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SUPREME COURT OF LOUISIANA

NO. 17-B-1930

IN RE: PAUL E. BROWN

ATTORNEY DISCIPLINARY PROCEEDINGS

WEIMER, J., dissenting.

I would grant respondent's application for rehearing and would order an evidentiary hearing, as indicated in the dissent with which I previously concurred.

The professional evaluation report of the respondent conducted pursuant to a prior order of this court noted: "Mr. Brown is articulate and presents with logical and goal directed thinking His judgment and insight seems to be intact as well." The report further notes he adopted five children and is a single parent. The respondent was involved in numerous automobile accidents, most of which were not his fault, and one of which was serious. There is no evidence he took illicit drugs. On verbal reasoning, he scored "VERY SUPERIOR," attaining the 99th percentile rank. This test measures verbal reasoning, concept formation, and acquired knowledge from one's environment—all of which are valuable in practicing law.

The report concludes: "Mr. Brown's performance overall is not consistent with any substance induced cognitive decline or other learning or processing deficit." This was corroborated by witnesses, who testified they never saw any impairment. There has been no allegation or any evidence that any client was ever harmed.

I realize the report also indicates respondent continues to be "deceptive." The respondent should be afforded a hearing to confront that accusation, which he vigorously disputes.

It has become increasingly obvious that an alarming number of people are confronting issues related to medications that were validly prescribed to relieve pain. This situation has become so prevalent a phrase has been coined recently to describe this unfortunate circumstance: “The Opioid Crisis.”

Respectfully, I would therefore grant a rehearing.