

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 97- 9237**

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

The Supreme Court of Texas hereby appoints the Honorable Joseph P. Kelly, Judge of the 24th District Court of Victoria County, Texas, to preside in the Disciplinary Action styled:

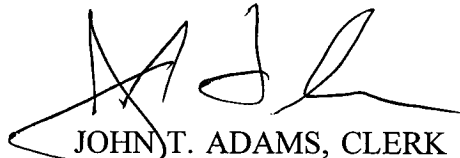
**The Commission for Lawyer Discipline v. George M. Hamm**

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

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

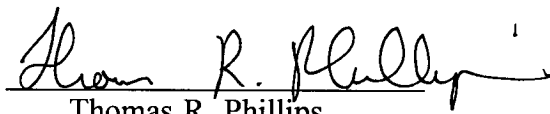
with the Seal thereof affixed at the City  
of Austin, this 30th day of December, 1997.

A handwritten signature in black ink, appearing to read "J. Adams", written over a circular stamp.

JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 97-9237, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 5 day of January, 1998.

A handwritten signature in cursive script, reading "Thomas R. Phillips", written over a horizontal line.

Thomas R. Phillips  
Chief Justice

NO. \_\_\_\_\_

|                                  |   |                          |
|----------------------------------|---|--------------------------|
| COMMISSION FOR LAWYER DISCIPLINE | § | IN THE DISTRICT COURT OF |
| VS                               | § | HARRIS COUNTY, TEXAS     |
| GEORGE M. HAMM                   | § | _____ 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, pursuant to the authority of an investigatory panel for State Bar District Number 4I files this Disciplinary Petition complaining of George M. Hamm ("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 complaints that form the basis of this Disciplinary Petition were 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 Harris County, Texas. Respondent's principal place of practice is Harris County, Texas. Therefore, venue

is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure.

**3. ISSUANCE OF CITATION REQUESTED**

**3.01** Petitioner requests that citation be issued and forwarded to: Jeannette Duer, 1111 Fannin, Suite 1370, Houston, Texas 77002, for service by an individual processor.

**3.02** Respondent may also be served at his business address located at 12820 Greenwood Forest #434, Houston, Texas, 77066.

**4. SEEGER'S COMPLAINT**

**PURSUANT TO PART III OF THE TEXAS RULES OF DISCIPLINARY PROCEDURE, PETITIONER REQUESTS THIS COURT TO DISCIPLINE HAMM FOR ACTS OF PROFESSIONAL MISCONDUCT.**

**HAMM ENGAGED IN CONDUCT VIOLATING TEXAS DISCIPLINARY RULE OF PROFESSIONAL CONDUCT 1.02(a)** [A lawyer shall abide by a client's decisions: (1) concerning the objectives and general methods of representation; and (2) whether to accept an offer of settlement of a matter, except as otherwise authorized by law].

**(A)** On or about November 20, 1995, John R. Seeger ("Complainant"), retained George M. Hamm ("Respondent") for representation in correcting a previously issued Qualified Domestic Relations Order ("QDRO").

**(B)** Complainant had given Respondent explicit instructions as to corrections regarding the QDRO.

**(C)** Respondent failed to comply with Complainant's instructions regarding corrections to the QDRO.

- (D) Respondent entered into an agreement with opposing counsel without Complainant's knowledge or consent.
- (E) The agreement entered into by Respondent resulted in harm to Respondent's client, the Complainant.

## **5.0 PRAYER**

Petitioner respectfully 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

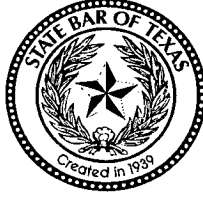
Jeannette M. Duer  
Assistant General Counsel

Office of the General Counsel  
STATE BAR OF TEXAS  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
Phone: (713) 759-6931  
Fax No.: (713) 752-2158

  
\_\_\_\_\_  
JEANNETTE M. DUER  
State Bar No. 00793645

ATTORNEYS FOR PETITIONER  
THE COMMISSION FOR  
LAWYER DISCIPLINE

# STATE BAR OF TEXAS



Office of the General Counsel

November 17, 1997

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

*Re: Commission for Lawyer Discipline v. George M. Hamm*

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 George M. Hamm. Mr. Hamm has designated Harris 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:

George M. Hamm  
12820 Greenwood Forest #434  
Houston, Texas 77066

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 Harris County, Texas, with the

Mr. John T. Adams

November 17, 1997

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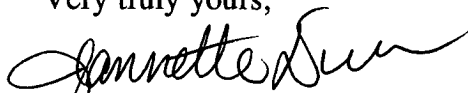
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request that the suit be filed, citation be issued, and citation, along with a file-stamped copy of the petition be returned to the undersigned.

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



Jeannette M. Duer

Assistant General Counsel

JMD/vr

Enclosures





## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
CRAIG T. ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT  
DEBORAH G. HANKINSON

TEL: (512) 463-1312

FAX: (512) 463-1365

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JAN 09 1998

Ms. Jeannette M. Duer  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. George M. Hamm  
12820 Greenwood Forest, #434  
Houston, Texas 77066

Dear Ms. Duer and Mr. Hamm:

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 Joseph P. Kelly, Judge of the 24<sup>th</sup> District Court of Victoria, Texas to preside in

Commission for Lawyer Discipline v. George M. Hamm

Sincerely,

**SIGNED**

John T. Adams  
Clerk



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

CLERK  
JOHN T. ADAMS

JUSTICES  
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EXECUTIVE ASS'T  
WILLIAM L. WILLIS

JAN 09 1998

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

Honorable Joseph P. Kelly  
Judge, 24<sup>th</sup> District Court  
P.O. Box 1457  
Victoria, Texas 77902-1457

Dear Judge Kelly:

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. Hamm and Ms. Duer, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, six to eight weeks after receipt of this letter, you contact the Harris County District Court Administrative Office (713-755-7593) to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, you again contact the Harris County District Court Administrative Office (713-755-6593) 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 (713-471-3911) 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

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
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EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JAN 09 1998

The Honorable Charles Bacarisse  
District Clerk of Harris County  
P.O. Box 4651  
Houston, Texas 77210

Dear Mr. Bacarisse:

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. George M. Hamm, and a copy of the Supreme Court's order appointing the Honorable Joseph P. Kelly, Judge of the 24<sup>th</sup> District Court of Victoria, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Hon. Joseph P. Kelly  
Ms. Jeannette M. Duer  
Mr. George M. Hamm