

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 19-9029

REVOCATION OF PROBATIONARY LAW LICENSE

The probationary law license issued to David Conrad Beyer is revoked, pursuant to the recommendation contained in the attached Order of the Board of Law Examiners. David Conrad Beyer must surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court immediately or file an affidavit with the Court stating why he cannot do so.

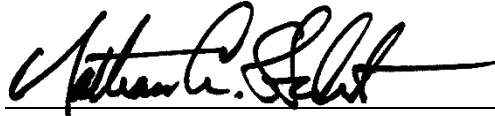
Consequently, David Conrad Beyer is prohibited from practicing law in the State of Texas. He is prohibited from holding himself out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the words “Attorney at Law,” “Counselor at Law,” or “Lawyer.”

Additionally, David Conrad Beyer must provide immediate written notification of the revocation of his law license to each of his clients. He shall also return any files, papers, unearned monies and other property in his possession belonging to any client or former client to each respective client or former client or to another attorney at the client’s or former client’s request. David Conrad Beyer shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box 12487, Austin TX 78711-2487, within 30 days of the date of this Order

an affidavit stating that all current clients have been notified of the revocation of his license and that all files, papers, monies and other property belonging to all clients and former clients have been returned.

Finally, David Conrad Beyer shall, within 30 days after the date of this Order, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any pending matter and shall therein identify the style and cause number of the pending matter with the name, address, and telephone numbers of each client he represents in each court. David Conrad Beyer shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box 12487, Austin TX 78711-2487, within 30 days after the date of this Order an affidavit stating that he has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he is representing in Court.

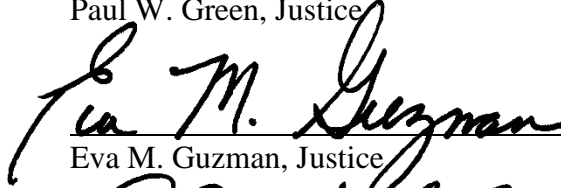
Signed this 25th day of April, 2019.



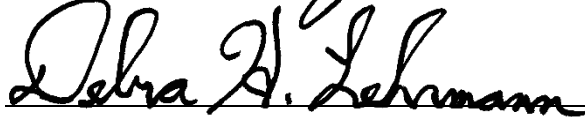
Nathan L. Hecht, Chief Justice



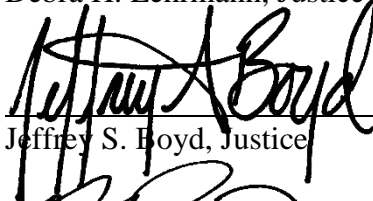
Paul W. Green, Justice



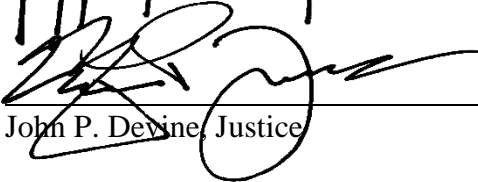
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



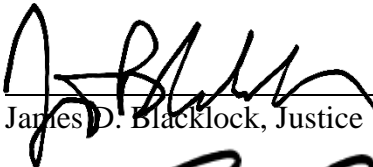
Jeffrey S. Boyd, Justice



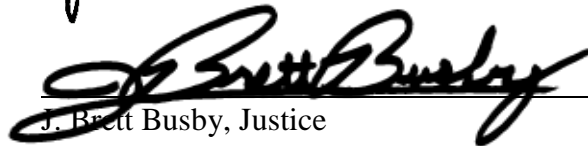
John P. Devine, Justice



Jeffrey V. Brown, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice

BOARD OF LAW EXAMINERS

IN THE MATTER OF

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DOCKET No. 02-19-02

CONRAD DAVID BEYER

AUSTIN, TEXAS

ORDER

On February 15, 2019, a three-member panel of the Board of Law Examiners, Anna M. McKim, presiding, and panel members Augustin Rivera, Jr., and C. Alfred Mackenzie, heard the matter of Conrad David Beyer. The Board was represented by Allan K. Cook, general counsel. Mr. Beyer was represented by B. Clayton Hackett. The Board considered whether Mr. Beyer's June 2016 probationary license should be revoked.

