

**BEFORE THE DISTRICT 11 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 11-1
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

V.

**VERYL E. BROWN,
Respondent**

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**201701207 [SBOT]
201701412 [CLARK]
201800737 [PATTERSON]**

AGREED JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

On this day came to be heard the above styled and numbered causes. Petitioner and Respondent, VERYL E. BROWN, Texas Bar Number 03177050, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

Jurisdiction and Venue

The Evidentiary Panel 11-1, having been duly appointed to hear these complaints by the chair of the Grievance Committee for State Bar of Texas District 11, finds that it has jurisdiction over the parties and the subject matter of these actions, and that venue is proper.

Professional Misconduct

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

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the



Evidentiary 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 his principal place of practice in Guadalupe County, Texas.
3. Respondent engaged in the practice of law when his right to practice law was administratively suspended.
4. During his administrative suspension period, Respondent failed to comply with Sec. 13.01 of the Texas Rules of Disciplinary Procedure relating to the notification of an attorney's cessation of practice.
5. Respondent also failed to furnish to the Chief Disciplinary Counsel's Office a response to both grievances as required by the Texas Rules of Disciplinary Procedure.
6. Ms. Sheena D. Clark, Complainant, hired Respondent on August 27, 2013 to represent her in a step-parent adoption involving her husband and two children. During periods of the representation, Respondent neglected Ms. Clark's matter.
7. During periods of the representation, Respondent failed to keep Ms. Clark reasonably informed about the status of her matter.
8. During periods of the representation, Respondent also failed to explain the adoption to Ms. Clark to the extent necessary to permit her to make informed decisions regarding the representation.
9. Respondent failed to explain events as they occurred or shortly thereafter to Ms. Hannah Patterson, Complainant, in her family law matter so she could make informed decisions regarding the representation.
10. Respondent also failed to comply with the terms of his 2014 partially probated disciplinary judgment in full.
11. Respondent owes restitution in the amount of \$150.00 payable to Hannah Patterson.
12. 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

\$300.00.

Conclusions of Law

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.01(b)(1), 1.03(a), 1.03(b), 8.04(a)(7), 8.04(a)(8), 8.04(a)(10) and 8.04(a)(11).

Sanction

It is AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent in accordance with 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 2 years, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on May 1, 2019 and shall end on April 30, 2021.

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(W) 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 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. Respondent shall pay restitution on or before the execution of this judgment by the panel chair to Hannah Patterson in the amount of \$150.00. Respondent shall forward the certified or cashier's check or money order made payable to Hannah Patterson 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).
9. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$300.00. The payment shall be due and payable on or before the signing of this judgment, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable 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).
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 Rule 2.23 of 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.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further ORDERED Respondent shall pay restitution to Hannah Patterson in amount of \$150.00. Respondent shall pay the restitution on or before the signing of this judgment by certified or cashier's check or money order made payable to Hannah Patterson 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 ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$300.00. The payment shall be due and payable on or before the signing of this judgment and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of

Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Z) 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 suspension shall be made a matter of 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 3rd day of May, 2019.

**EVIDENTIARY PANEL 11-1
DISTRICT NO. 11
STATE BAR OF TEXAS**



**RUBEN R. LERMA, JR.
District 11-1 Presiding Member**

AGREED AS TO BOTH FORM AND SUBSTANCE:



**VERYL E. BROWN
State Bar No. 03177050
Respondent**



**MARIE A. HASPIL
State Bar No. 24007329
Counsel for the Petitioner**