

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 6-5
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER DISCIPLINE, Petitioner	§	
	§	
	§	
V.	§	S01010124356
	§	
RAY GALVAN, JR., Respondent	§	
	§	

JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

On October 17, 2013, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, Ray Galvan, Jr., Texas Bar Number, 07599300, appeared Pro Se and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 6-5 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 6, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations, and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent maintains his principal place of practice in Dallas County, Texas.
3. In representing Lucila De La Rosa, Respondent neglected the personal injury matter entrusted to him.
4. Respondent failed to abide by Lucila De La Rosa's decision whether to accept an offer of settlement of her personal injury matter.
5. Respondent failed to keep Lucila De La Rosa reasonably informed about the status of her matter.
6. Respondent failed to promptly comply with Lucila DeLaRosa's reasonable requests for information.
7. Respondent failed to promptly deliver to a third party the funds that the party was entitled to receive.
8. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees associated with this Disciplinary Proceeding in the amount of Five Thousand Sixty Two and 50/100 (\$5,062.50).
9. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable costs and expenses associated with this Disciplinary Proceeding in the amount of Three Thousand Two Hundred Thirty and 53/100 (\$3,230.53).

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.01(b)(1), 1.02(a)(2), 1.03(a), and 1.14(b).

Sanction

The Evidentiary Panel, having found that Respondent has committed professional misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument and after having considered the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of

Professional Misconduct is a Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of one year, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on November 15, 2013 and shall end on October 14, 2014.

Respondent shall also obtain five additional Minimum Continuing Legal Education Hours in the area of Ethics within one hundred eighty days from the date that this judgment is signed. And, Respondent shall obtain five additional Minimum Continuing Legal Education Hours in the area of Law Practice Management within one hundred eighty days from the date that this judgment is signed.

Terms of Probation

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Five Thousand Sixty Two and 50/100 (\$5,062.50)
9. The payment shall be due and payable within 360 days from the date that this judgment is signed, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable 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 costs and direct expenses to the State Bar of Texas in the amount of Three Thousand Two Hundred Thirty and 58/100 (\$3,230.58). The payment shall be due and payable within 180 days from the date that this judgment is signed and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable 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. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete five additional hours of continuing legal education in the area of Ethics. These additional hours of CLE are to be completed within 180 days of the date that this judgment is signed. Within ten days of the completion of these additional CLE hours, Respondent shall verify completion to the State Bar of Texas, **via USPS: Office of the CDC, State Bar of Texas, P.O. Box 12487, Austin TX 78711-2487; or via Delivery: Office of the CDC, State Bar of Texas, 1414 Colorado, St., Suite 200, Austin TX 78701.**
12. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete five additional hours of continuing legal education in the area of Law Practice Management. These additional hours of CLE are to be completed within 180 days of the date that this judgment is signed. Within ten days of the completion of these additional CLE hours, Respondent shall verify completion to the State Bar of Texas, **via USPS: Office of the CDC, State Bar of Texas, P.O. Box 12487, Austin TX 78711-2487; or via Delivery: Office of the CDC, State Bar of Texas, 1414 Colorado, St., Suite 200, Austin TX 78701.**
13. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' 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 judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this

Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent 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.

Attorney's Fees and Expenses

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Five Thousand Sixty Two and 50/100 (\$5,062.50). The payment shall be due and payable within 360 days of the date that this judgment is signed, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED Respondent shall pay all reasonable costs and direct expenses to the State Bar of Texas in the amount of Three Thousand Two Hundred Thirty and 53/100 (\$3,230.53) The payment shall be due and payable within 160 days of the date that this judgment is signed, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Y) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Publication

This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 6th day of November 2013.

**EVIDENTIARY PANEL 6-5
DISTRICT NO. 6
STATE BAR OF TEXAS**



David C. Kent
District 6-5 Panel Chair