

**FILE NOS. 201906676 & 202000869**

<b>IN THE MATTER OF:</b>	§	<b>INVESTIGATORY PANEL 17-1</b>
	§	
<b>BEN L. IVEY, III,</b>	§	<b>DISTRICT 17</b>
<b>State Bar No. 24032462</b>	§	
	§	<b>GRIEVANCE COMMITTEE</b>

**AGREED JUDGMENT OF PUBLIC REPRIMAND**

**Agreement of Parties**

The Chief Disciplinary Counsel and the Respondent, Ben L. Ivey, III, Texas Bar Number 24032462 announce that an agreement has been reached on all matters, including the imposition of a Public Reprimand.

**Jurisdiction and Venue**

The Investigatory Panel 17-1, having conducted an Investigatory Hearing on October 20, 2020 on two Complaints filed by Truide Torres, 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's Professional Misconduct occurred, in whole or in part, in El Paso County, Texas.

3. Respondent received settlement funds for personal injury claims asserted on behalf of his clients, Clara Dominguez, Ana Dominguez and Irene Duenez. Respondent had prior notice that Injury Medical Clinic held an interest in any settlement paid to these clients. Respondent failed to promptly notify Injury Medical Clinic when he received the settlement funds and failed to promptly deliver to Injury Medical Clinic the portion of the settlement funds the Clinic was entitled to receive.
4. Respondent owes restitution in the amount of \$2,800.00 payable to Injury Medical Clinic to satisfy the outstanding accounts of Respondent's clients, Clara Dominguez and Ana Dominguez.
5. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$750.00.

### **Conclusions of Law**

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

### **Sanction**

It is AGREED and FURTHER ORDERED that the sanction of a Public Reprimand shall be imposed against Respondent and is an appropriate sanction in accordance with Part XV of the Texas Rules of Disciplinary Procedure.

It is also AGREED and FURTHER ORDERED that, addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Law Practice Management. These additional hours of CLE are to be completed between November 15, 2020 and April 15, 2021. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, **via USPS: 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.**

Respondent shall make contact with the Chief Disciplinary Counsel's Office's 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 with the terms of this judgment.

**Restitution, Attorney's Fees and Expenses**

IT IS FURTHER AGREED and ORDERED that Respondent shall pay restitution, on or before November 15, 2020, to Injury Medical Clinic in the amount of \$2,800.00. The restitution payment shall be made by certified or cashier's check or money order, made payable to Injury Medical Clinic and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

IT IS FURTHER AGREED and ORDERED that Respondent shall pay reasonable and necessary attorney's fees and direct expenses, on or before November 15, 2020, to the State Bar of Texas in the amount of Seven Hundred Fifty and 00/100 Dollars (\$750.00). The payment of attorney's fees and direct expenses shall be made by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further AGREED and ORDERED that all amounts ordered herein are due to the misconduct of Respondent, and are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

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

**Other Relief**

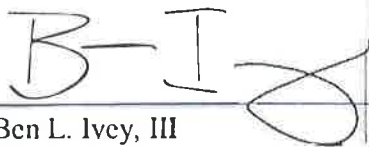
All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 17<sup>th</sup> day of November, 2020.

**INVESTIGATORY PANEL 17-1  
DISTRICT 17**

  
PAUL BRACKEN, Chair

**AGREED AND APPROVE DAS TO FORM AND CONTENT:**



Ben L. Ivey, III  
State Bar No. 24032462  
**RESPONDENT**



Stephanie Strolle  
State Bar No. 00785069  
**ASSISTANT DISCIPLINARY COUNSEL**

**APPROVED AS TO FORM ONLY:**



Jaime Olivas  
State Bar No. 15254670  
**COUNSEL FOR RESPONDENT**