

**ORDER OF THE SUPREME COURT OF TEXAS**

Misc. Docket No. 00-**9109**

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

The Supreme Court of Texas hereby appoints the Honorable John Robert Adamson, Judge of the 2nd District Court of Cherokee County, Texas, to preside in the Disciplinary Action styled:


**The Commission for Lawyer Discipline v. Robert E. Barron**

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

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

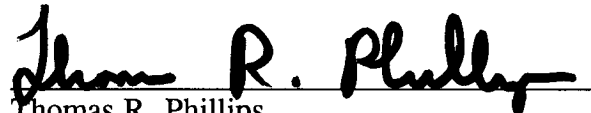
As ordered by the Supreme Court of Texas, in chambers,

With the Seal thereof affixed at the City  
Of Austin, this 14<sup>th</sup> day of July, 2000.

  
JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 00-9109, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 18 day of July, 2000.

  
Thomas R. Phillips  
Chief Justice

COPY

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

COMMISSION FOR LAWYER DISCIPLINE, §

IN THE DISTRICT COURT OF

Petitioner

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vs.

JEFFERSON COUNTY, TEXAS

ROBERT E. BARRON,

Respondent

\_\_\_\_\_ JUDICIAL DISTRICT

**ORIGINAL DISCIPLINARY PETITION**

**TO THE HONORABLE JUDGE OF THE COURT:**

COMES NOW Petitioner, the COMMISSION FOR LAWYER DISCIPLINE a committee of the STATE BAR OF TEXAS (hereinafter referred to as "Petitioner"), complaining of Respondent, ROBERT E. BARRON (hereinafter referred to as "Respondent"), and would respectfully show unto the Court the following:

**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 1 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. NATURE OF PROCEEDING**

Petitioner brings this disciplinary action pursuant to the STATE BAR ACT, 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.

### **III. VENUE**

Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS. Respondent's residence and principal place of practice is Jefferson County, Texas; therefore, venue is appropriate in Jefferson County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE. Respondent may be served at his business address, 200 Highway 69, Nederland, Texas, 77627.

### **IV. FIRST CAUSE OF ACTION**

On or about September 17, 1993, Respondent was retained by KIMBERLY and ALLAN HALL (hereinafter referred to collectively as "Complainants") to file for bankruptcy under Chapter 13. On or about April 6, 1994, Complainants' *First Amended Chapter 13 Plan* was approved by the Court.

Thereafter, on or about October 6, 1997, Respondent filed a *Motion to Modify Chapter 13 Plan After Confirmation* to extend Complainants repayment plan, which was subsequently approved sometime in 1998.

Complainants paid the Trustee according to the payment plan to retire their debts, completed the court approved monthly payments in or around February 1999, and their bankruptcy was discharged. Thereafter, in or around April 1999, Complainants received demands from a creditor to immediately repay an outstanding student loan which was included in the original petition for bankruptcy prepared by Respondent.

Complainants contacted Respondent's office several times by telephone, but Respondent failed to return their calls. On or about April 29, 1999, Complainants sent Respondent a letter requesting information concerning the outstanding student loan. On or about May 3, 1999, Respondent sent Complainants a letter informing them that he would review their file and advise them of his findings. Thereafter, Respondent failed to take any action on behalf of Complainants and further failed to communicate with Complainants.

#### **V. RULE VIOLATIONS**

The acts and/or omissions of Respondent described in Paragraph IV, above, constitute conduct in violation of Rules **1.01(b)(1)** [for neglecting a legal matter entrusted to the lawyer]; **1.01(b)(2)** [for failing to carry out completely the obligations owed to a client]; **1.03(a)** [for failing to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information]; **1.03(b)** [for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation]; and **8.04(a)(3)** [for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation] of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT.

#### **VI.**

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the Chief Disciplinary Counsel of the STATE BAR OF TEXAS by **KIMBERLY A. HALL's** filing of a complaint on or about September 15, 1999.

