



**BEFORE THE BOARD OF DISCIPLINARY APPEALS**  
**Appointed By**  
**THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF**

**PAUL JASON BROWER**

**STATE BAR CARD NO. 24040581**

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**CAUSE NO. 67709**

**JUDGMENT REVOKING PROBATION AND**  
**ACTIVELY SUSPENDING RESPONDENT FROM THE PRACTICE OF LAW**

On the 5th day of June, 2023, the Board of Disciplinary Appeals heard the Petition for Revocation of Probation filed by Petitioner, the Commission for Lawyer Discipline, against Respondent, Paul Jason Brower, State Bar No. 24040581. Petitioner appeared by attorney and announced ready. Respondent, Paul Jason Brower, although properly served with Petitioner's Petition for Revocation, and served notice of the setting for remote hearing, failed to appear. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals has determined that Petitioner is entitled to entry of the following findings, conclusions, and orders:

**Findings of Fact.** The Board of Disciplinary Appeals finds that:

- (1) Respondent, Paul Jason Brower, whose State Bar Card number is 24040581, is currently licensed and authorized by the Supreme Court of Texas to practice law.
- (2) Respondent was served with the Petition for Revocation of Probation and hearing notice in this cause by personal service on April 12, 2023. The affidavit of service was filed with the Board on April 21, 2023.
- (3) On October 6, 2020, in a case styled, *Commission for Lawyer Discipline, Petitioner v. Paul Jason Brower, Respondent*, Case No. 201901592 [Gilliam], Evidentiary Panel 4-3 of the State Bar District No. 4 Grievance Committee found that

Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.01(a), 1.01(b)(1), 1.01(b)(2), 1.14(b), 1.15(d), 3.03(a)(1), 3.03(a)(3), and 3.03(a)(5).

- (4) By agreement, the evidentiary panel imposed a sanction against Respondent of a five (5) year suspension, beginning November 1, 2020, and ending October 31, 2025. Under the panel's Agreed Judgment of Partially Probated Suspension, Respondent was actively suspended from the practice of law for a period of three (3) months, beginning November 1, 2020, and ending January 31, 2021. Following reinstatement, Respondent is serving a 57- month period of probated suspension, which began February 1, 2021, and ends October 31, 2025. The Agreed Judgment contains the following terms and conditions of probation, in pertinent part:

Respondent shall not violate any term of this judgment. . . .

Respondent shall pay reasonable and necessary attorneys' fees in the amount of \$300.00 and direct expenses in the amount of \$213.50 to the State Bar of Texas.

Respondent shall pay restitution the Delphert Purdy Trust in the amount of \$57,580.09 payable to Delphert Purdy Trust.

In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete twelve (12) additional hours of continuing legal education, four (4) hours each in the areas of Probate Law, Law Office Management, and Ethics between February 1, 2021, and January 31, 2022. . . .

Respondent shall make contact with the Office of the Chief Disciplinary Counsel'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.

- (5) The Judgment elaborated on those terms and conditions, in pertinent part:

Respondent shall make monthly installment payments in the amount of \$1,200.00 by certified or cashier's check or money order made payable to the Delphert Purdy Trust. Restitution payments shall be due on the 1<sup>st</sup> of each month, with the first payment due on January 1, 2021, and shall continue until the full amount of restitution has been paid. . . .

. . . Respondent shall pay reasonable and necessary attorneys' fees in the amount of \$300.00 and direct expenses in the amount of \$213.50 on or before January 1, 2021, to the State Bar of Texas.

Within ten (10) days of the completion of each of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas . . . .

