.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees associated with this Disciplinary Proceeding in the amount of \$1,000.00.
8. Respondent owes restitution in the amount of \$2,500.00 payable to Katherine Flores.

### **Conclusions of Law**

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.01(b)(1), 1.03(a), and 8.04(a)(8).

### **Sanction**

It is AGREED and ORDERED that the sanction of a Partially Probated Suspension shall be imposed against Respondent in accordance with the Texas Rules of Disciplinary

Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of **one (1) year**, beginning **May 28, 2020** and ending **May 27, 2021**, provided Respondent complies with the following terms and conditions. Respondent shall be actively suspended from the practice of law for a period of one (1) week beginning May 28, 2020 and ending June 3, 2020. If Respondent complies with all of the following terms and conditions timely, the eleven (11) months and three (3) weeks period of probated suspension shall begin on June 4, 2020, and shall end on May 27, 2021:

1. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of \$1,000.00. The payment shall be due and payable on or before May 28, 2020, and 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 State Bar of Texas, Chief Disciplinary Counsel's Office, P. O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701). Respondent has paid this amount in full.
2. Respondent shall pay restitution on or before May 28, 2020, to Katherine Flores in the amount of \$2,500.00. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Katherine Flores and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701). Respondent has paid this amount in full.
3. 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.

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until May 27, 2021, whichever occurs first.

### **Terms of Active Suspension**

It is further ORDERED that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding herself out as an attorney at law; performing any legal services for others; accepting any fee directly or indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further ORDERED that, on or before May 28, 2020, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further ORDERED that Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further ORDERED that Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701), on or before June 1, 2020, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.

It is further ORDERED Respondent shall, on or before May 28, 2020, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or

officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further ORDERED Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701), on or before June 1, 2020, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court.

It is further ORDERED that, on or before May 28, 2020, Respondent shall surrender her law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

### **Terms of Probation**

It is further ORDERED, that if Respondent has complied with all terms and conditions set forth above in a timely manner entitling Respondent to a period of this suspension being probated, 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(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep 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. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete twelve (12) additional hours of continuing legal education with six (6) hours in Ethics and the remaining six (6) hours in Law Office Management. These additional hours of CLE are to be completed between June 4, 2020 and May 3, 2021. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, via USPS: Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487; or via Delivery: Office of the Chief Disciplinary Counsel, State Bar of Texas, 1414 Colorado Street, Suite 200, Austin, TX 78701.

### **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 2.22 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.

### **Additional CLE**

It is further ORDERED that in addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete twelve (12) additional hours of continuing legal education with six (6) hours in Ethics and the remaining six (6) hours in Law Office Management. These additional hours of CLE are to be completed between June 4, 2020 and May 3, 2021. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, via USPS: Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487; or via Delivery: Office of the Chief Disciplinary Counsel, State Bar of Texas, 1414 Colorado Street, Suite 200, Austin, TX 78701.

### **Restitution and Attorney's Fees**

It is further ORDERED Respondent shall pay restitution on or before May 28, 2020, to Katherine Flores in the amount of \$2,500.00. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Katherine Flores and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701). Respondent has paid this amount in full.

It is further ORDERED Respondent shall pay all reasonable and necessary

attorney's fees to the State Bar of Texas in the amount of \$1,000.00. The payment shall be due and payable on or before May 28, 2020, and 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, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701). Respondent has paid this amount in full.

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent and are assessed as a part of the sanction in accordance with Rule 1.06(FF) 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 6th day of MAY, 2020.

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



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**SAVVAS THEOHARIS STEFANIDES  
District 4-2 Presiding Member**

**AGREED AS TO BOTH FORM AND SUBSTANCE:**



\_\_\_\_\_  
**JUANA MARIA CALVILLO  
State Bar No. 24067537  
Respondent**



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**JOHN S. BRANNON  
State Bar No. 02895500  
Counsel for Petitioner**

AGREED ONLY AS TO FORM



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**JEANNE M. HUEY  
State Bar No. 24004636  
Counsel for Respondent**