



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF §
GINA DAWN PATTERSON § CAUSE NO. 58517
State Bar of Texas Card No. 24013301 §**

**ORDER TERMINATING AGREED ORDER OF INDEFINITE DISABILITY
SUSPENSION AND
IMPOSING PROBATED DISABILITY SUSPENSION**

On the 4th day of August 2017, came on to be heard before the Board of Disciplinary Appeals Petitioner Gina Dawn Patterson's Petition for Reinstatement after Indefinite Disability Suspension. Petitioner appeared in person and through her attorney and announced ready. Respondent, the State Bar of Texas appeared by and through its attorney, the Chief Disciplinary Counsel, and announced ready. All questions of fact and issues of law were submitted to the Board.

After reviewing the pleadings, receiving the evidence, considering the testimony and argument of counsel, and the stipulations and agreements of the parties, the Board is of the opinion that the Agreed Order of Indefinite Disability Suspension should be terminated and that Petitioner should be placed on a Disability Suspension, probated for eighteen (18) months with certain terms and conditions.

The Board of Disciplinary Appeals makes the following findings and orders:

1. Petitioner Gina Dawn Patterson was licensed as an attorney and counselor at law in Texas on November 3, 1999.

2. The grievance that gave rise to Petitioner's Agreed Indefinite Disability Suspension filed by complainant Daniel J. Schacht on December 22, 2011 (Case No. H0121134295) has been resolved and closed. There are no other grievances pending against Petitioner.
3. Under the conditions set out herein, Petitioner has the ability to perform legal services and Petitioner's practice of law will not cause the courts or profession to fall into disrepute.
4. The likelihood of harm to the public during the period of rehabilitation is minimal so long as Petitioner is compliant with the terms of probation.
5. Petitioner's Disability can be successfully arrested and treated while Petitioner is engaged in the practice of law under the conditions set out herein.

It is **ORDERED, ADJUDGED, and DECREED** that pursuant to Texas Rules of Disciplinary Procedure Part XII, the Indefinite Disability Suspension entered in Board of Disciplinary Appeals Case No. 50977, In the Matter of Gina Dawn Patterson, Texas Bar Card No. 24013301, is hereby **TERMINATED** immediately upon entry of this order.

It is further **ORDERED, ADJUDGED, and DECREED** that pursuant to Texas Rules of Disciplinary Procedure Part XII, Petitioner, Gina Dawn Patterson, be and is hereby placed on Disability Probation for a period of eighteen (18) months beginning immediately upon entry of this order under the following terms and conditions:

1. Petitioner shall comply with Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas and, in addition to Petitioner's compliance with MCLE requirements of the State Bar of Texas, Petitioner shall complete fifteen additional hours of continuing legal education (CLE) by February 28, 2018. At least ten (10) of the additional CLE hours must be in the practice area of wills, estates, and probate. Three (3) hours of the additional CLE shall be in the area of Law Practice Management. Within ten (10) days of the completion of these CLE hours, Petitioner shall verify completion of the course(s) to Chief Disciplinary Counsel's Office Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701)
2. Petitioner will meet monthly with an attorney of her choosing in accordance with the attached Mentoring Agreement. The Mentor shall submit reports of the meetings to the Statewide Compliance Monitor. Petitioner is charged with finding the Mentor and completing the attached Mentoring Agreement and returning it to the Statewide

Compliance Monitor 30 days from the date of this order.

3. Petitioner shall not engage in Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
4. Petitioner shall not violate any state or federal criminal statutes.
5. Petitioner shall keep the State Bar of Texas membership department notified of her current mailing, residence and business addresses, and telephone numbers.
6. Petitioner shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Petitioner shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of Professional Misconduct and to any request for information related to compliance with this Order.
8. Petitioner shall remain abstinent from all alcohol and other mind altering substances, except when such are prescribed by a treating physician or psychiatrist and taken in accordance with such prescription. Petitioner shall provide copies of such prescriptions if requested to do so by the Chief Disciplinary Counsel's Office's Special Programs Coordinator.
9. Petitioner shall submit to random drug screens in accordance with the drug screen protocol of the Texas Lawyers' Assistance Program or at the request of the Chief Disciplinary Counsel's Office's Special Programs Coordinator. On the required days for testing Petitioner shall complete all steps of the protocol by the lab's normal close of business day.
10. Petitioner shall attend at least two Alcoholics Anonymous, Narcotics Anonymous, or other 12-Step recovery program meetings per week. Petitioner shall document her recovery program meeting attendance with an attendance log prescribed by the Chief Disciplinary Counsel's Office. Petitioner shall deliver this recovery program attendance log to the Chief Disciplinary Counsel's Office Statewide Compliance Monitor on a monthly basis.
11. Petitioner shall remain under the care of a psychiatrist licensed to practice medicine in Texas. Petitioner shall attend all sessions and participate in good faith in the treatment plan recommended by the psychiatrist. The psychiatrist shall provide written reports to the Chief Disciplinary Counsel's Office's Statewide Compliance Monitor verifying Petitioner's attendance at the sessions and good faith participation in the treatment plan. The initial report shall be due ninety (90) days after the entry of this order, with subsequent reports due quarterly thereafter. If verification of these reports is required by Office of the Chief Disciplinary Counsel, these reports may be verified by notary or by unsworn declaration in compliance with Tex. Civ. Prac. & Rem. Code § 132.001. Petitioner shall take all necessary action, including the execution of a valid release of

