

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

October 29, 2019

Sent Via Regular Mail and
CMRRR#: 7019 1120 0000 6182 0224

Ms. Candice Lee Leonard
2210 Village Dale Avenue
Houston, TX 77059

Re: 201807872 - Virginia Nelson Hammerle - Candice Lee Leonard

Dear Ms. Leonard:

Following an Investigatory Hearing on August 23, 2019, the Office of the Chief Disciplinary Counsel has completed its investigation of the above Complaint and determined on August 23, 2019 that there is Just Cause to believe that you have committed one or more acts of Professional Misconduct as defined by the Texas Rules of Disciplinary Procedure (TRDP). In accordance with TRDP 2.14D, written notice is hereby given of the alleged acts and/or omissions engaged in by you and written notice of the Texas Disciplinary Rules of Professional conduct that the Chief Disciplinary Counsel contends have been violated:

In or around July 2017, Candice Lee Leonard (Respondent) represented Kathy and Judy Jones in a probate matter. During Respondent's representation of Kathy and Judy, Respondent, in bad faith, filed frivolous pleadings with the court for which Respondent was sanctioned. Furthermore, Respondent sent an email to the media that Respondent knew or should have known would have a substantial likelihood of materially prejudicing an adjudicatory proceeding. In addition, Respondent threatened to file a lawsuit against Virginia Hammerle (Complainant) and Judge Bonnie Robison if a scheduled hearing went forward. Respondent also communicated with an opposing party without the prior consent of the opposing party's attorney.

These alleged acts violate the following Texas Disciplinary Rules of Professional Conduct:

3.01 - A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless the lawyer reasonably believes that there is a basis for doing so that is not frivolous.

3.02 - In the course of litigation, a lawyer shall not take a position that unreasonably increases the costs or other burdens of the case or that unreasonably delays resolution of the matter.

The Princeton Building, 14651 Dallas Parkway, Suite 925, Dallas, Texas 75254
(972) 383-2900, (972) 383-2935 (FAX)

3.07(a) - In the course of representing a client, a lawyer shall not make an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if the lawyer knows or reasonably should know that it will have a substantial likelihood of materially prejudicing an adjudicatory proceeding. A lawyer shall not counsel or assist another person to make such a statement.

4.02(a) - In representing a client, a lawyer shall not communicate or cause or encourage another to communicate about the subject of the representation with a person, organization or entity of government the lawyer knows to be represented by another lawyer regarding that subject, unless the lawyer has the consent of the other lawyer or is authorized by law to do so.

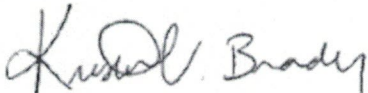
4.04(a) - In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

4.04(b)(1) - A lawyer shall not present, participate in presenting, or threaten to present: criminal or disciplinary charges solely to gain an advantage in a civil matter.

Pursuant to TRDP 2.15, you must notify this office whether you elect to have the Complaint heard by an Evidentiary Panel of the District Grievance Committee or in a district court of proper venue, with or without a jury. **The election must be in writing and served upon the Chief Disciplinary Counsel's office no later than twenty (20) days after your receipt of this notice.** Failure to file a timely election shall conclusively be deemed an affirmative election to proceed before an Evidentiary Panel in accordance with TRDP 2.17 and 2.18.

Enclosed is a form in which to indicate your election and principal place of practice. It should be mailed to the undersigned at the address shown at the bottom of this letter. In making your election, you should be aware that an Evidentiary Panel proceeding is confidential unless a public sanction is entered and that a **private reprimand is only available before an Evidentiary Panel.** District court proceedings are public and a private reprimand is not an available sanction.

Sincerely,



Kristin Virginia Brady
Assistant Disciplinary Counsel

KVB/bl

Enclosure: Respondent's Election and Principal Place of Practice Certification

COMPLAINT AGAINST

Candice Lee Leonard

Houston, Texas

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§
§

201807872 - [Virginia
Nelson Hammerle]

**RESPONDENT'S ELECTION &
PRINCIPAL PLACE OF PRACTICE CERTIFICATION**

I, Candice Lee Leonard, hereby elect: (Choose one of the following)

_____ District Court

_____ Evidentiary Hearing - District Grievance Committee

I, Candice Lee Leonard, hereby certify that:

_____ (City), _____ (County),

Texas, is my principal place of practice and my physical address (no P.O. Box) is

_____.

Signed this _____ day of _____, 20____.

Candice Lee Leonard

****RETURN THIS FORM WITHIN 20 DAYS OF RECEIPT OF ELECTION NOTICE****