

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 97- 9166

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

The Supreme Court of Texas hereby appoints the Honorable Dan R. Beck, Judge of the 155th District Court of Austin County, Texas, to preside in the Disciplinary Action styled:

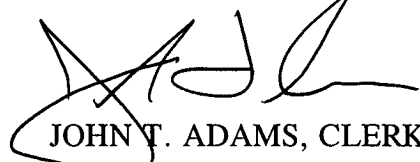
The Commission for Lawyer Discipline v. William B. Harrison

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Nueces 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.

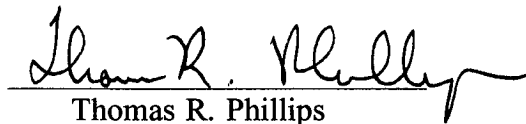
As ordered by the Supreme Court of Texas, in chambers.

with the Seal thereof affixed at the City
of Austin, this 18th day of September, 1997.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 97-9166, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057. .

Signed this 22 day of September, 1997.

A handwritten signature in cursive script, reading "Thomas R. Phillips", written in black ink. The signature is positioned above a horizontal line.

Thomas R. Phillips
Chief Justice

CAUSE NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	NUECES COUNTY, TEXAS
WILLIAM B. HARRISON	§	_____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF THE COURT:

The Commission for Lawyer Discipline ("Petitioner"), a permanent committee of the State Bar of Texas, complains of William B. Harrison ("Respondent"), an attorney licensed to practice law in the State of Texas, showing the Court as follows:

1. NATURE OF PROCEEDING

Petitioner brings this disciplinary action pursuant to the State Bar Act, the Texas Government Code Annotated §81.001, *et seq.* (Vernon 1988 and supp. 1994), the Texas Disciplinary Rules of Professional Conduct, and the Texas Rules of Disciplinary Procedure. The complaint that forms the basis of this disciplinary petition was filed on or after May 1, 1992.

2. VENUE

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 Nueces County, Texas. Respondent's principal place of practice is in Nueces County, Texas. Therefore venue is appropriate in Nueces County, Texas, pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure.

3. ISSUANCE OF CITATION AND SERVICE OF PROCESS REQUESTED

Petitioner requests that citation be issued and forwarded to the Sheriff of Nueces County so that service of process can be made upon Respondent. A Deputy Sheriff may serve Respondent at his business address at 814 Leopard Street, Corpus Christi, Texas 78401.

4. FACTS GIVING RISE TO PROCEEDING

4.01 On or about September 15, 1993, Gerardo Rivera ("Complainant") was injured in a work related accident. Sometime after that, Complainant retained Respondent's firm to represent him in his worker's compensation claim resulting from the accident. Buddy Bell ("Bell"), an associate employed by Respondent's firm was assigned to prosecute Complainant's worker's compensation claim.

4.02 On or about May 5, 1995, Complainant's worker's compensation claim was set for mediation. Complainant's wife, Complainant and Bell attended the mediation. During the mediation numerous offers and counter offers were made by the parties to the mediation. During the negotiations Complainant asked Bell if settling his claim would compromise his receipt of medical services. Bell told Complainant that settling his claim would not affect his receipt of medical care. Based upon this information Complainant agreed to settle his claim for \$48,000.00.

4.03 On or about March 1, 1996, Complaint received notice that he would no longer be provided with medical care by his worker's

compensation insurance. Alarmed by the sudden change of events, Complainant called Respondent's office to speak with Bell. However, Complainant was informed that Bell no longer worked for Respondent's firm. After being informed that Bell no longer worked for Respondent's firm, Complainant discussed his concerns with Respondent. Respondent told Complainant that Bell would never have told him that Complainant's worker's compensation insurance would cover Complainant's medical bills after he settled his case. In addition, Respondent told Complainant that this was his problem and he had to resolve it himself.

4.04 Complainant filed a grievance with the State Bar of Texas, against Respondent, on or about April 29, 1996. On or about May 29, 1996, Respondent was sent a copy of the grievance filed against him and a letter notifying him that a grievance was filed against him. On or about May 31, 1996, Respondent received a copy of the grievance filed against him and the letter notifying him of the grievance.

