

**ORDER OF THE SUPREME COURT OF TEXAS**

Misc. Docket No. 01—**9115**

**Appointment of a District Judge to Preside  
in a State Bar Disciplinary Action**

The Supreme Court of Texas hereby appoints the Honorable David Berchelmann, Jr., Judge of the 37th District Court of Bexar County, Texas, to preside in the Disciplinary Action styled:


**The Commission for Lawyer Discipline v. Leila M. Bouhassis**

to be filed in a District Court of Dallas County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Dallas County, Texas, a copy of the Disciplinary Petition and this Order for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

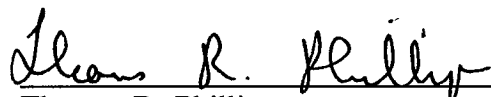
As ordered by the Supreme Court of Texas, in chambers,

With the Seal thereof affixed at the City  
Of Austin, this 12<sup>th</sup> day of July, 2001.

  
JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9115 is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code, §74.057.

Signed this 16 day of July, 2001.

  
\_\_\_\_\_  
Thomas R. Phillips  
Chief Justice

NO. \_\_\_\_\_

COMMISSION FOR LAWYER DISCIPLINE § IN THE DISTRICT COURT OF  
V. § DALLAS COUNTY, TEXAS  
LEILA M. BOUHASSIS § \_\_\_\_\_ JUDICIAL DISTRICT

**DISCIPLINARY PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complains of Respondent, Leila M. Bouhassis, (hereinafter called "Respondent"), showing the Court:

**I.**

**Discovery Control Plan**

Pursuant to Rules 190.1 and 190.3, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level II Discovery Control Plan.

**II.**

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001, et seq. (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint which forms the basis of the Disciplinary Petition was filed on or after May 1, 1992.

**III.**

Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent is a resident of and has her principal place of practice in Dallas County,

Texas. Multiple Process Services will serve citation on Respondent at 900 Jackson St., Suite 600, Dallas, Texas 75202.

#### IV.

On or about August 6, 1998, Mario Y. Galindo ("Galindo") hired Respondent to represent his daughter in a personal injury matter and agreed to a thirty (30%) percent contingency fee. Respondent settled the matter without the consent of or input from Galindo, and failed to fully inform Galindo of options to settle. Respondent failed to meet with Galindo and she failed to return Galindo's phone calls. Respondent failed to deposit settlement funds into an IOLTA or trust account. Further, Respondent failed to disperse settlement funds still owing to medical providers.

#### V.

On May 23, 2000, the State Bar of Texas sent, by certified mail return receipt requested, a letter to Respondent notifying her that a complaint alleging professional misconduct on her part had been filed against her by Galindo. In said letter, Respondent was advised that, pursuant to Rule 2.09 of the Texas Rules of Disciplinary Procedure, she was required to file a written response with the State Bar of Texas within thirty (30) days of her receipt of the letter. Respondent received the letter on June 26, 2000. Respondent failed to furnish the State Bar of Texas a written response to the complaint within the required thirty (30) days of her receipt of the notification letter, and failed to timely assert a privilege or other legal ground for her failure to furnish her response.

## VI.

On July 24, 2000, the State Bar of Texas served Respondent with a subpoena duces tecum for production of records instant, but no later than August 14, 2000. Respondent knowingly failed to respond to this request from the office of the Chief Disciplinary Counsel.

## VII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV, V, and VI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b), 1.02(a)(2), 1.03(a)(b), 1.14 (a)(b), 1.15(d), 8.01(b) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

## VIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Mario Y. Galindo filing a complaint on or about April 28, 2000.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

**Dawn Miller**  
Chief Disciplinary Counsel

**Lisa M. Holt**  
Assistant Disciplinary Counsel

State Bar of Texas  
Litigation - Dallas  
3710 Rawlins  
Suite 800  
Dallas, Texas 75219  
(214) 559-4353  
FAX (214) 559-4335



**Lisa M. Holt**  
State Bar Card No. 24026068

**ATTORNEYS FOR PETITIONER**

# STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

April 27, 2001

**CMRRR NO. 7099 3220 0005 9143 5324**

John T. Adams, Clerk  
Supreme Court of Texas  
P.O. Box 12248  
Austin, Texas 78711

***RE: Commission for Lawyer Discipline v. Leila M. Bouhassis***

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Leila M. Bouhassis. Ms. Bouhassis has designated Dallas County, Texas, as her principal place of practice. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

**Leila M. Bouhassis  
900 Jackson Street  
Suite 600  
Dallas, Texas 75202**

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully request that an alternate appointment be made.

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219  
Telephone: (214) 559-4353 Fax: (214) 559-4335

John T. Adams, Clerk


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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Dallas County, Texas, and a return envelope to be sent to the District Clerk of Dallas County, Texas, for the Clerk's use in returning a file-marked copy of the petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,



Lisa M. Holt

Assistant Disciplinary Counsel

Enclosures





# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

JUSTICES  
NATHAN L. HECHT  
CRAIG T. ENOCH  
PRISCILLA R. OWEN  
JAMES A. BAKER  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
WALLACE B. JEFFERSON

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2001

The Honorable Jim Hamlin  
District Clerk of Dallas County  
George L. Allen Courts Building  
600 Commerce Street  
Dallas, Texas 75202

Dear Mr. Hamlin:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: *The Commission for Lawyer Discipline v. Leila M. Bouhassis*, and a copy of the Supreme Court's order appointing the Honorable David Berchermann, Jr., Judge of the 37<sup>th</sup> District Court of San Antonio, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Honorable David Berchermann, Jr.  
Ms. Lisa M. Holt  
Ms. Leila M. Bouhassis



# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2001

Honorable David Berchelmann, Jr.  
Judge, 37<sup>th</sup> District Court  
100 Dolorosa Street  
San Antonio, Texas 78205

Dear Judge Berchelmann:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Ms. Holt and Ms. Bouhassis, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) be contacted to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (214-653-2943) to obtain information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

**SIGNED**

John T. Adams  
Clerk



# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

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NADINE SCHNEIDER

JUL 19 2001

Ms. Lisa Holt  
Assistant General Counsel, State Bar of Texas  
3710 Rawlins, Suite 800  
Dallas, Texas 75219

Ms. Leila M. Bouhassis  
900 Jackson Street, Suite 600  
Dallas, Texas 75202

Dear Ms. Holt and Ms. Bouhassis:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable David Berchermann, Jr., Judge of the 37<sup>th</sup> District Court, San Antonio, Texas to preside in

*Commission for Lawyer Discipline v. Leila M. Bouhassis*

Sincerely,

**SIGNED**

John T. Adams  
Clerk