

THE BOARD OF DISCIPLINARY APPEALS
appointed by
THE SUPREME COURT OF TEXAS

**IN THE MATTER OF
DOUGLAS M. KING
TEXAS BAR CARD NO. 00795199**

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CAUSE NO. 32692

ORDER OF INDEFINITE DISABILITY SUSPENSION
NUNC PRO TUNC

On the 13th day of May 2004, a panel of the District 06A Grievance Committee found in case number D0120323011 that Douglas M. King (hereinafter referred to as "Respondent") is suffering from a Disability. Respondent agreed to the Committee's finding of disability and submitted an affidavit and requested that the Board of Disciplinary Appeals enter an order indefinitely suspending him from the practice of law. The Agreed Order of Disability Suspension was signed on August 5, 2004 and is attached hereto and incorporated herein for all purposes.

The Agreed Order of Disability Suspension dated August 5, 2004 incorrectly recited that the Respondent's State Bar of Texas Bar Card number was 16149100. His correct Texas Bar Card number is 00795199.

Signed this 10th day of November 2004.



CHAIRMAN PRESIDING

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

IN THE MATTER OF

DOUGLAS M. KING

STATE BAR CARD NO. 16149100

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CAUSE NO. 32692

AGREED ORDER OF DISABILITY SUSPENSION

On the 13th day of May, 2004, a panel of the District 06A Grievance Committee found in case number D0120323011 that Douglas M. King (hereinafter referred to as "Respondent") is suffering from a Disability (see Exhibit "A"). Respondent agreed to the Committee's findings of Disability and submitted an Affidavit (attached hereto as Exhibit "B"), in which he specifically waived the following rights: (1) the right to be separately noticed of a Disability complaint; (2) the right to any disciplinary hearing resulting therefrom; (3) the right to have the Board of Disciplinary Appeals review the record and findings of the Committee; (4) the right to have a District Disability Committee appointed as provided in Rule 12.02 of the Texas Rules of Disciplinary Procedure; and (5) the right to have counsel appointed. Respondent also stipulated to the facts and existence of the disability from which he suffers and requested that the Board of Disciplinary Appeals enter an order of his indefinite suspension from the practice of law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent Douglas M. King be suspended from the practice of law until further order of this Board.

It is further **ORDERED, ADJUDGED, AND DECREED** that Respondent Douglas M. King, during said suspension, is hereby enjoined from practicing law in Texas, holding himself out as an attorney at law, performing any legal services, appearing as counsel 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 at law", "counselor at law", or "lawyer".

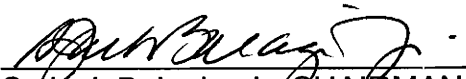
It is further **ORDERED** that Respondent Douglas M. King shall immediately notify each of his current clients in writing of this suspension. In addition to such notification, the Respondent is **ORDERED** to return all files, papers, monies and other property belonging to clients and former clients or to another attorney at the client's or former client's request within thirty (30) days of the signing of this Order by Board of Disciplinary Appeals Chairperson S. Jack Balagia, Jr. Respondent Douglas M. King is **ORDERED** to file within the same thirty (30) days with the Office of the Chief Disciplinary Counsel, State Bar of Texas, 3710 Rawlins Street, Suite 800, Dallas, Texas 75219, (after July 22, 2004, address will be: One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240) an affidavit stating that all current clients have been notified of the Respondent's suspension, and that all files, papers, monies and other property belonging to each current and former client have been returned as ordered herein, and showing in the case where it was not possible to notify clients or return their property that due diligence was used to do so. Respondent is also **ORDERED** to mail a copy of said affidavit to the Board of Disciplinary Appeals at P.O. Box 12426, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent Douglas M. King shall, on or before thirty (30) days from the date of Board of Disciplinary Appeal Chairperson's signing of this Order, notify 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 suspension, 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 that court.

Respondent is also **ORDERED** to mail copies of all such notifications to the State Bar of Texas, Dallas Regional Office, 3710 Rawlins, Suite 800, Dallas, Texas 75219 (after July 22, 2004, address will be: One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240) on or before thirty (30) days from the date of Board of Disciplinary Appeals Chairperson's signing of this Order.

It is further **ORDERED** that Respondent Douglas M. King shall immediately surrender his Texas law license and permanent State Bar Card to the Regional Counsel of the State Bar of Texas, 3710 Rawlins, Suite 800, Dallas, Texas 75219 (after July 22, 2004, address will be: One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240).