I. PROCEDURAL HISTORY

On April 10, 2014, the Board of Law Examiners agreed to an Order conditionally approving Mr. Beyer's good moral character and granting him a probationary license to practice law in Texas, subject to his compliance with certain conditions of probation.

On June 16, 2016, a hearing was convened on Mr. Beyer's non-compliance with the conditions imposed in his agreed probationary license. Following hearing, Mr. Beyer's probationary license was extended to July 31, 2018, subject to his "strict and complete compliance" with all conditions of the Order.

On June 14, 2018, after Mr. Beyer continued to fail to comply with the terms of his probationary license as extended in 2016, an informal conference was convened at the Board's offices. The conference was chaired by Board member Teresa Ereon Giltner and was attended by the Board's executive director, staff attorney, director of character and fitness, and general counsel. Ms. Giltner admonished Mr. Beyer that the

Board would recommend revocation of his license if he thereafter failed to follow the conditions of his extended probationary license.

II. JURISDICTION

The Board has jurisdiction over this matter pursuant to Texas Government Code, Sections 82.004, 82.022, 82.028, 82.030, and 82.038, as well as Rules 1, 2, 4, 8, 10, 15, 16 and 20 of the *Rules Governing Admission to the Bar of Texas*, adopted by the Supreme Court of Texas, as amended.

III. FINDINGS OF FACT

After considering the evidence, the Board finds that:

1. Mr. Beyer was given timely and proper electronic notice on October 9, 2018 of hearing on November 9, 2018. (BE 1)
2. Mr. Beyer's hearing was continued at his request from November 9 to February 15, 2019 to give his newly retained counsel an opportunity to familiarize himself with the file.
3. On April 10, 2014, a three-member panel of the Board entered an Order adopting an agreement negotiated between Mr. Beyer and Board counsel granting him a probationary license to expire two years after the date it was issued, conditioned on his compliance with a number of conditions, including but not limited to, the following:
 - a. Timely complying with all requirements of the Order and with all requests from the Board for information or documentation (BE 2, condition 1);
 - b. Not engaging in conduct that evidences a lack of good moral character or fitness (BE 2, condition 4);
 - c. Meeting with his attorney monitor weekly in such place and time as determined by the attorney monitor unless approved by the attorney monitor in advance (BE 2, condition 7);

- d. Documenting his AA and LCL attendance with a meeting attendance log, which he was to provide to his attorney monitor on a weekly basis (BE 2, condition 17);
 - e. After establishing an account with a Third Party administrator, communicating each day by phone or the internet to determine if he had been assigned a random drug/alcohol screen (BE 2, condition 15);
 - f. If selected for drug/alcohol screening, appearing at an approved testing facility and providing a sample for testing (BE 2, condition 16); and
 - g. Filing with the Board a properly completed Periodic Questionnaire beginning October 1, 2014 and April 2015 and every October 1 and April 1 thereafter until such time as he is notified by the Board that he is being recommended for regular licensing by the Supreme Court of Texas (BE 2, condition 22).
4. Mr. Beyer failed to comply with conditions 1, 4, 7, 12, 15, 16 and 22 by, among other things, failing to timely file federal taxes; failing to meet weekly with his attorney monitor; failing to document his attendance at AA and LCL meetings and providing the log to his attorney monitor on a weekly basis; failing to timely file Periodic Questionnaires; and failing to check in with the Third Party Administrator to find out if he had been selected for random drug/alcohol testing. (BE 3, 4, 5, 8)
 5. A preliminary determination letter was served on Mr. Beyer on May 17, 2016, detailing his non-compliance with conditions 1, 4, 7, 12, 15, 16 and 22 of his probationary license; a hearing was set for June 16, 2016. (BE 10)
 6. Following the June 16 hearing, at which Mr. Beyer was represented by counsel, the panel found that Mr. Beyer had violated conditions 1, 4, 7, 12, 15, 16 and 22 of his probationary license. (BE 11 at 2)
 7. Based on its findings, the panel entered an Order on June 30, 2016, extending Mr. Beyer's probationary license an additional two years. (BE 11)

