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Attorney At Law

Monday, May 9, 2016

Sunset Commission

Re: Texas State Bar

Dear Ladies and Gentlemen:

The Texas State Bar does some things like Continuing Legal Education extremely well, but the disciplinary portion of the Bar is utterly and completely corrupt and dishonest.

Stanley

I have been dealing with the corruption of the Bar for the better part of two decades. It is thoroughly, utterly, shamelessly dishonest and corrupt not even a pretense of lawfulness.

Around 2002, I met Stanley. He was repeatedly accused of molesting his daughter both before and after I met him. I never saw any evidence. I saw one trick, fabrication, and fraud after another. Stanley made numerous very serious complaints to the bar. The Bar just outright ignored all but one complaint. This went on for over a decade.

The Bar did not investigate and determine the complaints unmerited. It said the complaints even if true did not state a valid complaint even though they clearly did.

As just one example, due to the limits of this forum, where I have personal knowledge. The school was refusing to allow Stanley to see his child although the known order allowed him to see his child at the school. I eventually got an explanation for why from a lawyer representing the school. He referenced an unknown order. I asked him to fax the order to me.

The order not only had been signed without a hearing and without notice, the Order was never served on me and was not even in the Court's file. The Order had been signed ex parte and kept secret. This was not even arguably one of the situations where the law allows ex parte orders, and in those situations the subject of the order eventually gets notice.

Stanley had been denied access to his child for some time based on the secret order never given to him. I had to spend substantial resources on this. The situation clearly raised very serious ethical issues. Justice with rare exceptions is not done in secrecy.

The ex parte order was abusive. Essentially, it said Stanley could not see his child until he paid an ad litem or the like a substantial amount of money. Of course, he couldn't pay the ad litem the money because he didn't even know about the order. Also, he didn't have the money due to years of family law abuse. The statute said visitation could not be conditioned on payment of money for that when the parent could not afford to pay the money.

That is just one of many serious complaints made by Stanley ignored by the Bar, and that is not even the worse one. Stanley's case went on year after year, with one fraud after another, and the bar did nothing with one exception. Stanley's child was subjected to 14 false sexual abuse allegations year after year and there was never any evidence. Stanley's child was sexually invaded by SANE exams over and over trying to set him up for a false allegation. Stanley's child was repeatedly told to say her father molested her. She wouldn't.

Stanley was literally reduced to living out of his truck and eating sardines. He was continuously fighting to see his child and fend off the false allegations for well over a decade. At one point, the Bar attacked me at the request of the Judge presiding over the case. The judge had repeatedly threatened me groundlessly and my client. I was supposed to give up.

At the grievance hearing, a child psychologist testified about the abuse inflicted on the child. The panel then called a break. After the break, the family lawyer represented to the panel that the child psychologist withdrew all her testimony during the break.

I knew this wasn't true because I was with her during the entire break. She was called back into the room and said she had not withdrawn her testimony. The bar lawyer found this lie by the family lawyer to the grievance panel humorous. Thus, the bar not only ignores complaints about corruption, fraud, dishonesty, and abuse by lawyers, the bar finds dishonesty that occurs right in front of its representative humorous. This same family lawyer who lied to the grievance panel around 2005 was centrally involved in the Jennifer matter.

Craig

Craig was accused of molesting a teenager. The allegation was not just general but very specific. He was accused of anal penetration of a teenage girl resulting in blood everywhere. The teenage girl denied it.

This was one case where the judicial process worked. The family lawyer admitted that she had no evidence that he did that. Her only basis for making that allegation was the man was victim of a different totally absurd allegation earlier by one of the lawyers involved in the Jennifer matter. Essentially, he was accused of molesting his children because they went home with poop in their diapers. Supposedly, the children still in diapers said "daddy tickled my poop." The police actually investigated that and cleared him.

Yet, years later he is accused of anal penetration of a teenage girl based on the ridiculous "poop" allegation from years earlier. If you tickle poop in a diaper, then it logically follows that years later you anally penetrate a teenage girl (sarcasm)? Of course, it doesn't.

In any event, the Bar did absolutely nothing. There is no problem with a lawyer just making up ridiculous false allegations based on nothing designed to ruin parent child relationships and even falsely imprison according to the Bar. It's a disgusting organization.

The poop allegation did ruin parent child relationships. Craig was terrified to see his children and hasn't seen them for well over a decade. He recently asked me to write a will leaving them part of his estate so he still loves them.

Michael

Michael was accused of molesting his children (not just him but the young women day care workers also). I never learned the facts of the supposed molestation because he killed himself before I even knew an allegation was in progress. These false, frivolous allegations that the bar not only ignores but protects are serious, ruining lives, sometimes literally death.