Signed this 5th day of August, 2004.


S. Jack Balagia, Jr. CHAIRMAN
BOARD OF DISCIPLINARY APPEALS

AGREED AS TO BOTH FORM AND SUBSTANCE:

William R. Garrett

DATE: 7/27/04

William R. Garrett
Assistant Disciplinary Counsel
State Bar of Texas

CONSENT TO AGREED ORDER OF DISABILITY SUSPENSION

In connection with the Disability finding by the Chief Disciplinary Counsel, I hereby consent to entry of the Agreed Order of Disability Suspension in the form submitted to me, pursuant to Article X, Section 14 of the State Bar Rules.

Douglas M. King

DATE: 7-13-04

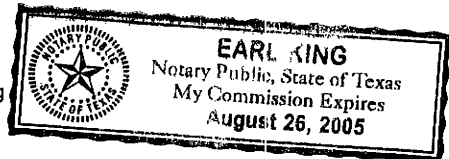
Douglas M. King, Respondent
State Bar No. 16149100

STATE OF TEXAS §
 §
COUNTY OF PARKER §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Douglas M. King, known to me to be the person whose name is subscribed to the foregoing instrument, and being by me first duly sworn, acknowledged to me that the same was executed for the purposes and considerations therein expressed, and that the facts stated in the Agreed Order of Disability Suspension are true in every respect.

GIVEN UNDER my hand and seal of office this 13th day of JULY, 2004.

Earl King
Notary Public in and for the State of Texas



**FIRST JUST CAUSE
INVESTIGATORY HEARING REPORT
District 06A, Panel B2**

State Bar of Texas - Douglas M. King D0120323011
(Complainant - Respondent)

Date: 5-13-04 Time 2:45 PM to _____

Location DALLAS,
(city)

Recorded: yes _____
no ✓

PANEL MEMBERS	PRESENT	ABSENT/REASON		
1. George Quesada 06A	A ✓			
2. Michael T. Savage 06A	A ✓			
3. Phyllis Lambert 06A	A ✓			
4. Jane Little 06A				
5. Herb Cooke 06A	P ✓			
6. Patricia Jacobs 06A	P ✓			
PARTIES (P), WITNESSES (W), ATTORNEYS (A) PRESENT Please indicate a name	Complainant (circle one)	Respondent (circle one)	SBOT (circle one)	
	P / W / A	P / W / A	P / W / A	
	P / W / A	P / W / A	P / W / A	
	P / W / A	P / W / A	P / W / A	
	P / W / A	P / W / A	P / W / A	
	P / W / A	P / W / A	P / W / A	
State Bar of Texas Staff Present (if any)				
1) <u>HERB LINDER, INV</u>	3)			
2)	4)			

HEARING RESULT

Instructions: Check and Proceed to Appropriate Part

- CHECK:
- A. ___ Continue (go directly to Part A)
 - B. ___ Dismissal (go directly to Part B)
 - C. ___ Misconduct (go directly to Part C)
 - D. ___ Referral for Rehabilitation (go directly to Part D)
 - E. ✓ Disability (go directly to Part E)

Blumberg No. 5118
EXHIBIT
A 10 pgs.

**PART A
CONTINUANCE**

Answer questions 1 - 4 and sign below. If you desire to issue a subpoena, please indicate exactly what information or who is needed.

1. VOTE: For: _____ Against: _____ Abstain: _____

2. REASON:

- _____ 1. Further investigation at request of State Bar of Texas.
- _____ 2. Further investigation at request of panel.
- _____ 3. No Quorum.
- _____ 4. To obtain testimony of _____
- _____ 5. Request of Complainant.
- _____ 6. Request of Respondent.
- _____ 7. Deliberation (no additional testimony needed).
- _____ 8. Professional Enhancement Program (PEP).

3. CONTINUED UNTIL:

- _____ A. Next meeting of this panel.
- _____ B. Next available panel.
- _____ C. Until investigation completed.
(Please indicate additional information or investigation desired)
- _____ D. PEP status report.

Additional information or investigation: _____

Mark if new evidence and/or testimony was received during the hearing.

4. EVIDENCE TAKEN Yes _____ No _____
TESTIMONY TAKEN Yes _____ No _____

SIGNATURE OF PANEL CHAIR

**PART B
DISMISSAL**

Answer questions 1 and 2. Answer question 3 only when necessary.