8. The June 30, 2016 Order was conditioned on Mr. Beyer's "strict and complete" compliance with the Order. (BE 11 at 3) (emphasis in original) The Order further provided that Mr. Beyer's extended probationary license "may be revoked at any time upon the recommendation of the Board if, after notice and hearing, it is determined that [he] has violated any condition of this Order, and that any such revocation shall likewise constitute a revocation of the conditional approval of [his] present good moral character and fitness." (BE 11 at 6-7) (emphasis in original)
9. The June 30 Order further provided that Beyer "may be required to appear in the Board office for an informal hearing conference with a member of the Board and staff representative to consider and determine what action, if any, should be recommended with regard to any alleged non-compliance with the conditions of this Order." (BE 11 at 6)
10. Mr. Beyer thereafter violated conditions 1, 2, 4, 9, 10, 15, 23 and 25 of the June 30, 2016 Order by, among other things:
 - a. Failing to comply with multiple conditions of his probationary license (BE 12 at 2);
 - b. Failing to provide weekly attendance logs (BE 12 at 2);
 - c. Failing to display a valid vehicle registration certificate (BE 12 at 2);
 - d. Missing 66 call-ins and checks-ins and two drug/alcohol tests (BE 12 at 2);
 - e. Failing to timely file monthly Periodic Questionnaires (BE 12 at 2); and
 - f. Failing to properly complete his application for regular license. (BE 12 at 2)
11. In light of his continued failure to strictly and completely comply with the conditions of his extended probationary license, Mr. Beyer was asked to appear at an informal conference on June 14, 2018 to explain his failure to comply with the Board's Order.

12. The informal conference was chaired by Board member Teresa Ereon Giltner and was attended by the Board's executive director, staff attorney, director of character and fitness, and general counsel. Ms. Giltner admonished Mr. Beyer that the Board would recommend revocation of his license if he thereafter failed to follow the conditions of his extended probationary license.
13. Mr. Beyer missed eight check-ins between June 28, 2018 and November 8, 2018. (BE 15 at 1)
14. Mr. Beyer failed to timely request a monitoring interruption before leaving for a vacation in New Mexico on September 17, 2018. (BE 14 at 3-4)
15. Although Mr. Beyer checked in on September 20, 2018, he was a no-show for a drug/alcohol test. (BE 15 at 3)

IV. CONCLUSIONS OF LAW

1. There is a clear and rational connection between Mr. Beyer's lack of trustworthiness in carrying out responsibilities, as evidenced by his repeated failure to fully comply with the conditions of his Agreed Probationary License and his Extended Probationary License, and the likelihood he would injure a client, obstruct the administration of justice, or violate the Texas Disciplinary Rules of Professional Conduct, if he were allowed to continue to practice law.
2. Mr. Beyer substantially failed to comply with the conditions of his Agreed Probationary License and his Extended Probationary License.
3. Mr. Beyer's probationary license should therefore be revoked due to his repeated failure, as found herein, to comply with the conditions of his probationary license and his lack of present good moral character and fitness.

The Panel notes that the record reflects recent mitigating circumstances in Mr. Beyer's personal life. However, the Panel's decision in this matter is compelled by the undisputed record of years of repeated, unexcused failure on Mr. Beyer's part to comply with terms of the Board's prior orders. IT IS THEREFORE ADJUDGED,

ORDERED, AND DECREED that Mr. Beyer's repeated failures to comply with one or more of the conditions of his probationary license indicate he lacks the present good moral character and fitness required for admission and that the Board shall recommend to the Supreme Court of Texas that Mr. Beyer's probationary license be revoked.

Signed this 4th day of March 2019.



Anna M. McKim, Presiding Chair