

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

IN THE MATTER OF	§	
PATRICIA FOSTER SKELTON	§	CAUSE NO. 42223
STATE BAR CARD NO. 07307200	§	

FINAL JUDGMENT OF SUSPENSION

On the 27th day of September 2011, the Board of Disciplinary Appeals heard the Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Patricia Foster Skelton. Petitioner appeared by counsel from the Office of the Chief Disciplinary Counsel, and Respondent appeared in person and by counsel. Both parties put on evidence. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 ("TRDP").
- (2) The 4th District Court of Appeals (San Antonio) affirmed Respondent Patricia Foster Skelton's criminal conviction and issued its Mandate indicating that the decision was final on or about March 25, 2011.
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about May 5, 2011, and served same on Respondent in accordance with TRDP 8.05.
- (4) Respondent's conviction for the commission of an Intentional Crime as defined by TRDP 1.06(T), for which she was sentenced in the 38th Judicial District Court of Real County, Texas, has become final and is not subject to direct appeal.
- (5) Respondent's criminal sentence was fully probated for a term of two years.
- (6) Respondent has been serving her criminal probation since March 25, 2011, the date the 4th District Court of Appeals issued its mandate in the criminal case.
- (7) Respondent has been suspended from practicing law by prior order of this Board signed June 19, 2008.

- (8) Respondent should be suspended from the practice of law for the term of her criminal probation until March 25, 2013.
- (9) The Board retains jurisdiction of this case during the term of suspension for the purpose of disbaring Respondent in the event her criminal probation is revoked. TRDP 8.06.

Interlocutory Suspension

Following a review on the 19th day of June 2008, at which Petitioner appeared by attorney and Respondent appeared through her attorney of record and announced that an agreement had been reached, the Board of Disciplinary Appeals signed an Agreed Interlocutory Order of Suspension on or about June 19, 2008, which included the following findings of fact and conclusions of law:

- (1) Respondent, Patricia Foster Skelton, whose State Bar Card number is 07307200, is licensed by the Supreme Court of Texas to practice law but is not currently authorized to practice law in the State of Texas.
- (2) On or about November 15, 2004, Respondent, Patricia Foster Skelton, was indicted on the charge of Forgery, a State Jail Felony, in Cause No. 2004-934-DR, styled *The State of Texas v. Patricia Foster Skelton*, in the District Court of Real County, Texas.
- (3) On or about December 12, 2007, Respondent, Patricia Foster Skelton, was found guilty of Forgery in Cause Number 2004-934-CR styled, *The State of Texas v. Patricia Foster Skelton*, in the 38th District Court of Real County, Texas.
- (4) On or about January 10, 2008, in Cause Number 2004-934-CR styled, *The State of Texas v. Patricia Foster Skelton*, in the 38th District Court of Real County, Texas, the Court sentenced Respondent to confinement in the Texas Department of Criminal Justice - State Jail Division for a term of one (1) year. The Court then suspended the imposition of the sentence and Ordered, Adjudged and Decreed that the Respondent be placed on probation for a period of two (2) years.
- (5) Respondent, Patricia Foster Skelton, is the same person as the Patricia Foster Skelton who is the subject of the Skelton criminal case described above.
- (6) Respondent has appealed the criminal conviction.

- (7) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure.
- (8) Respondent, Patricia Foster Skelton, having been convicted of forgery has been convicted of an Intentional Crime as defined by TRDP 1.06(T).
- (9) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (10) Having been found guilty and convicted of an Intentional and Serious Crime and having appealed such conviction, Respondent, Patricia Foster Skelton, should have her license to practice law in Texas suspended during the appeal of her criminal conviction. TRDP 8.04.
- (11) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

Final Judgment of Suspension

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Patricia Foster Skelton, State Bar Card No. 09625300, be, and she is hereby, SUSPENDED from the practice of law in the State of Texas for the term of her criminal probation effective the date of this judgment and ending March 25, 2013.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Patricia Foster Skelton, during said suspension is prohibited from practicing law in Texas, holding herself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Patricia Foster Skelton shall, not later than thirty (30) days from the date of this judgment, notify in writing each and every justice of the peace, judge,

magistrate, and chief justice of each and every court, if any, in which Respondent, Patricia Foster Skelton, has any legal matter pending, if any, of her suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Patricia Foster Skelton, shall immediately notify each of her current clients, if any, in writing, of her suspension. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in her possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file with the Statewide Compliance Monitor, within the same thirty (30) days, an affidavit stating that all current clients have been notified of her suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of her inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of said affidavit and copies of all notification letters to clients to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Patricia Foster Skelton, if she has not already done so, shall immediately surrender her Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that, in the event that the above-described criminal probation of Respondent, Patricia Foster Skelton, is revoked, the Chief Disciplinary Counsel shall immediately file with this Board an appropriate motion seeking to disbar Respondent, Patricia Foster Skelton, supported by certified copies of court documents showing that such criminal probation has been revoked.

Signed this 29th day of September 2011.



CHAIR PRESIDING