information, to permit any treating mental health professional to provide written or oral reports for the duration of the supervision period.

12. Petitioner shall remain under the care of a mental health professional licensed in Texas as a psychologist, a master's level social worker (LCSW), a licensed professional counselor (LPC), or a Licensed Chemical Dependency Counselor (LCDC). Petitioner shall attend all sessions and participate in good faith in the treatment plan recommended by this mental health professional. This mental health professional shall provide written reports to the State Bar of Texas verifying Petitioner's attendance at the sessions and good faith participation in the treatment plan. The initial report shall be due ninety (90) days after the entry of this judgment, with subsequent reports due quarterly thereafter. If verification of these reports is required by Office of the Chief Disciplinary Counsel, these reports may be verified by notary public or by unsworn declaration in compliance with Tex. Civ. Prac. & Rem. Code § 132.001. Petitioner shall take all necessary action, including the execution of a valid release of information, to permit any treating mental health professional to provide written or oral reports for the duration of the supervision period.
13. Petitioner shall be responsible for all costs and expenses incurred, directly or indirectly, by compliance with these terms and shall pay all such costs and expenses as required by the provider, but in no event later than the final day of the supervision period.
14. Any and all reports and evaluations required by these rehabilitative terms of probation shall be sent to the Chief Disciplinary Counsel's Office's Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701)
15. Petitioner shall make contact with the Chief Disciplinary Counsel's Office's Statewide Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this order to coordinate Petitioner's compliance.

The Board retains jurisdiction during the full term of probation under TRDP 12.06 to modify the term of this probation or review the conditions and make additional orders as it deems necessary and appropriate. Upon determination that Petitioner has violated any term or condition of this order the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to TRDP 12.06H with this Board and serve a copy of the motion on Petitioner pursuant to Tex.R.Civ.P. 21a.

It is further **ORDERED** that any conduct on the part of Petitioner which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Executed this 10 day of August 2017.



CHAIR PRESIDING



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IN THE MATTER OF §
GINA DAWN PATTERSON § **CAUSE NO. 58517**
State Bar of Texas Card No. 24013301 §

MENTORING AGREEMENT

Gina Dawn Patterson, Petitioner and _____, Mentor are executing this Mentoring Agreement pursuant to the Order Terminating Agreed Order of Indefinite Disability Suspension and Imposing Probated Disability Suspension signed by the Board of Disciplinary Appeals ("BODA") on August ____, 2017.

DURATION OF AGREEMENT

This Agreement shall remain in effect for eighteen (18) months from the date of the Order Terminating Agreed Order of Indefinite Disability Suspension and Imposing Probated Disability Suspension.

AGREEMENT OF THE PETITIONER AND MENTOR

Petitioner agrees to contact Mentor in person monthly, or more frequently if required by Mentor, throughout the duration of this Agreement. Mentor agrees to meet with Petitioner and to report to the Statewide Chief Disciplinary Counsel's Office Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 or 1414 Colorado St., Austin, TX 78701, 877 953-5535, ext. 1334, or nancy.ashcraft@texasbar.com by email, telephone, or mail, whether the parties met as required within seven (7) days after the meeting was scheduled. Meetings may be by telephone,

but an in person meeting is preferred.

It is understood that the Mentor is not an advocate for the Petitioner in any disciplinary action or proceeding. Failure of the Mentor to perform his or her duties under this agreement or provide any services called for herein shall not relieve Petitioner of the obligations imposed in the Order Terminating Agreed Order of Indefinite Disability Suspension and Imposing Probated Disability Suspension. The Board of Disciplinary Appeals may appoint a substitute Mentor at any time.

EXECUTED this __ day of _____, 2017.

Gina Dawn Patterson, Petitioner

_____, Mentor