

**BEFORE THE BOARD OF DISCIPLINARY APPEALS**

**DAWN M. KORMAN,**  
**Appellant**

v.

**COMMISSION FOR LAWYER  
DISCIPLINE,**  
**Appellee**

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No. 54326

<p><b>FILED</b></p> <p>By: _____</p> <p><b>MAY 22 2014</b></p> <p>Board of Disciplinary Appeals appointed by the Supreme Court of Texas</p>
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**NOTICE OF APPEAL**

**TO THE BOARD OF DISCIPLINARY APPEALS:**

Appellant DAWN M. KORMAN ("Appellant"), Respondent in Cause No. A0121214927, *Commission for Lawyer Discipline v. Dawn M. Korman*, pending before the Evidentiary Panel for State Bar District No. 08-06, hereby files her Notice of Appeal of the Default Judgment of Partially Probated Suspension ("Default Judgment") signed by Mark S. Whitaker, District 8-6 Presiding Member, pursuant to Texas Disciplinary Rule 2.24.

*Timeliness of Appeal*

Appellant files this appeal within 30 days of the date she was served, in person, via a process server, with the underlying Default Judgment. This was the first time she received notice of the Default Judgment.

Key Dates:

- March 26, 2014      Default Judgment signed. *See* attached Exhibit A.
- April 3, 2014      Default Judgment mailed to Appellant, never received. *See* Exhibit A.
- April 26, 2014     Default Judgment personally served on Appellant. *See* Exhibit A and attached Exhibit B.
- May 21, 2014      Date of this Notice of Appeal

### Relevant Procedural Rules

**Texas Rule of Disciplinary Procedure 2.21** requires that a Respondent be notified in writing of the Judgment of an Evidentiary Panel, and further requires the notice to state that any appeal to BODA be filed within 30 days of the “date of the notice.” TEX. R. DISCIPLINARY P. 2.21.

**Texas Rule of Disciplinary Procedure 2.24** provides that a Respondent or the Commission may appeal a judgment of an Evidentiary Panel to the Board of Disciplinary Appeals. The appeal must be filed within 30 days from “the date of the judgment.” TEX. R. DISCIPLINARY P. 2.24.

**Texas Rule of Disciplinary Procedure 1.03** requires that the Rules be “broadly construed,” in part to ensure the integrity of the disciplinary process. TEX. R. DISCIPLINARY P. 1.03.

**Board of Disciplinary Appeals Internal Rule 4.02(a)** clarifies TRDP 2.21 by providing that the “date of notice” as used in TRDP 2.21, is the date the judgment was signed by the Evidentiary Panel. BODA INTERNAL RULE 4.02(a).

### Argument on Timeliness

Appellant believes this Notice of Appeal is timely filed, based on the Texas Rules of Disciplinary Procedure’s clear intent that a respondent (or the Commission for that matter) receive notice of a Judgment, and have a time period in which to appeal a decision of the Evidentiary Panel. *See* Tex. R. Disciplinary P. 2.21, 2.24, 1.03.

In this case, the Default Judgment was signed on March 26, 2013. On April 3, 2014, in accordance with Rule 2.21, the Commission for Lawyer Discipline attempted to provide notice

of the Default Judgment via regular mail and certified mail, return receipt requested, addressed to Appellant. Appellant, however, never received these mailings.

Apparently in a further attempt to comply with Rule 2.21, to ensure notice, the Commission for Lawyer Discipline engaged a process server who hand-delivered the Default Judgment to Appellant at her home, on April 26, 2014. This was the first time Appellant had notice of the Default Judgment taken against her.

Rule 2.24 provides that a notice of appeal must be filed within 30 days of the date of the Judgment. In this case, the date of the Default Judgment is March 26, 2014, 30 days from which is April 25, 2014. **Thus, in this case, a strict application of this rule yields the absurd result that Appellant was required to file her notice of appeal on or before April 25, 2014, before she even had notice of the Default Judgment.**<sup>1</sup> In this case, starting the 30 days from the March 26, 2014 date of the Default Judgment effectively *bars any appeal* by Appellant. This result is inconsistent with the intention of the Rules, which clearly is that Appellant: (1) receive notice of the Default Judgment; and (2) have a chance to appeal.

