

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 94- 9205

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

The Supreme Court of Texas hereby appoints the Honorable J. D. Langley, Judge of the 85th District Court of Brazos County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. W. Martin Glasco

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Tarrant 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,

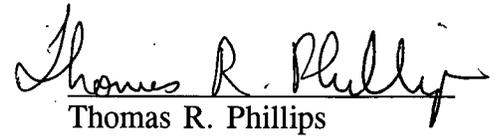
with the Seal thereof affixed at the City
of Austin, this 19th day of December, 1994.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 94-9205, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code, §74.057.

Signed this 19 day of December, 1994.


Thomas R. Phillips
Chief Justice

COPY

NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	TARRANT COUNTY, TEXAS
W. MARTIN GLASCO, JR.	§	_____ 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, W. Martin Glasco, Jr., (hereinafter called "Respondent"), showing the Court:

I.

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 complaints which form the basis of the Disciplinary Petition were filed on or after May 1, 1992.

II.

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Tarrant County, Texas. An officer may service citation on Respondent at his business address located at 6777 Camp Bowie, Suite 501, Fort Worth, Tarrant County, Texas 76116.

FIRST CAUSE OF ACTION

III.

On or about April 8, 1992, Mozetta Maddux (hereinafter called "Maddux") hired Respondent to represent her in an uncontested divorce proceeding. Maddux paid Respondent \$475.00 in attorney's fees in and around June, 1992. At no time did the parties sign a contract of employment specifying the services Respondent intended to provide to Maddux, and Maddux was not given an explanation of the services Respondent would and would not provide for the \$475.00 in attorney's fees.

IV.

At the time Maddux hired Respondent, she met with him briefly, but the initial interview and primary work on her case were performed by Respondent's legal assistant, John Lamont (hereinafter called "Lamont"). In addition, all of Maddux's communications with Respondent were through Lamont.

V.

An original divorce petition prepared by Lamont and purportedly reviewed by Respondent was filed on Maddux's behalf on or about June 5, 1992. Maddux had several concerns about the petition, in particular, its failure to address the issue of temporary support orders. She unsuccessfully attempted to contact Respondent on various occasions, and was finally able to speak with Lamont. Lamont informed Maddux that the attorney's fees she had paid did not cover the cost of obtaining temporary support orders, and that if she wanted the orders, she would have to pay additional attorney's fees.

VI.

Respondent thereafter filed an amended divorce petition in order to obtain service of citation on Maddux's husband. Respondent later submitted a bill for services to Maddux for the cost of service and of the citation, which Maddux agreed to pay. However, the bill also contained an additional charge of \$300.00 for Lamont's time in handling the divorce proceeding. Respondent never explained to Maddux why payment for Lamont's services was not included in the initial retainer paid by Maddux.

VII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs III., VI., V. and VI. hereinabove which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.02(a)(1), 1.03(a), 1.03(b), 1.04(c), 5.03(a) and/or 5.03(b) of the Texas Disciplinary Rules of Professional Conduct.

VIII.

The complaint which forms the basis of the First Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by Mozetta Maddux filing a complaint on or about July 7, 1993.

SECOND CAUSE OF ACTION

IX.

During 1992 and 1993, Respondent aided and assisted Clint Watson (hereinafter called "Watson"), a non-lawyer, in the unauthorized practice of law. Watson operated a business wherein he sold legal forms for pro se divorces to the public. Individuals who purchased the forms purportedly used them to prepare their own legal documents and file them pro se.

However, on several occasions, Watson actually prepared the divorce documents for clients, who then filed the documents pro se. Respondent later entered an appearance at the divorce hearing, and represented the clients at the hearing.

X.

Such acts and/or omissions on the part of Respondent as are described in Paragraph III. hereinabove which occurred on or after January 1, 1990, constitute conduct which violates Rule 5.05(2) of the Texas Disciplinary Rules of Professional Conduct.

XI.

The complaint which forms the basis of the Second Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by the Unauthorized Practice of Law Committee of Fort Worth filing a complaint on or about April 30, 1993.