- (6) This matter was set for hearing before the Board of Disciplinary Appeals on April 28, 2023. Respondent filed a motion for continuance on April 27, 2023, in which he expressed that he would need more time to obtain transportation to travel from California to attend the hearing in Austin, Texas. Alternatively, Respondent requested that he be allowed to participate in the hearing remotely, through a Zoom link. The Board issued an order on April 27, 2023, granting the motion and ordering that the petition for revocation of probation would be heard via remote connection before a panel of the Board at a later date.
- (7) On April 28, 2023, Respondent confirmed by email his availability for a Zoom hearing on various dates, including June 5, 2023. The Board issued an order on May 3, 2023, setting the matter for hearing via remote connection on June 5, 2023. Attached to that order were instructions for accessing the hearing, including Zoom link, and instructions for remote hearings before the Board.
- (8) Respondent violated the above terms and conditions of probation in the following manner:
  - (a) Respondent failed to pay reasonable and necessary attorneys' fees in the amount of \$300.00 and direct expenses in the amount of \$213.50 on or before January 1, 2021, to the State Bar of Texas. As of June 5, 2023, Respondent had paid none of the attorney's fees or direct expenses.
  - (b) Respondent failed to pay restitution in the amount of \$57,580.09 to the Delphert Purdy Trust. Respondent failed to make the required monthly installments of \$1,200.00 each month, beginning January 1, 2021, and continuing until the full amount of restitution has been paid. As of June 5, 2023, Respondent had made no restitution to the Delphert Purdy Trust.
  - (c) Respondent failed to timely complete all twelve (12) required hours of CLE, including four (4) hours each in the areas of Probate Law, Law Office Management, and Ethics. These twelve (12) additional hours were to be completed between February 1, 2021, and January 31, 2022. Respondent failed to timely provide proof of the CLE hours that were completed.
  - (d) Respondent failed to timely make contact with the Chief Disciplinary Counsel Office's Compliance Monitor and Special Programs Coordinator, within seven (7) days after receiving a copy of the Agreed Judgment.

**Conclusions of Law.** Based upon these undisputed findings of fact, the Board of Disciplinary Appeals concludes:

- (1) This Board has exclusive jurisdiction to hear a petition to revoke a probated suspension from the practice of law imposed by an evidentiary panel of a State Bar of Texas grievance committee, during the full term of suspension, including the probationary period. TEX. RULES DISCIPLINARY P. R. 2.22; *In re State Bar of Tex.*, 113 S.W.3d 730, 733 (Tex. 2003).
- (2) Respondent has materially violated terms and conditions of the Agreed Judgment of Partially Probated Suspension signed on October 6, 2020, in Cause No. 201901592.
- (3) Respondent's probation under the Agreed Judgment of Partially Probated Suspension should be revoked.
- (4) Respondent shall be actively suspended from the practice of law for the full term of the suspension as originally imposed by the Agreed Judgment of Partially Probated Suspension, without credit for any probationary time served. TEX. RULES DISCIPLINARY P. R. 2.22.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that the probation for Respondent, Paul Jason Brower, State Bar No. 24040581, imposed by the above-referenced Agreed Judgment of Partially Probated Suspension, be and hereby is **REVOKED**, and Respondent be and hereby is actively **SUSPENDED** from the practice of law in the State of Texas for a period of five (5) years, effective immediately upon the date this judgment is signed and extending through June 6, 2028.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, Paul Jason Brower, during said suspension is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," "esquire," "Esq.," or "lawyer."

It is further **ORDERED** that nothing in this Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law shall relieve Respondent, Paul Jason Brower, of any outstanding requirements under the Agreed Judgment of Partially Probated Suspension referenced above as to payment of restitution to the Delphert Purdy Trust. Likewise, nothing in this Judgment shall relieve Respondent of any outstanding requirements under the Agreed Judgment of Partially Probated Suspension as to payment of attorney's fees and expenses to the State Bar of Texas. Any failure to comply may be independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

It is further **ORDERED** that Respondent, Paul Jason Brower, not later than thirty (30) days from the signing of this judgment by the Board, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Paul Jason Brower, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also **ORDERED** to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Paul Jason Brower, shall immediately notify each of his current clients and opposing counsel, if any, in writing, of his suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession or control but which belong to current or former clients, if any, to those respective clients or former clients, or to another attorney designated by such client or former client, within thirty (30) days of the date of this Judgment.

Respondent is further **ORDERED** to file with Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within the same thirty (30) days, an affidavit stating that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies, and other property belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money, or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is further **ORDERED** to mail a copy of all notification letters to clients, to the Statewide Compliance Monitor, Office of Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Paul Jason Brower, not later than thirty (30) days after the date this Judgment is signed, shall surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, for transmittal to the Clerk of the Supreme Court of Texas, or file an affidavit stating that he is no longer in possession of his Texas law license and cannot surrender it.

It is further **ORDERED** that this Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law shall be made a matter of public record and that notice of this disciplinary action shall be published in the *Texas Bar Journal*.

Signed this 7<sup>th</sup> day of June 2023.

A handwritten signature in blue ink, appearing to read "Kevin H.", with a long horizontal line extending to the right.

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**CHAIR PRESIDING**