1. VOTE: For: _____ Against: _____ Abstain: _____

2. REASON FOR DISMISSAL :

(Be specific. Exact wording will be typed in a letter to Complainant explaining your decision)

reason for dismissal: _____

3. ADDITIONAL ACTION:

_____ Refer to UPL (Unauthorized Practice of Law Committee)

_____ Refer to Fee Dispute (where available)

_____ Refer to ADR (Alternate Dispute Resolution, where available)

_____ Refer to PEP (Professional Enhancement Program)

SIGNATURE OF PANEL CHAIR

**PART C
MISCONDUCT**

Fill in the blanks in the *Findings & Conclusions* section then go to *Sanction* and follow directions:

Findings and Conclusions

Answer questions 1-3. Use complete sentences in 2 and 3. Exact language will be typed in a judgment. List specific rules violated, including subparts. Please list as many rules as apply.

1. VOTE OF MISCONDUCT: For: _____ Against: _____ Abstain: _____

2. FINDINGS OF FACT: (give details, such as dates, dollar amounts, names, etc)
Attach additional pages as needed.

3. CONCLUSIONS OF LAW: (list specific rule(s) violated)
Attach additional pages as needed.

SIGNATURE OF PANEL CHAIR

SANCTIONS

Select a sanction by placing a mark by the appropriate sanction, then answer other questions as necessary.

SELECT ONLY ONE:

- Private Reprimand
- Public Reprimand
- Suspension (you must fill out suspension section below)
- Resignation or No sufficient sanction available

ANCILLARY SANCTIONS

These sanctions should be assessed when appropriate.

\$ _____ Restitution

\$ _____ State Bar Attorney's fees and expenses

To: _____

Amount: _____

Amount: _____

If no attorney's fees are assessed, please explain:

SUSPENSION

Complete this section if panel selected suspension.

TYPE OF SUSPENSION: (choose one and length)

_____ Active Length _____

_____ Fully Probated Length _____

_____ Partially Probated:
 Active Portion Length _____

 Probated Portion Length _____

If any part of the suspension is probated, complete the next section:

SIGNATURE OF PANEL CHAIR

TERMS AND CONDITIONS OF PROBATION

Complete this section only if part of the suspension is probated. Check and fill out appropriate blank(s) to indicate panel action. You should check only those terms you desire.

_____ **RANDOM DRUG TESTING**

Start Date: _____

Frequency: _____

Specifics: _____

_____ **CLE HOURS**

Number of Hours: _____

Completed by: _____

Areas of Study: _____

Reporting Requirement: _____

_____ **TRUST ACCOUNT REPORTING**

Start Date: _____

Frequency: _____

Specifics: _____

_____ **TRUST ACCOUNT AUDITING**

Start Date: _____

Frequency: _____

Specifics: _____

_____ **PSYCHOLOGICAL EVALUATION**

Completed and report sent to the State Bar of Texas by _____

_____ **PSYCHOLOGICAL COUNSELING**

Start Date: _____

Frequency: _____

Specifics: _____

_____ **PRO BONO WORK**

Number of Cases: _____

Hours: _____

Finish Date: _____

Type of Cases: _____

Reporting Requirements to the State Bar: _____

_____ **MENTORING PROGRAM**

Reporting Requirements to Mentor: _____

Reporting Requirements to the State Bar: _____

SIGNATURE OF PANEL CHAIR

INTERIM SUSPENSION

You should not ask the Chief Disciplinary Counsel to seek an interim suspension unless you vote a resignation or significant active suspension.

Remember, you **must** meet the burden of proof standard in **Rule 14.02**.

- [A. Conduct by an attorney that includes all of the elements of a Serious Crime as defined in these rules.*
- B. Three or more acts of Professional Misconduct, as defined in subsections(a) (2), (3), (4), (6), (7), (8) or (10) of Rule 8.04 of the Texas Rules of Professional Conduct, whether or not actual harm or threatened harm is demonstrated.*
- C. Failure of a Respondent to furnish information subpoenaed by a Committee, unless he or she in good faith, asserts a privilege or other legal grounds for failure to do so.*
- D. Any other conduct by an attorney that, if continued will probably cause harm to clients or prospective clients.]*

Does the Respondent's practice of law pose a substantial threat of irreparable harm to client or prospective clients, requiring an interim suspension?