Instead, the Rules should be interpreted broadly, in a manner that ensures the integrity of this disciplinary process. *See* TEX. R. DISCIPLINARY P. 1.03. That can be accomplished in this particular case, by interpreting the Rule 2.24 time period in light of Rule 2.21's notice requirement. In this case, a narrow interpretation of Rule 2.24 *conflicts* with Rule 2.21's notice requirement, because no notice at all was given before the expiration of the time period to appeal. On the other hand, the application of these rules to this set of facts can be harmonized if

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<sup>1</sup> The same argument applies equally to BODA Internal Rule 4.02(a), which, consistent with 2.24, effectively provides that the date of the judgment is the date from which the period to appeal runs. *See* BODA INTERNAL RULE 4.02(a). Appellant's appeal would be barred in this case, when there has been a complete absence of notice, under a strict interpretation of 4.02(a).

the date Appellant received notice of the Judgment, April 26, 2014, is used as the starting date for the 30-day appeal period.

Finally, as a matter of constitutional due process, a disciplinary process that involves suspension *must* provide actual notice to a respondent. It is insufficient to argue that the signing of a judgment itself provides “constructive notice,” because for one, nothing in the TRDP or the BODA internal rules provide as much; and further, the Rules themselves implement a notice requirement in 2.21. If constructive notice was constitutionally sufficient, why the additional notice requirement in 2.21? Furthermore, mailing a judgment of suspension, even certified mailing, *without proof of receipt*, fails to comply with due process considerations.

#### **REQUEST FOR HEARING**

Pursuant to Rule 4.07, oral argument is requested on this appeal.

**WEST, WEBB, ALLBRITTON & GENTRY, P.C.**  
1515 Emerald Plaza  
College Station, Texas 77845-1515  
Telephone ~ (979) 694-7000  
Facsimile ~ (979) 694-8000

260 Addie Roy Road, Suite 110  
Austin, Texas 78746  
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By: 

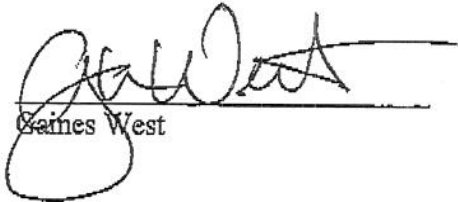
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GAINES WEST  
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**ATTORNEY FOR RESPONDENT,**  
**DAWN M. KORMAN**

**CERTIFICATE OF SERVICE**

In accordance with BODA Internal Procedural Rule 4.01(c) and TRAP 9.5, this document is served on the Commission for Lawyer Discipline, through its counsel of record, as indicated below on the 21<sup>st</sup> day of May, 2014:

Rebecca Stevens  
Assistant Disciplinary Counsel  
Office of the Chief Disciplinary Counsel  
P.O. Box 12487  
Capitol Station  
Austin, Texas 7871102487

*VIA FACSIMILE (512)427-4167*



Gaines West

# EXHIBIT A

# STATE BAR OF TEXAS



DELIVERED: 4/26/14  
 by: [Signature]  
 Assured Civil Process Agency

*Office of the Chief Disciplinary Counsel*

April 3, 2014

Dawn M. Korman  
 2302 Candle Ridge Trail  
 Georgetown, Texas 78626

Via CMRRR 7012 3460 0001 0081 5453  
and Via Regular U.S. Mail

Re: A0121214927  
 Commission for Lawyer Discipline v. Dawn M. Korman

Dear Ms. Korman:

After considering all of the evidence and testimony presented in the above-referenced Evidentiary Proceeding, the Evidentiary Panel determined that you have committed Professional Misconduct as set forth in the enclosed disciplinary judgment.

Pursuant to the Texas Rules of Disciplinary Procedure, you have a right to appeal the judgment. An appeal, if taken, is perfected when a written notice of appeal is filed with the Board of Disciplinary Appeals ("BODA"), P. O. Box 12426, Capitol Station, Austin, Texas, 78711. The notice of appeal must be filed with BODA within thirty (30) days of the date the chair of the evidentiary panel signs the judgment. See BODA Internal Procedural Rule 4.02(a). Appeals are further governed by Tex. R. Disciplinary P. 2.74 and Section 4 of BODA's Internal Procedural Rules.

Please be advised that any judgment conditions requiring compliance will be regularly monitored and enforced by the Office of the Chief Disciplinary Counsel.

If any sanction other than a private reprimand has been imposed, all documents, statements, and other information coming to the attention of the Evidentiary Panel may be made public.