THIRD CAUSE OF ACTION

XII.

In and around June, 1992, Respondent caused an advertisement to be published in the Thrifty Nickel newspaper in an area in and around Tarrant County, Texas. Such advertisement described the types of legal services Respondent provided, and detailed the costs of such legal services. However, the advertisement did not contain a disclaimer regarding whether or not Respondent was certified in a particular area of law by the Texas Board of Legal Specialization that was sufficiently conspicuous so as to be easily understood by any consumer.

XIII.

Such acts and/or omissions on the part of Respondent as are described in Paragraph XII.

hereinabove which occurred on or after January 1, 1990, constitute conduct which violates Rule 7.01(d) of the Texas Disciplinary Rules of Professional Conduct.

XIV.

The complaint which forms the basis of the Third Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by the Unauthorized Practice of Law Committee of Fort Worth filing a complaint on or about April 30, 1993.

FOURTH CAUSE OF ACTION

XV.

By letter dated June 9, 1993, and received by Respondent on or about June 11, 1993, the Grievance Committee for State Bar District 7A urged Respondent to provide information in response to a complaint presented against him by the Unauthorized Practice of Law Committee of Fort Worth, which complaint was brought to the attention of the Office of the General Counsel of the State Bar of Texas by the filing of a complaint with the State Bar of Texas on or about April 30, 1993. Respondent thereafter knowingly failed to respond to a lawful demand for information from a disciplinary authority, to wit, the Grievance Committee for State Bar District 7A, thereby engaging in professional misconduct in violation of Rule 8.01(b) of the Texas Disciplinary Rules of Professional Conduct.

PRAYER

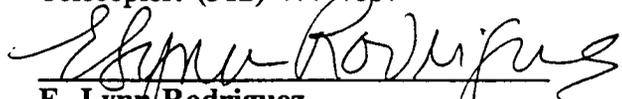
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

James M. McCormack
General Counsel

E. Lynn Rodriguez
Assistant General Counsel

Office of the General Counsel
State Bar of Texas
P.O. Box 12487
Austin, Texas 78711
Telephone: (512) 463-1463
Telecopier: (512) 477-4607



E. Lynn Rodriguez
State Bar of Texas No. 17143880

ATTORNEYS FOR PETITIONER

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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

ADMINISTRATIVE ASST.
NADINE SCHNEIDER

JUSTICES
RAULA GONZALEZ
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
BOB GAMMAGE
CRAIG ENOCH
ROSE SPECTOR

December 20, 1994

Honorable J.D. Langley
Judge, 85th District Court
224 Courthouse
300 E. 26th Street
Bryan, Texas 77803

Dear Judge Langley:

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. Glasco and Mr. McCormack, and a copy of the letter to the District Clerk of Tarrant County.

It is recommended that, four or five weeks after receipt of this letter, you contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (817-884-1558) to reserve a courtroom, provide for a court reporter, to obtain information on lodging, allowable expenses, and claim forms for your expenses and other information 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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CRAIG ENOCH
ROSE SPECTOR

December 20, 1994

The Honorable Thomas P. Hughes
District Clerk of Tarrant County
Tarrant County Justice Center
401 West Belknap
Fort Worth, Texas 76296-0402

Dear Mr. Hughes:

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. W. Martin Glasco and a copy of the Supreme Court's order appointing the Honorable J.D. Langley, Judge of the 85th District Court, Bryan, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. J.D. Langley
Mr. W. Martin Glasco
Mr. James M. McCormack



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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EXECUTIVE ASST.
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.
NADINE SCHNEIDER

December 20, 1994

Mr. James M. McCormack
General Counsel, State Bar of Texas
P.O. Box 12487
Austin, Texas 78711

Mr. W. Martin Glasco
6777 Camp Bowie, Suite 501
Fort Worth, Texas 76116

Dear Mr. McCormack and Mr. Glasco:

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 J. D. Langley, Judge of the 85th District Court, Bryan, Texas to preside in

Commission for Lawyer Discipline v. W. Martin Glasco

Sincerely,

SIGNED

John T. Adams
Clerk