



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

<b>IN THE MATTER OF</b>	§	
<b>DARRELL KEITH HICKMAN,</b>	§	<b>CAUSE NO. 65860</b>
<b>STATE BAR CARD NO. 09572980</b>	§	

**JUDGMENT OF PARTIALLY PROBATED SUSPENSION**

On the 29th day of April, 2022, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and announced ready. Respondent, Darrell Keith Hickman, although duly cited to appear, failed to appear and wholly made default. All questions of fact and all matters of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings, conclusions, and orders:

**Findings of Fact.** The Board of Disciplinary Appeals finds that:

- (1) Respondent, Darrell Keith Hickman, Bar Card No. is 09572980, is an attorney licensed but not currently authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about August 3, 2018, Formal Charges were filed with the Louisiana Attorney Disciplinary Board in Docket Number 18-DB-054 styled, *In re: Darrell K. Hickman (Bar Roll No. 22797)*.
- (3) On or about February 8, 2019, a Report of Hearing Committee #7 was filed with the Louisiana Attorney Disciplinary Board in Docket Number 18-DB-054, styled *In re: Darrell K. Hickman, Docket No. 18-DB-054*, which states in pertinent part:

. . . the committee determined that, in the Mose matter, respondent violated the Rules of Professional Conduct as charged [1.3, 1.4, 8.4(a), and 8.4(c)], noting respondent admitted to violating Rules 1.4 and 8.4(c) during the hearing. In the Edgerly matter, the committee determined that respondent violated Rules 1.3, 1.4, and 8.4(a), noting respondent admitted to violating Rules 1.3 and 1.4 during the hearing. With respect to Rule 8.4(c) as it relates to the Edgerly matter, the committee determined there is insufficient evidence to find a violation of same.

- (4) The referenced Louisiana Rules of Professional Conduct provide:

1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.

1.4 A lawyer shall (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules; (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished; (3) keep the client reasonably informed about the status of the matter; (4) promptly comply with reasonable requests for information; and (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

8.4(a) It is professional misconduct for a lawyer to violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.

8.4(c) It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

- (5) On or about February 18, 2020, a Recommendation to the Louisiana Supreme Court was filed with the Louisiana Attorney Disciplinary Board in Number 18-DB-054, styled *In re: Darrell K. Hickman*, which states in pertinent part:

. . . the Board adopts the committee's factual findings and conclusions regarding rule violations. The Board recommends that Respondent be suspended for one year and one day, with all but three months deferred. Additionally, the Board recommends that the active period of suspension be followed by a one-year probation period.

- (6) On or about June 3, 2020, an Attorney Disciplinary Proceeding opinion was issued by the Supreme Court of the State of Louisiana in a case styled *In Re: Darrell K. Hickman Attorney Disciplinary Proceeding*, in Case No. 2020-B-0292, adopting the board's recommendation and stating in pertinent part:

Upon review of the findings and recommendations of the hearing committee and disciplinary board, and considering the record, it is ordered that Darrell K. Hickman, Louisiana Bar Roll number 22797, be and he hereby is suspended from the practice of law for a period of one year and one day, with all but three months deferred, followed by one year of probation subject to the condition that any misconduct during this period may be grounds for making the deferred portion of the suspension executory, or imposing additional discipline, as appropriate. All costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1, with legal interest to commence thirty days from the date of finality of this court's judgment until paid.

- (6) Respondent, Darrell Keith Hickman, is the same person as the Darrell K. Hickman who is the subject of the Recommendation to the Louisiana Supreme Court and the Attorney Disciplinary Proceeding opinion entered by the Supreme Court of the State of Louisiana; and
- (7) The Attorney Disciplinary Proceeding opinion entered in the Supreme Court of the State of Louisiana is final.

**Conclusions of Law.** Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEX. RULES DISCIPLINARY P. R. 7.08(H).
- (2) Reciprocal discipline identical, to the extent practicable, to that imposed by the Supreme Court of the State of Louisiana is warranted in this case.
- (3) Respondent should be suspended from the practice of law for a period of twenty-four months consisting of three months active suspension followed by twenty-one months of probation.
- (4) This Board retains jurisdiction during the full term of probation imposed by this judgment to hear a motion to revoke probation. TEX. RULES DISCIPLINARY P. R. 2.22.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Darrell

Keith Hickman, State Bar Card No. 09572980, is hereby suspended from the practice of law for a period of two (2) years. Respondent shall be actively suspended from the practice of law for a period of three (3) months beginning May 5, 2022 and extending through August 4, 2022. The twenty-one (21) month period of probated suspension shall begin on August 5, 2022 and shall extend through May 4, 2024, under the following terms and conditions.

### **Terms of Active Suspension**

It is further **ORDERED** that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services 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 or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words “attorney at law,” “attorney,” “counselor at law,” or “lawyer.”

It is further **ORDERED** that, within thirty (30) days of the signing of this judgment, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** that Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** that Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the signing of this judgment, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all

files, papers, monies and other property belonging to all current clients have been returned as ordered herein.

It is further **ORDERED** that Respondent shall, within thirty (30) days of the signing of this judgment, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) Respondent is representing. 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 shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the signing of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) Respondent is representing in court.

It is further **ORDERED** that, within thirty (30) days of the signing of this judgment, Respondent shall surrender his 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.

#### **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(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep the 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.

### **Probation Revocation**

Upon determination that Respondent has violated any term or condition of this judgment or of the disciplinary order or judgment entered in Louisiana, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Texas Rule of Disciplinary Procedure 2.22 with this Board and serve a copy of the motion on Respondent pursuant to Texas Rule of Civil Procedure 21a.

Should a motion to revoke probation be filed, this Board will conduct an evidentiary hearing to determine by a preponderance of the evidence whether Respondent has violated any term or condition or requirement of any applicable disciplinary judgment. If this Board finds grounds for revocation, it will enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order without 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.

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

It is further **ORDERED** that this Judgment of Partially Probated Suspension shall be made a matter of public record and be published in the *Texas Bar Journal*.

Signed this 5<sup>th</sup> day of May 2022.

A handwritten signature in blue ink, appearing to read "Kevin H.", followed by a long horizontal line.

---

CHAIR PRESIDING

Board members Jason Boatright and Cindy Tisdale did not participate in this decision.