Sincerely,

*Rebecca Stevens*

Rebecca (Beth) Stevens  
 Assistant Disciplinary Counsel  
 Office of the Chief Disciplinary Counsel  
 State Bar of Texas

RES/smh

Enclosure: Default Judgment of Partially Probated Suspension



BEFORE THE EVIDENTIARY PANEL FOR  
STATE BAR DISTRICT NO. 08-8 STATE BAR OF TEXAS

COMMISSION FOR LAWYER	*	
DISCIPLINE,	*	
Petitioner	*	
	*	A0121214927
V.	*	
	*	
DAWN M. KORMAN,	*	
Respondent	*	

DEFAULT JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On March 20, 2014 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, Dawn M. Korman, Texas Bar Number 11682400, although duly served with the Evidentiary Petition and notice of this default and sanctions hearing, failed to appear.

Jurisdiction and Venue

The Evidentiary Panel 8-8 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 8, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Default

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the



Texas Rules of Disciplinary Procedure.

**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(W) 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 resides in and maintains her principal place of practice in Williamson County, Texas.
3. On or about October 1, 2012, Complainant, Sheila Stine, hired Respondent, Dawn Korman, to represent her in a divorce case that was previously filed by Complainant's husband. Complainant paid Respondent a \$2,500 advanced fee. Respondent agreed to make an appearance on Complainant's behalf, draft and file a counter-petition and review a settlement proposal from opposing counsel and draft a response. Respondent knew that time was of the essence in performing the required legal work. Respondent did not file a notice of appearance or any pleadings on Complainant's behalf. Complainant repeatedly asked for status updates and was unable to obtain a substantive response. Complainant requested copies of any work performed by Respondent but none was forthcoming. Complainant fired Respondent on or about October 31, 2012. She asked for a return of the advance fee and return of her file but Respondent provided neither. Complainant also requested an accounting of the advanced fee but Respondent failed to provide one.
4. Respondent was given notice of the complaint of Sheila Stine by the Chief Disciplinary Counsel on or about February 9, 2013. Respondent was directed to furnish a written response to the complaint within thirty days. Respondent failed to furnish a written response to the complaint as directed.
5. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$1,350.00.

8. Respondent owes restitution in the amount of \$2,600.00 payable to Sheila Stine.

#### 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), 1.03(a), 1.14(b), 1.15(d), 8.04(a)(1) and 8.04(a)(8).

#### 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 Rules of Disciplinary Procedure, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of three (3) years beginning April 15, 2014, and ending April 14, 2017. Provided Respondent complies with the following terms and conditions, Respondent shall be actively suspended from the practice of law for a period of six (6) months beginning April 15, 2014, and ending October 14, 2014. If Respondent complies with all of the following terms and conditions timely, the thirty (30) month period of probated suspension shall begin on October 15, 2014, and shall end on April 14, 2017:

1. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$1,350.00. The payment shall be due and payable on or before April 15, 2014, 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).

2. Respondent shall pay restitution on or before April 15, 2014, to Sheila Stine in the amount of \$2,500.00. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Sheila Stine 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).
3. For the year 2014, in addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Ethics. These additional hours of CLE are to be completed before October 15, 2014. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course 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.
4. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete three (3) additional hours of continuing legal education in the area of Law Practice Management. These additional hours of CLE are to be completed before October 15, 2014. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course 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.
5. **Law Practice Management Consultation:** Respondent is ordered to engage the services of a law practice management consultant qualified by training and experience to conduct reviews of law practice management systems for solo practitioners. Respondent is ordered to participate in good faith in this review and to complete the consultation by October 15, 2014. The consultant will produce a written report on the adequacy of the systems currently in place to manage Respondent's law practice, to adequately supervise the office staff and to insure effective communication with clients. Within ten (10) days of the completion of the Law Office Management Program Consultation, Respondent shall verify completion of the consultation 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.
6. 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.

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until April 14, 2017, whichever occurs first.

**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 herself 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 herself out to others or using her name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further ORDERED that, on or before April 15, 2014, 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 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 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) on or before May 1, 2014, 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 Respondent shall, on or before April 15, 2014, 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.

It is further ORDERED 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) on or before May 1, 2014, 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, on or before May 1, 2014, Respondent shall surrender her 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.

#### Terms of Probation

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

7. Respondent shall not violate any term of this judgment.
8. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
9. Respondent shall not violate any state or federal criminal statutes.

10. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
11. Respondent shall comply with Minimum Continuing Legal Education requirements.
12. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
13. 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.
14. For the year 2015, in addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Ethics. These additional hours of CLE are to be completed before October 15, 2015. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course 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.
15. For the year 2016, in addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Ethics. These additional hours of CLE are to be completed before October 15, 2016. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course 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.
16. 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.

Restitution, Attorney's Fees and Expenses

It is further ORDERED Respondent shall pay restitution on or before April 15, 2014, to Sheila Stine in the amount of \$2,500.00. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Sheila Stine 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).