#### **PRAYER FOR RELIEF**

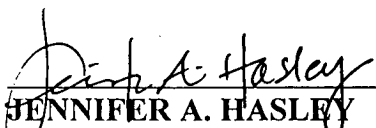
**WHEREFORE, PREMISES CONSIDERED, Petitioner, COMMISSION FOR LAWYER DISCIPLINE, respectfully prays that this Court discipline Respondent, ROBERT E.**

**BARRON**, by reprimand, suspension or disbarment, as the facts shall warrant; order restitution to Complainant; and grant all other relief to which Petitioner may show itself to be justly entitled, including costs of court and attorneys' fees.

Respectfully submitted,

**DAWN MILLER,**  
Chief Disciplinary Counsel

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

  
\_\_\_\_\_  
**JENNIFER A. HASLEY**  
Assistant Disciplinary Counsel  
State Bar No. 00792818

**ATTORNEYS FOR PETITIONER,  
COMMISSION FOR LAWYER DISCIPLINE**

# STATE BAR OF TEXAS



## OFFICE OF THE CHIEF DISCIPLINARY COUNSEL

May 22, 2000

John T. Adams, Clerk  
SUPREME COURT OF TEXAS  
P.O. Box 12248, Capitol Station  
Austin, Texas 78711

**RE: *Commission for Lawyer Discipline v. Robert E. Barron***

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of the *Original Disciplinary Petition* being filed by the Commission for Lawyer Discipline against Robert E. Barron. Mr. Barron has designated Jefferson 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:

Robert E. Barron  
P.O. Box 1347  
Nederland, Texas 77627

As a practical matter, we respectfully suggest that an inquiry be made as to whether the judge will be able to comply with the one hundred and eighty (180) day deadline by which the case must be set for trial as set forth in Section 3.07 of the TEXAS RULES OF DISCIPLINARY PROCEDURE. If not, we 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 *Original Disciplinary Petition*, the filing fee check (all enclosed herewith), and the *Court's Appointing Order* to the District Clerk of Jefferson 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.

John T. Adams, Clerk  
SUPREME COURT OF TEXAS  
May 22, 2000  
Page 2

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Additionally, enclosed please find a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Jefferson County, Texas, and a return envelope to be sent to the District Clerk of Jefferson County, Texas, for the Clerk's use in returning a file-marked copy of the *Original Disciplinary Petition* to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,



Jennifer A. Hasley  
Assistant Disciplinary Counsel

JAH/sml

- Enclosures
1. Original Disciplinary Petition (original and two (2) copies)
  2. Filing Fee Check
  3. Pre-Addressed Envelope to District Clerk
  4. Pre-Addressed Envelope to STATE BAR OF TEXAS





# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

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

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2000

The Honorable John S. Appleman  
District Clerk of Jefferson County  
P.O. Box 3707  
Beaumont, Texas 77704-3707

Dear Mr. Appleman:

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. Robert E. Barron*, and a copy of the Supreme Court's order appointing the Honorable John Robert Adamson, Judge of the 2<sup>nd</sup> District Court, Rusk, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams  
Clerk

cc: Honorable John Robert Adamson  
Ms. Jennifer A. Hasley  
Mr. Robert E. Barron



# The Supreme Court of Texas

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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2000

Honorable John Robert Adamson  
Judge, 2<sup>nd</sup> District Court  
P.O. Box 287  
Rusk, Texas 75785

Dear Judge Adamson:

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. Barron and Ms. Hasley, and a copy of the letter to the District Clerk of Jefferson County.

It is recommended that, six to eight weeks after receipt of this letter, your coordinator contact the District Clerk (409-835-8580) to learn the names, addresses, and telephone numbers of counsel for purposes of scheduling a conference. 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 (409-835-8536) to reserve a courtroom, provide for a court reporter, etc., and to obtain 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

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

JUSTICES  
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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2000

Ms. Jennifer Hasley  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. Robert E. Barron  
P.O. Box 1347  
Nederland, Texas 77627

Dear Ms. Hasley and Mr. Barron:

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 John Robert Adamson, Judge of the 2<sup>nd</sup> District Court, Rusk, Texas to preside in

*Commission for Lawyer Discipline v. Robert E. Barron*

Sincerely,

SIGNED

John T. Adams  
Clerk