YES _____

NO _____

SIGNATURE OF PANEL CHAIR

**PART D
REFERRAL FOR REHABILITATION**

REFERRAL FOR REHABILITATION

Yes

List rehabilitation measures to be complied with:

PEP

Other (describe): _____

SIGNATURE OF PANEL CHAIR

**PART E
DISABILITY**

Attorney suffer from a Disability

On 13th day of MAY, 2004, this Panel of the District Grievance committee found that the Respondent in the above-styled matter is suffering from a Disability



SIGNATURE OF PANEL CHAIR

PANEL NEGOTIATION FORM
(To be attached to Hearing Report with Findings of Just Cause)

Case No. D0120323011

Style: State Bar of Texas - Douglas M. King Date of Hearing: May 13, 2004

1. What range of **sanctions** would be acceptable to the panel?

2. Does the panel authorize the panel chair to agree on its behalf to a sanction within the acceptable range? YES / NO

3. Are the **conditions** negotiable? YES / NO

4. Within what parameters are the conditions negotiable?

5. Are the SBOT fees negotiable? YES / NO
What range of fees will the panel accept?

6. Is State Bar of Texas staff authorized to fill in specifics or make corrections?
YES / NO

7. Are there any special instructions from the panel?

8. Does the panel give permission to allow the use of the investigatory hearing video tape for use at District Court or Evidentiary Hearings? YES / NO

9. Are there any special concerns, suggestions or observations from the panel?

**THIS FORM IS WORK PRODUCT: THE CONTENT IS PRIVILEGED
AND PART OF STATE BAR OF TEXAS ATTORNEY/CLIENT INFORMATION**

PANEL CHAIR

DATE

ADDENDUM TO INVESTIGATORY HEARING REPORT

Case No. D0120323011

If you have found Just Cause, complete the following for your Findings of Fact and Conclusion of Law.

When was Attorney hired? _____

What was Attorney hired to do? _____

Was Attorney paid a retainer or advanced a fee? If so, state amount.

Describe the fee agreement:

Rule Violation: _____

Facts to support this violation: _____

Rule Violation: _____

Facts to support this violation: _____

Rule Violation: _____

Facts to support this violation: _____

Rule Violation: _____

Facts to support this violation: _____

PANEL 06A-B2 CHAIR
DISTRICT 06A GRIEVANCE COMMITTEE

CE5-7.FRI

AFFIDAVIT OF DOUGLAS M. KING

On this 13th day of July, 2004, personally appeared before me, the undersigned authority, Douglas M. King, who after being duly sworn, did state upon his oath:

"I, Douglas M. King, am over the age of eighteen years and am competent to make this Affidavit in all respects, and am personally acquainted with the facts herein stated:

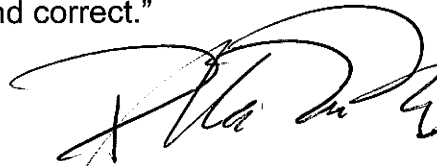
It is my understanding that the District 06A Grievance Committee is willing to stipulate to the facts and existence of the disability from which I suffer. I hereby stipulate to same.

I hereby waive the right to be separately noticed of a disability complaint by the District 06A Grievance Committee, and I waive the right to any disciplinary hearing resulting therefrom. I further waive the right to have the Board of Disciplinary Appeals review the record and findings of the investigatory panel regarding the disability from which I suffer, and waive the right to the appointment of a District Disability Committee as provided in Rule 12.02 of the Texas Rules of Disciplinary Procedure. I further waive the right to have counsel appointed to represent me in this matter.

I accept and stipulate to the investigatory panel's findings in Case No. D0120323011 that I suffer from a disability and request that the Board of Disciplinary Appeals enter and Order of my indefinite suspension from the practice of law.

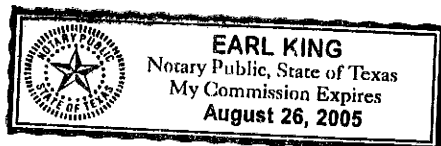
I swear or affirm that I currently am handling no pending cases, so there is no need for the State Bar of Texas to file a Motion for the Assumption of Jurisdiction of my files.

I acknowledge the above to be true and correct."



Douglas M. King, Affiant

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, this 13th day of July, 2004.





Notary Public for and in the State of Texas

