

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 99- 9119

Appointment of a District Judge to Preside
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Jeff Work, Judge of the 189th District Court of Harris County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. Judith Grantham

to be filed in a District Court of Dallas County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Dallas County, Texas, a copy of this Order and of the Disciplinary Petition for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

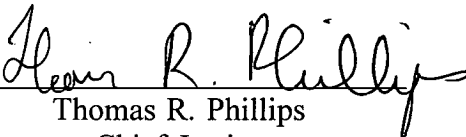
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this ~~18th~~^{21st} day of June, 1999.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9119, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 21 day of June, 1999.


Thomas R. Phillips
Chief Justice

NO. _____

| | | |
|----------------------------------|---|--------------------------|
| COMMISSION FOR LAWYER DISCIPLINE | § | IN THE DISTRICT COURT OF |
| V. | § | DALLAS COUNTY, TEXAS |
| JUDITH A. GRANTHAM | § | _____ JUDICIAL DISTRICT |

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, Judith A. Grantham, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.2, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level I Discovery Control Plan. Pursuant to Rule 190.2(a)(1), TRCP, Petitioner affirmatively pleads that it seeks only monetary relief aggregating fifty thousand and no/100 dollars (\$50,000.00) or less, excluding costs, pre-judgment interest and attorney's fees.

II.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001, et seq. (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint which forms the basis of the Disciplinary Petition was filed on or after May 1, 1992.

III.

Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Dallas County, Texas. An officer may serve citation on Respondent at 3521 Oak Lawn, Suite 314, Dallas, Texas 75219.

IV.

On or about April 5, 1997, Mark Goff ("Goff") employed Respondent to represent him in seeking managing conservatorship of his niece's minor child. On April 7, 1997, Respondent filed the Original Petition in Suit Affecting the Parental Child Relationship and a Request for Temporary Orders and a Request for a Temporary Restraining Order. The mother of the minor child signed an Affidavit of Status stating that her husband was not the biological father of the child and that the name of the child's biological father was unknown to her. A hearing was held on April 15, 1997, at which the mother provided the name of a man she thought might be the child's biological father. Shortly thereafter, the mother recanted and again asserted that she did not know the identity of the child's biological father.

V.

Respondent failed to serve the unknown father by publication. On September 30, 1997, Respondent obtained Temporary Orders but from that date until April, 1998, Respondent failed to perform any meaningful legal services on behalf of Goff. During Respondent's representation of Goff, Respondent failed to return Goff's proper requests for information and failed to keep Goff informed about the status of the matter.

VI.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV and V, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01 (b)(1) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

VII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by Mark Goff filing a complaint on or about July 30, 1998.

SECOND CAUSE OF ACTION

VIII.

In or about March of 1995, Thomas Merhout ("Merhout") employed Respondent to probate his mother's will. Respondent's acceptance of this matter despite her lack of experience and competency in handling wills later resulted in her filing improper documents with the court. Respondent filed a probate for Small Estate when the correct document was a Muniment of Title. Though Respondent became aware in early 1996 that affidavits of two disinterested witnesses were to be submitted with the filing, she failed to include them. In fact, Respondent did not obtain these necessary affidavits until spring of 1998. When submitted, the Court declined to accept the affidavits because they had already been filed by another attorney hired by Merhout to complete the matter.

IX.

Respondent relocated her practice in April 1996, but failed to take steps to notify Merhout

of as to how she could be located. Merhout's requests for information about the status of his representation therefore remained unanswered.

X.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs VIII and IX, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a)(b)(1) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

XI.

The complaint which forms the basis of this Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by Thomas Merhout filing a complaint on or about July 16, 1998.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

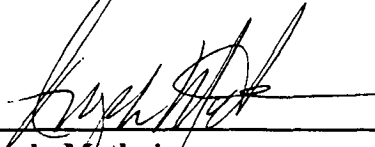
Respectfully submitted,

Steve W. Young
General Counsel

Angela Methvin
Assistant General Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800

Dallas, Texas 75219
(214) 559-4997
FAX (214) 559-4335



Angela Methvin
State Bar Card No. 00792698

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the General Counsel

April 20, 1999

CMRRR NO. Z 359 583 387

John T. Adams, Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

RE:: Commission for Lawyer Discipline v. Judith A. Grantham

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Judith A. Grantham. Ms. Grantham has designated Dallas County, Texas, as his principal place of practice. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

**Judith Grantham
3521 Oak Lawn
Suite 314
Dallas, Texas 75219**

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure; and (2) whether he or she can accommodate compliance with *Mellon Service Co., et al v. Touche Ross Co.*, 946 S.W.2d 862 (Tex. App. - Houston [14th Dist.] 1997), which requires that all proceedings incident to a case occur in the county of proper venue. If not, I would respectfully request that an alternate appointment be made.

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219
Telephone: (214) 559-4353 Fax: (214) 559-4335

John T. Adams, Clerk

November 26, 1997

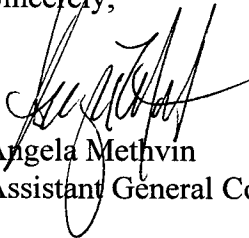
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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Dallas County, Texas, and a return envelope to be sent to the District Clerk of Dallas County, Texas, for the Clerk's use in returning a file-marked copy of the Petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,



Angela Methvin
Assistant General Counsel

Enclosures



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

EXECUTIVE ASST
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASST
NADINE SCHNEIDER

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

JUN 24 1999

Honorable Jeff Work
Judge, 189th District Court
212-A Civil Courts Building
301 Fannin Street
Houston, Texas 77002

Dear Judge Work:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Ms. Methvin and Ms. Grantham, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) be contacted to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (214-653-2943) to obtain information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711
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JUSTICES
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CLERK
JOHN T. ADAMS
EXECUTIVE ASS'T
WILLIAM L. WILLIS
DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON
ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

JUN 24 1999

The Honorable Jim Hamlin
District Clerk of Dallas County
George L. Allen Courts Building
600 Commerce Street
Dallas, Texas 75202

Dear Mr. Hamlin:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: *The Commission for Lawyer Discipline v. Judith A. Grantham*, and a copy of the Supreme Court's order appointing the Honorable Jeff Work, Judge of the 189th District Court of Houston, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Honorable Jeff Work
Ms. Angela Methvin
Ms. Judith Grantham



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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HARRIET O'NEILL
ALBERTO R. GONZALES

JUN 24 1999

Ms. Angela Methvin
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Ms. Judith Grantham
3521 Oak Lawn, Suite 314
Dallas, Texas 75219

Dear Ms. Methvin and Ms. Grantham:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable Jeff Work, Judge of the 189th District Court, Houston, Texas to preside in

Commission for Lawyer Discipline v. Judith Grantham

Sincerely,

SIGNED

John T. Adams
Clerk