



BEFORE THE BOARD OF DISCIPLINARY APPEALS
Appointed By
THE SUPREME COURT OF TEXAS

WILLIAM B. HARRISON
State Bar of Texas Card No. 09125100

v.

**COMMISSION FOR
LAWYER DISCIPLINE
OF THE STATE BAR OF TEXAS**

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CAUSE NO. 49760

**ORDER GRANTING JOINT MOTION TO REVERSE AND REMAND
FOR RENDITION AND ENTRY OF AN AGREED JUDGMENT**

On this day the Board of Disciplinary Appeals considered the Joint Motion to Reverse and Remand for Rendition and Entry of an Agreed Judgment filed by Appellant William B. Harrison and Appellee Commission for Lawyer Discipline of the State Bar of Texas. The Board finds that the parties have reached an agreement settling the issues in dispute and therefore finds that good cause exists to grant the motion.

The Board **ORDERS** that the Judgment of Disbarment signed December 19, 2011 in State Bar of Texas Cause No. S0031023393 be, and hereby is, **REVERSED**.

The Board further **ORDERS** that the cause be **REMANDED** to the evidentiary panel of the State Bar of Texas District 4A grievance committee and that the committee **RENDER** judgment in accordance with the agreement of the parties as set out in the Agreed Judgment of Active Suspension attached hereto and incorporated herein by reference as if set out in full.

SIGNED this 26th day of July 2012.

CHAIR PRESIDING

**BEFORE THE EVIDENTIARY PANEL FOR
DISTRICT NO. 4A, THE STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

v.

**WILLIAM B. HARRISON,
Respondent**

§ S0031023393

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§ HARRIS COUNTY, TEXAS

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AGREED JUDGMENT OF ACTIVE SUSPENSION

On this day, the above styled and numbered cause was brought before an Evidentiary Panel for State Bar District 4A. This matter was previously heard by an Evidentiary Panel, and a Judgment of Disbarment was entered on December 19, 2011. Thereafter, Respondent appealed this matter to the Board of Disciplinary Appeals. The Judgment of Disbarment was reversed, and an agreed order was entered by the Board of Disciplinary Appeals, resulting in the rendition and entry of this Agreed Judgment of Active Suspension.

Petitioner, the Commission for Lawyer Discipline, and Respondent, William B. Harrison, Texas Bar Number 09125100, agree to all terms of this Agreed Judgment of Active Suspension as set forth below.

JURISDICTION AND VENUE

The Evidentiary Panel, having been duly appointed to hear this complaint by the Chair of the Grievance Committee for State Bar of Texas District 4, 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 the pleadings, admissions, stipulations, and agreements of the parties, finds that Respondent has committed Professional Misconduct as defined by Rule 1.06V of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

FINDINGS OF FACT

Petitioner and Respondent agree to the findings of fact set forth below. Accordingly, the Evidentiary Panel finds as follows:

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 his principal place of practice in Harris County, Texas.
3. In or around March 1992, Respondent was hired to represent a minor, Jonathan Berglund ("Berglund"), in a case arising from the death of Berglund's mother in an automobile accident.
4. On October 17, 1994, an Interlocutory Judgment was entered in Cause No. 93-2670-C, styled *Rudy Berglund and Sylvia Flores, in their individual capacities, and as Next Friend of Jonathan Berglund, a Minor, Lionel Cabrera and Humberto Cabrera v. Juan Angel Salinas, Nueces County, and Robert Taylor d/b/a Taylor Leasing Company*, in the 94th Judicial District Court of Nueces County, Texas.
5. Pursuant to the terms of the Interlocutory Judgment, Berglund's grandmother and grandfather were individually awarded Nine Thousand Four Hundred and No/100 Dollars (\$9,400.00).
6. Berglund was awarded Twenty-Eight Thousand Two Hundred and No/100 Dollars (\$28,200.00), which was to be paid into the registry of the Court in an interest bearing account for the use and benefit of Berglund as a trust fund until he turned eighteen (18) years old on August 3, 2006.

7. Respondent failed to ensure that Berglund's settlement funds were properly deposited into the registry of the Court.

8. 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 Two Thousand Five Hundred Seventy-Five and No/100 Dollars (\$2,575.00).