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$1,350.00. The payment shall be due and payable on or before April 15, 2014, 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 1.08(Z) 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**

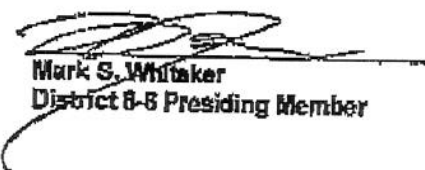
This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 26<sup>th</sup> day of March, 2014.

**EVIDENTIARY PANEL  
DISTRICT NO. 8-8  
STATE BAR OF TEXAS**

  
**Mark S. Whitaker  
District 8-8 Presiding Member**



# **EXHIBIT B**

**AFFIDAVIT OF DAWN M. KORMAN**

STATE OF TEXAS

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§

COUNTY OF WILLIAMSON

BEFORE ME, the undersigned authority, on this day personally appeared Dawn M. Korman, who, being by me duly sworn stated as follows:

1. My name is Dawn M. Korman. I am competent to make this affidavit. I am over 18 years of age, of sound mind, and have never been convicted of a felony or a crime involving moral turpitude, and am qualified to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I obtained my license to practice law in Texas in 1988, and have practiced primarily in the area of family law for more than 25 years.

3. Since at least 2010, I have suffered from depression. I have gone through phases where I am better and functioning, and phases where I could not function. I have received treatment and am currently undergoing counseling, which has helped significantly. During this time period, I was unemployed for periods of time, worked for myself for periods of time, and more recently, began full time employment with the Law Offices of Jim Jarvis.

4. In 2012, at the request of a friend, I agreed to do some divorce work for a client in Austin, Texas. At the time, I was unemployed and working for myself. That representation ultimately resulted in a complaint against me, and sometime between November 2012 and January 2013, I received a letter from the Bar telling me that the complaint did not rise to the level of a grievance.

5. In 2013, a process server served me with a new complaint from the same former client. I was going through a particularly dark and difficult time already, when I was served. Thus, I ignored it in order to deal with other problems in my life.

6. In the fall of 2013, I approached Jim Jarvis about a job with his family law firm. At first, I was only interested in working as a paralegal, because I had let my CLE lapse. Mr. Jarvis, however, assisted me with obtaining my CLE and hired me as an associate attorney. His firm has a highly competent support staff, working there has been a huge blessing, and has helped me truly enjoy practicing law again.

7. On the morning of April 26, 2014, a Saturday, I was in the process of leaving my home to take my daughter to her soccer game and run several errands. There was a knock on the door. I answered it, and saw it was a process server. I immediately felt lightheaded and scared. I could see from the letterhead on the first page that it was from the Bar, and I quickly scanned just the first page, to see if I could tell how bad it was. I was extremely distressed because at that time, I had really turned a corner in my life (in large part due to Mr. Jarvis and my employment with his firm) and was finally feeling hopeful. My eyes caught the word "private reprimand" in the letter, and I felt immediate relief. I felt like the luckiest person in the world, with a huge weight off my shoulders, and I put the papers in a drawer.



8. The two weeks that followed the April 26, 2014 service were very busy for me. On May 14, 2014, I walked into the office and both the Office Manager and paralegal told me about an email we had received from opposing counsel on a new case. Opposing counsel had looked me up on the Bar website, and had sent an email inquiring about my status, because the website showed me suspended. I was shocked and temporarily confused. I subsequently learned that an Evidentiary Panel had entered a Default Judgment against me suspending me from practice, based on my failure to respond to the grievance.

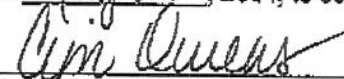
9. May 14, 2014 was the first time I learned that I had been suspended, and that the suspension began on April 15, 2014. Prior to April 26, 2014, I never received any mailing notifying me that I had been suspended. I immediately told Mr. Jarvis, who has been completely supportive. In addition, soon after I learned I had been suspended, I obtained counsel to help me deal directly with this problem.

10. I do not believe my continued practice of law poses a continuing threat to the welfare of my clients, the clients of the Law Offices of Jim Jarvis, or to the public. I am part of a law firm (not practicing solo) and as an associate, I am closely supervised by Mr. Jarvis. The firm also has highly competent support staff. I am currently feeling well, my depression is under control, and I feel that I can still use my over two decades of experience as a family law attorney to benefit clients.

FURTHER AFFIANT SAYETH NOT

  
DAWN M. KORMAN

SUBSCRIBED AND SWORN TO BEFORE ME on May 21, 2014, to certify which witness my hand and official seal.

  
Notary Public in and for the State of Texas

