



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

**IN THE MATTER OF** §  
**WARD B. B. DAVISON** § **CAUSE NO. 64755**  
**STATE BAR CARD NO. 24066787** §

**JUDGMENT REVOKING PROBATION AND ACTIVELY  
SUSPENDING RESPONDENT FROM THE PRACTICE OF LAW**

On October 23, 2020, the Board of Disciplinary Appeals heard the Petition for Revocation of Probation filed by Petitioner, the Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Ward B. B. Davison, State Bar No. 24066787. Petitioner appeared by attorney and announced ready. Respondent appeared in person and announced ready.

All issues of fact and all questions of law were submitted to the Board. This Board has jurisdiction to hear a petition to revoke a partially probated suspension from the practice of law during the full term of the suspension period. TEX. RULES DISCIPLINARY P. R. 2.22; *In re State Bar of Tex.*, 113 S.W.3d 730, 733 (Tex. 2003).

**FINDINGS**

Having considered the pleadings, and having heard the evidence and the argument of counsel, the Board finds as follows:

- (1) Respondent, Ward B. B. Davison, whose State Bar Card number is 24066787, is currently licensed and authorized by the Supreme Court of Texas to practice law.

- (2) Respondent was personally served with the Petition for Revocation of Probation and hearing notice in this cause by a duly authorized process server on October 5, 2020, in accordance with Texas Rule of Disciplinary Procedure 2.22. The affidavit of service was filed with the Board on October 19, 2020.
- (3) On November 27, 2019, in a case styled *In the Matter of Ward B. B. Davison, Case Nos. 201806874, 201807041*, an Investigatory Panel of the State Bar of Texas District 6 Grievance Committee found that Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), and 8.04(a)(3).
- (4) In the Agreed Judgment of Partially Probated Suspension issued November 27, 2019, Respondent received a sanction of a twelve (12) month partially probated suspension with the active portion beginning December 1, 2019, and ending December 31, 2019, and the eleven (11) month probated portion beginning January 1, 2020, and ending November 30, 2020.
- (5) The Agreed Judgment contained the following orders, among others:
  - (a) [O]n or before December 1, 2019, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.
  - (b) Within ten (10) days of Respondent's receipt of a copy of this judgment, Respondent shall schedule a full psychological assessment to be conducted by a mental health professional licensed in Texas as a psychiatrist, a psychologist, a master's level social worker (LCSW), or a licensed professional counselor (LPC). Respondent shall complete the assessment at the earliest practicable date, but in no event later than sixty (60) days after receipt of a copy of this judgment. Although the details of information disclosed during the assessment shall remain confidential, the conclusions, diagnosis and treatment plan recommendations of the mental health professional shall be reported to the State Bar of Texas within ten (10) days of the completion of the assessment. Respondent shall take all necessary action, including the execution of a valid release of information, to allow and direct the mental health professional to report such results and recommendations.
  - (c) If recommended as part of the above assessment, Respondent shall remain under the care of one or more mental health professionals at the frequency recommended by the treatment plan for the duration of the supervision period or until released in writing by the treatment provider.

Each treating mental health professional shall provide written quarterly reports to the State Bar of Texas verifying Respondent's attendance at the sessions and good faith participation in the treatment plan. The initial report(s) shall be due ninety (90) days after completion of the assessment, with subsequent reports due quarterly thereafter. Respondent 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.

- (6) The Agreed Judgment contained the following terms and conditions of probation, among others:
1. Respondent shall not violate any term of this judgment.
  - ...
  8. Respondent shall pay restitution, on or before March 1, 2020, to Alissondra Khait, in the amount of One Thousand and no/100 Dollars (\$1,000.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Alissondra Khait, and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
  9. Respondent shall pay restitution, on or before March 1, 2020, to Fannie E. Gunton, in the amount of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Fannie E. Gunton, and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
  10. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses, on or before March 1, 2020, to the State Bar of Texas in the amount of Five Hundred and no/100 Dollars (\$500.00). The payment shall be made by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
  11. Respondent shall submit to monitoring of his law practice for the eleven (11) month period of probated suspension, by an attorney monitor acceptable to the State Bar of Texas. The

practice monitor shall have no personal or professional relationship with the Respondent that would interfere with the monitor's ability to exercise independent judgment regarding Respondent's compliance with the terms of this judgment. The monitor shall report the status of Respondent's compliance on a monthly basis on the form provided by the State Bar of Texas, with the initial report due by the 5th day of the month following the initial meeting. Subsequent reports shall be due by the 5th day of each month for the duration of the monitoring period and shall be sent to the State Bar of Texas, Office of Chief Disciplinary Counsel, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

