

6/22/16

Sunset Advisory Commission

P.O. Box 13066

Austin, TX 78711

Dear Sunset Advisory Commission,

I am writing in regard to my recent disappointing experience for a Grievance I filed with the State Bar of TX. The State Bar of TX Grievance Process and Chief Disciplinary Counsel is wholly ineffective redress to the public. The Grievance Process is a waste of time and tax payer money.

I had a very bad experience with an attorney, Carol Ann Carson, who led me on for a few weeks that she was taking my case. She did not send me a contract until weeks later after my first phone call even though I had asked for an attorney client contract several times. When the Carol Ann Carson finally sent the contract, I signed the contract and immediately wire transferred the amount of \$5,525 (another \$2,500 due in two weeks for a total of \$8,025). Just hours later on the same day Carol Ann Carson dropped my case and said she was passing me off to another attorney. She said she would refund my money. She kept \$2,000 and did not file anything on my behalf and sent my private information and trust money to another attorney without my consent. I had no contract with this other attorney. This all happened just two days before I needed an answer to the court and caused a tremendous amount of stress because I had two days to find an attorney and get an answer to the court. The attorney that handled my case filed the motion to move jurisdiction and it cost less than \$2,000 total and the motion was granted (keep in mind Carol Ann was demanding \$8,025). I had asked Carol Ann Carson to file a motion to move jurisdiction and she was leading me to believe I needed to file an enforcement and do other filings which greatly confused me because I was under the impression I first needed to file the motion to move jurisdiction and then proceed with enforcement after jurisdiction decision was made or I would waive my right to move jurisdiction. I made it clear to Carol Ann Carson several times that I wanted to do a motion to move jurisdiction and see if that was granted and I did not want to waive this right. Carol Ann Carson had me very confused and I did not understand why she would not file a motion to move jurisdiction as I asked her to do. Carol Ann Carson violated the Rules of Professional Conduct by giving my private information to a third party without my consent, by giving my trust money to another attorney without my consent, discussing fees and settling fees I should pay to another attorney without my consent, by demanding unconscionable amount of money to file a motion to move jurisdiction as it cost me less than \$2,000 and she was demanding \$8,025 total in a two week period, keeping \$2,000 of my money when she said she would refund my money after dropping my case, and by unethical misleading and manipulation. Carol Ann also lied to the State Bar of TX which should be considered professional misconduct as well and there is sufficient proof of this.

I sent all of my proof in this matter as well as my last phone conversation with Carol Ann Carson to the investigator, Kenneth Kirkland, with the State Bar of TX. I began recording my last phone conversation with Carol Ann Carson, the attorney in question, because she called me and said she was dropping my case and passing me off to another attorney. I knew immediately what she was doing was unethical and wrong because I had just signed the contract and wire transferred \$5,525 that morning and hours later



she is dropping my case just two days before I needed an answer to the court. Carol Ann Carson told the state bar several times in her rebuttal that I fired her. In our recorded phone conversation at no point did I tell Carol Ann she was fired. Carol Ann specifically says on our call that she is dropping my case and passing me off to another attorney. I even asked her why she was dropping my case when I just sent her the money and signed the contract. We left the conversation with Carol Ann telling me she would call me the next day. Carol Ann did not call me and instead sent me a letter that she was dropping my case and sent another letter to Marilyn Belew that she would be taking my case. I had not even talked to the Attorney Marilyn Belew at that point. I also sent this proof to the State Bar of TX. Carol Ann flat out lied to the State Bar of TX and told the State Bar I fired her when in fact I did not. It is extremely disappointing that an attorney can lie to the State Bar and it is considered ethical with no misconduct. The State Bar of Texas should be dedicated to preserve and foster the integrity and ethical conduct in the legal profession.

I received a letter on Monday, June 20, 2016 that the Chief of Disciplinary Counsel has determined no professional misconduct. That is all I received was a simple letter that failed to address reasons why no professional misconduct was found and no proof that there was no professional misconduct. There was justice and no solution to justice in this matter. There was no explanation of what codes of professional conduct were considered as violation or misconduct. I did not get any proof or evidence presented to me that there was no professional misconduct. I did not get any information on how each allegation of professional misconduct was voted. I did not get to talk to the prosecutor. I did not get to talk to anyone other than a phone call I made to the State Bar of TX to track down the investigator to talk to him about the case and what I should do. I offered to send in signed affidavits if it would help my case and I was told no and that it is better to quit sending information. I was never given a phone number to be able to contact anyone involved in the case. I filed my grievance with the State Bar of TX on line on December 29, 2015 at 12:02 pm and I just now got a letter June 20, 2016. The attorney in question was given two extensions in this time frame. I did not get any extensions and was not asked if I needed an extension. Carol Ann Carson sent in an overwhelming amount of information that was unnecessary and did not pertain to the main issues of professional misconduct; furthermore, the attorney lied to the State Bar of TX. The attorney also tried to make me out to be a person of poor character. The exhibits A – Z she presented where thicker than a large sized book and it was obvious she was trying to distract the real issues in question of professional misconduct by providing tons of irrelevant information.

The State Bar of TX Grievance Process and Chief Disciplinary Counsel is wholly ineffective redress to the public. The Grievance Process is a waste of time and taxpayer money. As a citizen I was left with no other recourse or remedy to an unresponsive State Bar of TX and Chief Disciplinary Counsel. I have property in TX and have lived in TX for a sum of 14 years as a law abiding citizen. I have a Masters Degree earned in TX and I have had the same job for 10 years since completing my Masters Degree. As a citizen after going through this process I see no benefit to my taxpayer dollars being spent here. I had consulted with three attorneys on this matter and all of them advised me to file a grievance with the State Bar of TX. One of those attorney's is president of a local bar association. After, I let the attorneys know that no professional misconduct was found, one attorney said, "well I guess I shouldn't bother following the rules because there will be no repercussions for professional misconduct and unethical actions." Another attorney said, "There is no point in following the rules if no disciplinary action will be taken". The attorneys who advised me to file a grievance were extremely disappointed that an attorney could lie to the state bar and it was not considered professional misconduct. Carol Ann Carson easily



manipulated the system and conned \$2,000 of hard earned money out of me and has no repercussions to her actions. The Grievance Committee and Chief Disciplinary Counsel has just enabled Carol Ann Carson to continue professional misconduct.

I have also learned that the District 14 Grievance Committee heard my grievance and that the committee is made up of two-thirds lawyer members and one-third public members. It makes no sense to have a committee of local attorneys and public members that live in the same geography as the attorney in question make a decision on professional misconduct. These attorneys or public members that make up the committee living in the same geography could know the attorney in question and be biased. It seems to me that it would make the most sense that a committee in another geography would be used so there is no biased votes. How does the State Bar of TX and Chief Disciplinary counsel ensure that members on the committee do not know the attorney in question or do business with the attorney in question?

I am grossly disappointed in the grievance process. I am stating again, the State Bar of TX Grievance Process and Chief Disciplinary Counsel is wholly ineffective redress to the public. The Grievance Process is a waste of time and tax payer money.

I sincerely hope that my voice and opinion matters. I have asked the State Bar of TX to reconsider my grievance and what actions I can take to get justice in this matter. I am doubtful there will be any solutions. The letter stated I cannot appeal. Again, as a citizen I was left with no other recourse or remedy to my grievance. What Carol Ann Carson did was wrong and unethical and I will continue to seek justice in this matter. This is a great example of the flaws in our country and the lack of discipline to uphold what is right and ethical. Attorneys should maintain the highest standards of ethical conduct and there needs to be a process in place that works to protect public citizens when they do not.

Sincerely,

Jolene M. Wright, M.S.