The bar had nothing to do with the sexual allegations made against Mike, but the Cameron County District Attorney (now in prison) refused to serve papers on me as required by the rules. I had to send a runner hundreds of miles several times to get the papers at great personal expense. I complained to the bar. He was obviously needlessly causing expense. Of course, the bar did nothing. It supports lawyers who abuse. I have seen it for decades.

Jennifer

The same lawyers who harassed and abused Stanley for over a decade were harassing her. Most particularly here, they were claiming she was having sex with me. This was utterly false. They had no evidence. The closest explanation ever given was that we were seen eating at a restaurant. Of course, if a lawyer eats with a client, he must be having sex with her (sarcasm). The bar knows these lawyers make these kind of abusive allegations. They also attacked her based on a physical imperfection (hair loss). They even argued that her hair loss proved she was "insane." The absurd antics of these lawyers that the bar covers for might be humorous except they damage and even ruin many, many lives.

Jennifer's child said he was told to lie that his mother touched him improperly (very similar to what Stanley's child said over and over again years earlier). He also said he was told to lie that he saw his mother and her lawyer in bed together (obviously designed to support the ongoing lie that his mother was having sex with her lawyer). The child said this happened at a specific restaurant, on a specific day, even at a specific table. The restaurant waiters testified the child was at the restaurant on that day, at that table, around the time stated by the child with his father and the appropriate number of people in suits and ties (the family lawyers, a judge, and a police officer). This of course is a crime – solicitation of perjury.

The bar was informed of this immediately. It never investigated the situation. Rather, it colluded with Judge William Adams to dishonestly cover up what the child said. Judge William Adams entered an order that it is frivolous to believe a child and fined me around \$10,000. Of course, that is nonsense. Children are believed every day in Court. If this child had lied as requested, people very likely could have gone to prison. These statements by the child obviously didn't come out of thin air. This child was credible. His father and mother both testified the child was honest. The child's statements were not discredited rather the Judge held that it is frivolous to believe a child in and of itself.

This is nonsense in several ways. As a practical matter, children are believed regularly in Texas Courts every week. People go to prison based on what children say. Statutes authorize testimony by children. Actually, sometimes, it can be a crime to ignore an outcry of abuse by a child. A child psychologist testified that she found the child credible and what the child described amounted to "horrific child abuse." No sane person would ignore a child saying that. It was not just Jennifer but also her lawyer who likely was targeted for prison.

Judge William Adams went rogue but so did the Judicial Conduct Commission. They claimed they had no authority over legal decisions but the Judicial Rules of Ethics clearly say that a Judge shall follow the law. Although an erroneous legal decision does not normally give rise to ethical issues, rather it is an issue for appeal, at some point it obviously does rise to an ethical issue. What if the Judge imposes the death penalty for a parking violation?

When a judge attacks a litigant and her lawyer for listening to a child when the child says he was being asked to lie in ways that could put them in prison obviously attempting to cover up a crime (solicitation of perjury), there is clearly an ethical issue because the ruling was not even arguably lawful. It was designed to cover up the crime the child disclosed.

It was later learned that Judge William Adams was good friends with one of the lawyers at the restaurant meeting. That lawyer represented Judge William Adams both in front of the Judicial Conduct Commission and in the Judge's personal family law case. Judge William Adams hired that lawyer about the same time as he made the abusive order covering up what the child said the lawyer had done (asked the child to lie). Even after learning of this extreme conflict of interest, the Judicial Conduct Commission did nothing. It is like the bar.

I was attacked and largely destroyed based on my efforts to protect Jennifer from what the child said. The bar attacked me. The bar actions were not only dishonest and corrupt its actions amounted to crime (obstruction of justice, etc.). I totally lost faith in the legal system, ran from it, and avoided it for roughly five years. I was disgusted and afraid. My financial and other resources were depleted because I had been abused by the bar for well over 10 years. I stopped defending myself and went into despair living the life of a homeless person for several years and sailing an open boat from Long Island, New York to Ingleside, Texas.

Even the strongest person has trouble defending against both a corrupt judge and a corrupt bar at the same time. The Bar was intimately involved in this abuse, and only a small part of it has been described. Within the last few years, these same family lawyers were involved in a similar case against a lawyer named Smith with sufficient resources to defend himself. Smith was accused of molesting his child. One of these family lawyers told Smith's lawyer "we don't need to worry about that case because your client will be indicted this afternoon." These family lawyers attacked Smith based on nothing other than the words of a child. You see, these lawyers destroy or attempt to destroy lives based on the words of children usually absurd on their face (e.g. he touched my penis with a fork or he tickled my poop). But, if one of their victims relies on what a child says, that victim and her lawyer must be destroyed. Smith obtained a \$10,000,000 plus judgment (reduced on appeal). The mother of that child had twice before made false allegations putting one man in prison while the other saved himself by recording her words. They apparently didn't investigate her background much before they tried to destroy Smith's life (and the lives of his children).

