

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

July 30, 2012

Jennifer L. Cafferty
General Counsel
Supreme Court of Texas
P. O. Box 12248
Austin, Texas 78711

Dear Ms. Cafferty:

The Commission for Lawyer Discipline ("Commission") and Chief Disciplinary Counsel ("CDC") have reviewed the Grievance Oversight Committee's ("GOC") annual report to the Court. We appreciate the opportunity to provide comments on the report and commend the GOC for the time and effort it invested in putting its report together.

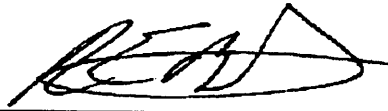
The Commission continues to be aware of the perpetual concerns surrounding barratry prosecutions. The CDC has established many ties to prosecutorial agencies and other law enforcement in combined efforts to combat barratry across the State. The CDC will continue to coordinate with the various criminal enforcement bodies, offer its support and expertise, and monitor the effect of the enforcement of the new civil remedies for barratry.

The Committee raises several relevant issues involving the grievance committees. The Commission and CDC agree that regular, consistent and comprehensive training is essential. To this end, the CDC continues to evaluate and improve the training offered to the committee members, including updating the procedural guide, adding to its library of free online training sessions, and offering alternative dates for attending live training sessions. As the Committee's report indicates, the diversity of grievance committee membership closely mirrors the State Bar membership rolls whether compared to the combined public and attorney members on the grievance committees or solely to the attorney members. With regard to the use of panel letters to inform respondents of concerns about conduct or practice methods, the Commission believes that their use may sometimes be beneficial, but that such letters should be used sparingly and confined to matters considered at summary disposition dockets. Finally, the Commission and CDC will pursue the Committee's recommendation to participate in the annual Bar Leaders' Conference to address the grievance process and its available resources.

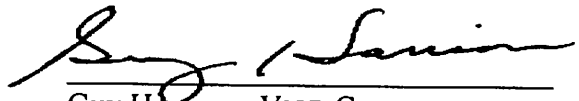
The Committee also raises the monitoring of attorney suspensions. The CDC currently monitors attorney suspensions through a standard judgment term requiring compliance and the submission of an affidavit verifying notification to clients and courts of the attorney's suspension. For judgments entered by the Board of Disciplinary Appeals, copies of the notification letters are also required. In addition, the CDC independently notifies courts and media outlets of all public attorney disciplines which often result in information regarding an attorney's continued practice. In line with the Committee's recommendation, the CDC will also pursue periodic reviews of the clerks' offices that maintain online docketing systems.

The Commission and CDC appreciate the opportunity to make these comments to the Court. We continually review processes and procedure, public access to the system, lawyer education, grievance committee diversity, and volunteer training in order to ensure that the disciplinary system operates efficiently and effectively both to protect the public and to require lawyers to meet their ethical obligations. We extend our full cooperation to the GOC and believe all concerned with the discipline system will benefit from open discussion and a free exchange of ideas. We look forward to a continued relationship of candor and transparency with our colleagues in the disciplinary system.

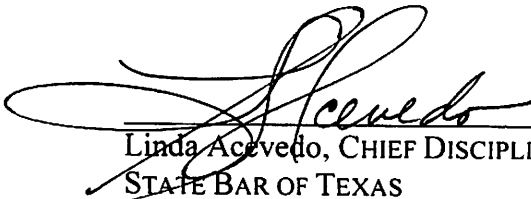
Sincerely,



Ron Bunch, CHAIR
COMMISSION FOR LAWYER DISCIPLINE



Guy Harrison, VICE-CHAIR
COMMISSION FOR LAWYER DISCIPLINE



Linda Acevedo, CHIEF DISCIPLINARY COUNSEL
STATE BAR OF TEXAS

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