4.05 Respondent failed to respond to the grievance as required by the Texas Disciplinary Rules of Professional Conduct.

5. SPECIFIC VIOLATIONS OF THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

The acts and/or omissions of the Respondent described in Section 4 above, which occurred on or after January 1, 1990, constitute conduct in violation of Rule 8.04(a)(8) of the Texas Disciplinary Rules of Professional

Conduct.

6. TIMELINESS OF FILING

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel by Gerardo Rivera's filing this complaint on or about April 26, 1996.

7. PRAYER


Petitioner prays that this Court discipline Respondent by disbarment, suspension or reprimand, as the facts shall warrant; and that the Petitioner have all other relief to which it may show itself to be justly entitled, including costs of court and attorneys' fees.

Respectfully submitted,

Steven W. Young
General Counsel

Diego J. Vargas
Assistant General Counsel

Office of the General Counsel
STATE BAR OF TEXAS
1111 Fannin, Suite 1370
Houston, Texas 77002
(713) 759-6931
(713) 752-2158 FAX



DIEGO J. VARGAS
State Bar No. 00791847

ATTORNEYS FOR PETITIONER/ THE
COMMISSION FOR LAWYER DISCIPLINE

STATE BAR OF TEXAS



Office of the General Counsel

August 18, 1997

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

Re: Commission for Lawyer Discipline v. William B. Harrison

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 William B. Harrison. Mr. Harrison has designated Nueces 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 practices to preside in this case. Upon appointment, request is hereby made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

William B. Harrison
814 Leopard Street
P.O. Drawer 2568
Corpus Christi, Texas 78403-2568

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to 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. If not, I would respectfully request that an alternate appointment be made.

Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the Civil Case Information Sheet, and the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Nueces County, Texas, with the request that the suit be filed, citation be issued, and citation, along with a file-stamped copy of the petition be returned to the undersigned.

Also enclosed is a pre-addressed envelope for your use in transmitting the above referenced documents to the District Clerk of Nueces County, Texas, and a return envelope to be sent

Mr. John T. Adams

August 18, 1997

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to the District Clerk of Nueces County for the Clerk's use in returning a file-marked copy to the undersigned.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Very truly yours,



Diego J. Vargas
Assistant General Counsel

DJV/psb



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

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

OCT 02 1997

Mr. Diego J. Vargas
Assistant General Counsel, State Bar of Texas
1111 Fannin, Suite 1370
Houston, Texas 77002

Mr. William B. Harrison
814 Leopard Street
P.O. Drawer 2568
Corpus Christi, Texas 78403-2568

Dear Mr. Vargas and Mr. Harrison:

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 Dan R. Beck, Judge of the 155th District Court, La Grange, Texas to preside in

Commission for Lawyer Discipline v. William B. Harrison

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

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CLERK
JOHN T. ADAMS

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ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

OCT 02 1997

The Honorable Oscar Soliz
District Clerk of Nueces County
County Courthouse
901 Leopard
Corpus Christi, Texas 78401

Dear Mr. Soliz:

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. William B. Harrison, and a copy of the Supreme Court's order appointing the Honorable Dan R. Beck, Judge of the 155th District Court, La Grange, Texas, to preside in this Disciplinary Action.

Sincerely,

A handwritten signature in dark ink, appearing to read "JOHN T. ADAMS".

John T. Adams
Clerk

cc: Hon. Dan R. Beck
Mr. Diego J. Vargas
Mr. William B. Harrison



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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CLERK
JOHN T. ADAMS

JUSTICES
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JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

OCT 02 1997

Honorable Dan R. Beck
Judge, 155th District Court
151 N. Washington Street
La Grange, Texas 78945

Dear Judge Beck:

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 Mr. Harrison and Mr. Vargas, and a copy of the letter to the District Clerk of Nueces County.

It is recommended that, six to eight weeks after receipt of this letter, your coordinator contact the District Court Administrator (512-888-0220) to learn the names, addresses, and telephone numbers of counsel for purposes of scheduling a conference. This should also be the number to call to reserve a court room, court reporter, etc. Also, either before or immediately after you set the case for trial, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (210-544-0847) to obtain claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk