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Judge accused of falsifying records

Lawyer's complaints that filings were backdated touch off probe in state court and lead clerk to resign

By Kiah Collier

State District Court Judge Denise Pratt is under investigation, accused of backdating court records to make it appear that she issued rulings and filed

court documents sooner than she actually did, according to county officials.

Allegations against the 39th family court judge, raised by a Houston-area family lawyer in a criminal complaint filed with the

Harris County District Attorney's Office and the State Commission on Judicial Conduct, already have led to the resignation of Pratt's court clerk.

Webster-based family lawyer Greg Enos, whose criminal complaint last year against a Galveston County court-at-law judge sparked an investigation by the state attorney general and multiple indictments that led to the judge's suspension and subsequent resignation,

said he delivered his complaint against Pratt to First Assistant District Attorney Belinda Hill on Monday. Enos said he believes the office has already launched an investigation.

A spokesman for the district attorney's office said he "can't confirm or deny" whether any investigation is underway, but county and other sources say the office is looking into it and already has contacted attorneys

Pratt continues on A15

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Harris County District Clerk Chris Daniel, whose investigation into cases in question led to the resignation of Judge Pratt's lead clerk

Pratt cited by other lawyers as well

Pratt from page A1

to arrange interviews.

The concerns Enos is raising also have touched off an investigation by the Harris County District Clerk, the official keeper of all court records.

District Clerk Chris Daniel said he looked into two of the six cases Enos included in his complaint, which led to the resignation on Monday of Pratt's lead clerk, a well-liked, 25-year employee of the District Clerk's office.

Daniel said he found records were postdated or mis-marked in those two cases and that he is looking into a seventh one that another family lawyer brought to his attention.

Delays in rulings

An inaccurate time-stamp or missing signature on a court document not only erodes "the integrity of the record," Daniel said, but can have an impact on appeals and other legal processes.

"If you have the wrong date on a document, then statutorily you can run out of time to appeal a case,

and that's where the most damage is," he said.

Pratt did not respond to several requests for comment, but her campaign consultant, Allen Blakemore, issued a statement late Thursday suggesting Enos' complaint is the result of hurt feelings.

"The legal system produces winners and losers," the statement says. "Sometimes losers get their feelings hurt. Often the easiest person to blame for an unwanted outcome is the judge."

The statement, which says an unnamed lawyer "has already been forced to recant some of his claims and has even offered an apology," goes on to say that "there are hundreds of attorneys who appear in this court who are satisfied" and that Pratt "looks forward to a speedy resolution of this criticism from one unhappy lawyer."

Blakemore confirmed the statement is referring to Enos.

While the mis-marking and backdating of renditions and other documents are the crux of Enos'



Judge Pratt when most family court judges do so immediately or within a few days.

Enos alleges that the backdating or other mis-markings are meant to cover up the delays, writing in his complaint that "Pratt was acting like a fourth-grader who, on the day after her parents got the report card with the F" for not doing homework, stayed up late and did her homework assignments and dated them six weeks before."

Enos, whose law firm has a case scheduled for trial in Pratt's court Friday morning, said his quarrel with the judge, who was first elected in 2010, is not personal.

"The only times I've had actual cases in Judge Pratt's court, my clients have won, so I'm not disgruntled against her personally, but I'm just upset by what I see happening."

the attorney said.

Several lawyers involved in the cases Enos cites in his complaint said they never have experienced such problems with a judge.

Similar complaints

Marcia Zimmerman, a 30-year veteran family lawyer based in Clear Lake, said she resorted to filing a motion after waiting for months on a ruling from Pratt. When the ruling finally came in, she was surprised to see the date listed was months before she had filed her motion.

"I don't think any of us believed the ruling was actually made before the petition for writ of mandamus because, why would she rule and not tell anybody?" Zimmerman said, noting that Pratt also missed two scheduled hearings.

Family lawyer Robert Clark said he had a similar experience, arguing a case in January and then waiting five months for a ruling from Pratt that the official court record now says was issued on Jan. 30,

the day before the two-day trial actually ended.

"The thing is, it's had a seriously adverse affect on the child in this case and my client," Clark said. "This is just egregious."

Enos' previous complaint against Galveston County Court-at-Law Judge Christopher Dupuy was filed with the Galveston County DA's Office, which forwarded it to the state attorney general.

Dupuy was indicted on eight criminal counts charging him with abuse of office in May and, in August, arrested for contempt of court and sentenced to 45 days in jail. Last month, he resigned from the bench and pleaded guilty to two misdemeanors in exchange for two years of probation.

Blakemore said Pratt

intends to run for a second term and already has begun campaigning. The filing deadline is Dec. 9.

If the allegations hold up, though, the Harris County Republican Party may ask Pratt to step aside, said Chairman Jared Woodfill, who is convening an advisory board to review Enos' complaint. The last time the board convened was in 2006 to review allegations against former Harris County District Attorney Chuck Rosenthal, who eventually decided not to run.

"We don't turn a blind eye to these allegations," Woodfill said. "We are going to be looking into them and we will proceed accordingly."

kiyah.collier@chron.com
twitter.com/kiyahcollier