These lawyers draft affidavits describing the child's supposed statements at best very vaguely. Normally, there is no date or place. There isn't even the name of the witness to the child's statements. There is no way to defend an allegation that empty of substance. A normal person is financially depleted before they even discover the specifics of the allegation much less defend against it. More importantly, the person is deprived of access to their child for months or years. In contrast, Jennifer described what the child said in very great detail. She said where the child said it happened, when the child said it happened, exactly what the child said, etc. If the meeting had not occurred, almost certainly, at least one of the people involved could have proven he wasn't there. These were all busy people. None proved that. One said he "may" have been in Italy but not that he actually was. Months later a Walmart receipt was produced which proved little if anything. One of the people was a police officer. It was later determined that the GPS on his car was turned off at the time. His car disappeared and then reappeared on the other side of town during the relevant time. Jennifer was denied her discovery. She and her lawyer were continuously attacked and ridiculed during this time and the bar was intimately involved in these attacks and this ridicule.

Robert

Robert's ex-wife was allowed to see his child that he primarily had. She didn't return the child as agreed. He didn't see the child for years. He was a man of modest means living near Seattle. He finally got an order allowing him to see his child. The judge made a reasonable order, but one of these family lawyers drafted a corrupt order. He changed what the judge said in material ways. Nobody sent Robert a copy of the modified order not even his own lawyer even though Robert asked. A very clear paper trail exists. By the time Robert got the order from the District Clerk, a deadline had expired. Essentially, he didn't do on time what he didn't know he was required to do by that time because the written order was different than the oral order. The family lawyer had put a de facto termination of parental rights into the order (e.g. if Robert didn't comply with the orders that he didn't know about he would not be allowed to see his child again without further court proceedings). When he found out about the Order, he asked for an extension of time. He was denied.

About two years later, he hired me. He paid me, and he had to make several trips from Seattle to Corpus Christi, etc. He settled the matter at first opportunity. He was seriously abused. Of course, the bar supports the abusive of people. That is just what it does, because it is an abusive organization, and it is a dishonest organization.

It accused me of causing unnecessary expense. I had charged my client very little and was doing this significantly pro bono and very efficiently. The fact is that I helped a man who had his child stolen through fraud and dishonesty and blatant corruption of our courts.

Yet, the bar attacks me. It claimed I was dishonest, but it would never tell me about what. The bar was just itself lying. I asked in discovery what I had been dishonest about and it referred to me a transcript probably hundreds of pages without identifying anything. The bar was just lying. The fact is that I had gotten this man who was defrauded out of his child the right to see his child. I had done so very efficiently. I am not the one who defrauded the man out of his child, who wrote a fraudulent order, etc. I was not the one who wrote an order inconsistent with what the judge said. I am not the one who forced this man to make several

trips of thousands of miles totally unnecessarily and who raised false issues. The Bar is an active partner with the abusive family lawyers in abusing people including children.

David

David's son had done harassing things relative to a young lady. His son had served 90 days in jail, and he had completed his community service. The Texas part of the problem was resolved. An out of state warrant still existed arising from the same events. His son went to the Sheriff's office to talk about the problem and was arrested.

David hired a lawyer to ask for bond. His son needed to have bond in roughly 6 days or else he would lose his job. The lawyer hired took money and did nothing. When the lawyer was terminated, he started lying. He refused to return the money even before being asked.

Explaining his inaction and refusal to return the money, he said the facts given him were lies. The facts were not lies. Most of the facts were supported by documentation. He said everything was frivolous. It wasn't. Actually, it was a no brainer case for bond.

The Court granted bond without any help from the hired lawyer. Yet, the hired lawyer claimed he got the bond even though he was not at the hearing, didn't draft the motion, etc. In other words, he lied. Actually, before the bond hearing, he said the request for bond was all dishonest and frivolous and he wouldn't do it. In other words, the bond request was all lies and frivolous to justify his inaction before the bond was granted yet he claimed credit for the bond after the bond was granted. He was just lying.

The hired lawyer had printouts and other information proving nearly all the facts. He was just lying as part of his effort to avoid refunding the money he didn't earn. He even accused his client of being a bad father and expressed sympathy for his client's children for having a bad father although he knew nothing about his client as a father, and he accused the father of possibly committing a crime when there was no truth or basis for that at all.