CONCLUSIONS OF LAW

The Evidentiary Panel concludes that, based on the foregoing findings of fact, the following provision of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT has been violated: **Rule 1.01(b)(1)** [in representing a client, a lawyer shall not neglect a legal matter].

SANCTIONS

By reason of the agreement between Petitioner and Respondent, the Evidentiary Panel hereby imposes the following sanctions:

SUSPENSION

IT IS ORDERED, ADJUDGED, and DECREED that Respondent be actively suspended from the practice of law for a period of thirty-six (36) months, beginning December 16, 2011, and ending December 15, 2014.

TERMS OF ACTIVE SUSPENSION

IT IS ORDERED that during the period of active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney; 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," or "lawyer."

IT IS ORDERED that if any of Respondent's clients at the time of his disbarment was not notified of the disbarment as required by the Judgment of Disbarment, Respondent shall notify each such client in writing of the suspension set forth herein. Further, if Respondent failed to return property to any client as required by the Judgment of Disbarment, Respondent is ORDERED to return any such property to the respective client or to another attorney at the client's request. Respondent is ORDERED to file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, 1414 Colorado, Austin, Texas 78711, an affidavit stating that all clients have been notified as ordered herein and that all files, papers, unearned monies, and other property belonging to all clients has been returned as ordered herein. **Respondent shall file the affidavit within thirty (30) days of the date this Agreed Judgment is entered.**

IT IS ORDERED that if Respondent failed to provide notice of his disbarment in writing to each and every justice of the peace, judge, magistrate, administrative judge or officer, and chief justice of each and every court or other tribunal in which Respondent had any matter pending at the time of his disbarment as required by the Judgment of Disbarment, Respondent shall notify each such court in writing of the suspension set forth herein and of the style and cause number of each of Respondent's pending matters, and the name, address,

and telephone number of each client Respondent was representing at the time of disbarment. Respondent is ORDERED to file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, 1414 Colorado, Austin, Texas 78711, an affidavit stating that all courts have been notified as ordered herein. **Respondent shall file the affidavit within thirty (30) days of the date this Agreed Judgment is entered.**

IT IS ORDERED that Respondent shall, **within thirty (30) days of the date this Agreed Judgment is entered**, surrender his law license and permanent State Bar Card to Nancy Ashcraft, Compliance Monitor, State Bar of Texas, Office of the Chief Disciplinary Counsel, 1414 Colorado, Austin, Texas 78711, to be forwarded to the Supreme Court of Texas.

ATTORNEYS' FEES AND DIRECT EXPENSES

IT IS ORDERED that Respondent pay to the State Bar of Texas reasonable and necessary attorneys' fees and direct expenses in the amount of Two Thousand Five Hundred Seventy-Five and No/100 Dollars (\$2,575.00). The payment of attorneys' fees and direct expenses shall be made in two equal payments by money order, certified check, or cashier's check made payable to the State Bar of Texas and delivered to the State Bar of Texas, Office of the Chief Disciplinary Counsel, 1414 Colorado, Austin, Texas 78711. **The first payment shall be made within seven (7) days of the date this Agreed Judgment is entered, and the second payment shall be made no later than sixty (60) days after the date this Agreed Judgment is entered.**

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent, are assessed as 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 published in accordance with the TEXAS RULES OF DISCIPLINARY PROCEDURE.

OTHER RELIEF

All relief not expressly granted in this Agreed Judgment of Active Suspension is expressly **DENIED**.

SIGNED this _____ day of _____ 2012.

**EVIDENTIARY PANEL
DISTRICT NO. 4A
STATE BAR OF TEXAS**

BY: PRESIDING MEMBER

AGREED AS TO BOTH FORM AND SUBSTANCE:

LINDA A. ACEVEDO
CHIEF DISCIPLINARY COUNSEL

WILLIAM B. HARRISON
RESPONDENT

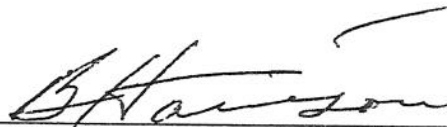
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RESPONDENT