- (7) Respondent violated the above-noted terms of partially probated suspension as detailed below.
- (8) Respondent failed to comply with the Agreed Judgment's order that he timely surrender his law license, and he failed to file an affidavit stating that he was no longer in possession of his law license.
- (9) The State Bar of Texas did not timely receive the mental health professional's conclusions, diagnosis and treatment plan recommendations based on Respondent's psychological assessment. The Statewide Compliance Monitor for the State Bar of Texas received Respondent's mental health assessment report approximately seven months after the deadline set by the Agreed Judgment.
- (10) The State Bar of Texas did not receive written quarterly reports verifying his attendance at counseling sessions and good faith participation in the mental health treatment plan, as recommended based on Respondent's psychological assessment and as required under the Agreed Judgment.
- (11) Respondent failed to find an attorney monitor and failed to have his law practice monitored for the ordered eleven (11) month period.
- (12) The State Bar of Texas did not receive monthly reports regarding the status of Respondent's law practice monitoring, as required under the Agreed Judgment.
- (13) Respondent failed to pay \$500.00 of the \$1,000.00 in restitution due on March 1, 2020, to Alissondra Khait.
- (14) Respondent failed to pay the \$2,500.00 restitution due on March 1, 2020, to Fannie E. Gunton.

- (15) Respondent failed to pay the \$500.00 payment for attorney's fees and direct expenses due on March 1, 2020.
- (16) Respondent, Ward B. B. Davison is the same person as the Ward B. B. Davison, who is the subject of the Investigatory Judgment described above.

### **CONCLUSIONS**

Based on these findings of fact, the Board concludes that:

- (1) This Board has exclusive jurisdiction to hear this petition to revoke Respondent's probated suspension from the practice of law during the full term of Respondent's suspension. TEX. RULES DISCIPLINARY P. R. 2.22; *In re State Bar of Tex.*, 113 S.W.3d at 733.
- (2) Respondent has materially violated the terms and conditions of the Agreed Judgment of Partially Probated Suspension signed on November 27, 2019, in Cause Nos. 201806874, 201807041.
- (3) Respondent's probation should be revoked, and Respondent should be actively suspended from practicing law for the full term of the suspension as imposed by the Agreed Judgment of Partially Probated Suspension, without credit for any probationary time served. TEX. RULES DISCIPLINARY P. R. 2.22.

### **SUSPENSION**

It is therefore, **ORDERED, ADJUDGED, and DECREED** that the probation for Respondent, Ward B. B. Davison, State Bar No. 24066787, imposed by the Agreed Judgment of Partially Probated Suspension, be and is hereby **REVOKED**, and Respondent, Ward B. B. Davison, be and is actively **SUSPENDED** from the practice of law in the State of Texas for a period of twelve (12) months effective November 20, 2020 and ending on November 19, 2021.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, Ward B. B. Davison, during said suspension is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to

others or using his name, in any manner, in conjunction with the words “attorney,” “counselor,” or “lawyer.”

It is further **ORDERED** that nothing in this Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law shall relieve Respondent, Ward B. B. Davison, of any outstanding requirements under the Agreed Judgment, issued November 27, 2019, as to written reports verifying his attendance at counseling sessions and good faith participation in the mental health treatment plan, payment of any outstanding restitution sums to Alissondra Khait and Fannie E. Gunton, and payment of any outstanding sum for attorney’s fees and direct expenses to the State Bar of Texas. Any failure to comply on the part of Respondent may be independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

It is further **ORDERED** that Respondent, Ward B. B. Davison, not later than November 20, 2020, shall 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, Ward B. B. Davison, has any legal matter pending, if any, of his 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 Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, by November 20, 2020.

It is further **ORDERED** that Respondent, Ward B. B. Davison, shall immediately notify each of his current clients and opposing counsel, if any, in writing, of his suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, all other monies, and other property, which belongs to clients and former clients and is

in Respondent's possession or control, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed. Respondent is further **ORDERED** to file with Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within the same thirty (30) days, an affidavit stating that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies, and other property belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any files, papers, monies, 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 his inability to return to said client any file, paper, money, or other property.

It is further **ORDERED** that Respondent, Ward B. B. Davison, not later than November 20, 2020, shall surrender his Texas law license to the Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, for transmittal to the Clerk of the Supreme Court of Texas, or file an affidavit stating that he is no longer in possession of his Texas law license and cannot surrender it to the State Bar of Texas.

It is further **ORDERED** that a certified copy of the Petition for Revocation of Probation on file herein, along with a copy of this Judgment, be sent to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that this Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law shall be made a matter of public record and be published in the *Texas Bar Journal*.

Signed this 6th day of November 2020.

Tom G'lez

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CHAIR PRESIDING  
BOARD OF DISCIPLINARY APPEALS