In other words, he seriously abused his client verbally – hatefully, dishonestly, abusively, and threatening. He also took actions intentionally designed to maliciously hurt his client. Of course, the bar did nothing. Again, it didn't investigate and determine the allegations unfounded rather it said even if true the allegations didn't state a complaint.

I think it is very hard for the Bar to understand that lying is wrong, because it lies so much. A very large percentage of the letters that it sends refusing to act are lies.

Solutions

The following are suggested solutions to the problem:

1. A government related organization that acts in secret with no accountability is always going to go corrupt. The importance of transparency is widely acknowledged but rarely actually respected. The bar's actions should be public. If it had to act in public, it wouldn't write a letter claiming it is not a valid complaint that a lawyer participates in an ex parte secret

order (an obviously lawless, frivolous, dishonest letter). That letter was so obviously dishonest that even the most shameless bar lawyer would hesitate to write the letter if she knew the letter would be a matter of public record. There is a reason court proceedings are public. The bar should be barred from acting in secret. After a complaint is resolved, maybe, there is an expungement process, but during the complaint, it needs to be public.

2. Complaints should be randomly audited by an independent third party not subject to the Bar's retaliation. There should be penalties when the bar ignores valid complaints. The penalties should include loss of employment and disbarment. Some of the most unethical and dishonest lawyers in Texas work for the bar but they are immune from responsibility.

3. The Bar needs to have civil liability for damages when it engages in retaliation. This includes both the organization and its agents. And, there needs to be criminal liability. When the bar works to cover up a crime (or at least a credible report of a crime by a credible child) as it clearly did in the Jennifer case, the lawyers involved need to go to prison. There needs to be authorities not subject to bar retaliation able to prosecute the criminal bar officials.

4. The Bar needs to be responsible for litigation costs when it engages in abusive litigation. In my case, it would not answer discovery in good faith, it sent me huge quantities of papers with no significance at all, etc. The Bar can run most lawyers broke. If the lawyer manages to survive financially and prevail, he should be compensated.

5. A large part of the problem in the Jennifer case was the bar acted as a corrupt hitman for a clearly corrupt judge (Judge William Adams). The judge not only attacked me for trying to deal with what the child said to protect my client (what kind of lawyer acting in his client's interest would ignore what that child said?), but he abused me outside the Courtroom.

The Bar did eventually stop abusing me on Judge William Adams' behalf but only after the Judge was outed as a child beater on YouTube. The Bar needs to be told they work for the public not corrupt, abusive judges, and they have a responsibility to investigate, exercise judgment, etc. just like any other lawyer, not just respond without exercising judgment to the requests of a corrupt judge, and again there needs to be enforcement mechanisms in place.

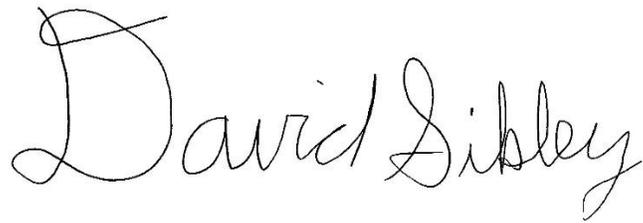
Now, although this may not be directly related to supervision of the bar, it should be mentioned at this time. This deal of family lawyers filing extremely vague affidavits without substance and obtaining ex parte orders denying people access to their children needs to stop (these groundless orders often result in many, many thousands of dollars of expense to the victims and those are the lucky victims other victims lose their children and go to prison). This business of family lawyers asking children to lie needs to stop. This business of family lawyers making up fanciful claims of sexual child abuse with no evidentiary basis whatsoever needs to stop. This business of family lawyers making one false sexual child abuse allegation after another over and over and over again for many years until their victim goes broke, breaks down emotionally, or kills himself needs to stop. This area cries out for legislation.

Now, in fairness, lawyers and judges by and large are extremely ethical, and I have had no significant problems more than sporadic and isolated over the course of 25 years other than with this group of corrupt family lawyers in Corpus Christi, Texas that the bar and a

few judges like Judge William Adams support and cover for. However, the fact that things are basically good is not due to the bar. It is due to the fact that most lawyers and judges are basically ethical. The bar almost always acts as an agent of concealment and corruption not an agent of ethics. The ethics of the lawyers exist despite not because of the bar. I have rarely seen the bar act honorably. These corrupt family lawyers openly threaten me with the bar, because they know the bar supports their corruption even finding it humorous.

I understand I may face further retaliation for writing this letter, but I will not silently be part of a system as corrupt and dishonest as the Bar Association in the State of Texas.

Respectfully,

A handwritten signature in cursive script that reads "David Sibley". The signature is written in black ink on a white background.