

FILE NO. 201803780 [Latch]

IN THE MATTER OF:	§	STATE BAR OF TEXAS
REGINA M. SCRIVNER-TIBBS,	§	DISTRICT 10
Texas Bar No. 17931200	§	GRIEVANCE COMMITTEE

AGREED JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

The Office of the Chief Disciplinary Counsel and Respondent, REGINA SCRIVNER-TIBBS, Texas Bar Number 17931200, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

Jurisdiction and Venue

The Investigatory Panel 10-4, having been duly appointed to hear this Complaint, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

Professional Misconduct

The Investigatory Panel, having considered the admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Investigatory Panel finds:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains her principal place of practice in Bexar County, Texas.

3. Respondent represented Barbara Reyes in a personal injury case that settled in January 2016. Respondent withheld funds from the settlement to pay the account owed to Integrity Pain Management for the medical treatment provided to Ms. Reyes. Respondent failed to promptly notify the provider that the settlement funds were received and failed to promptly deliver the funds owed to the provider. Respondent failed to hold the funds owed to Integrity Pain Management in trust. Respondent paid the provider in September 2018.

Conclusions of Law

Based on the agreed foregoing Findings of Fact, the Investigatory Panel finds that Respondent has violated Texas Disciplinary Rules of Professional Conduct 1.14(a) and 1.14(b).

Sanction

IT IS AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent and is in accordance with Part XV of the Texas Rules of Disciplinary Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of one year, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on April 1, 2019 and shall end on March 31, 2020.

Terms of Probation

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of her current mailing, residence and business addresses and telephone numbers.
5. Respondent shall comply with Minimum Continuing Legal Education requirements.

6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of Professional Misconduct.
8. For one year, Respondent shall provide a quarterly report to the State Bar of Texas for each trust account that she maintains as part of her law license. The first report shall be filed by July 15, 2019 and cover the three months from April 1, 2019 through June 30, 2019. Additional reports shall be filed every three months after July 15, 2019, with each report covering the three-month period ending on the last day of the previous month. The last report shall be filed by April 15, 2020. Each report shall include the records regarding Respondent's trust accounts for the applicable three-month period, including the checkbooks, canceled checks, check stubs, check registers, bank statements, vouchers, deposit slips, ledgers, journals, closing statements, accountings, and other statements of receipts and disbursements rendered to clients or other parties with regard to client trust funds, or other similar records clearly reflecting the date, amount, source, and explanation for all receipts, withdrawals, deliveries, and disbursements of the funds or other property of a client. The records regarding each trust account shall be grouped together.
9. All reports and verifications of compliance with the above shall be sent to the State Bar of Texas via USPS to: Office of the CDC, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487; or via Delivery: Office of the CDC, State Bar of Texas, 1414 Colorado St., Suite 200, Austin, TX 78701, or via FAX to: 512-427-4167.
10. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

Publication

This suspension shall be made a matter of public record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

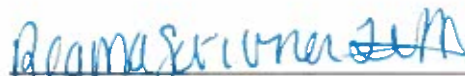
SIGNED this 14 day of March, 2019.

INVESTIGATORY PANEL 10-4
GRIEVANCE COMMITTEE DISTRICT 10




JUSTIN HILL, Chair

AGREED AS TO FORM AND SUBSTANCE:



REGINA SCRIVNER-TIBBS
State Bar No. 17931200
RESPONDENT



STEPHANIE STOLLE
State Bar No. 00785069
ASSISTANT DISCIPLINARY COUNSEL

APPROVED AS TO FORM ONLY:

Deborah Stanton Burke
DEBORAH STANTON BURKE
State Bar No. 03387475
COUNSEL FOR RESPONDENT