

OFFICE OF LAWYER DISCIPLINARY COUNSEL  
JAN 26 2004  
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STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 16<sup>th</sup> of January, 2004, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 31241

Robert Browning, Jr., a member of The West Virginia State Bar, Respondent

On a former day, to-wit, December 1, 2003, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Cheryl Lynne Connelly, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommendation recommending that the respondent, Robert Browning, Jr., a member of The West Virginia State Bar: (1) be suspended from the practice of law in the State of West Virginia for a period of three years; (2) undergo a complete psychological evaluation by a physician and/or psychologist designated by the Office of Disciplinary Counsel, who must file a complete report of findings with and certify to Disciplinary Counsel that Respondent is mentally and psychologically able to resume the practice of law, before respondent can petition for reinstatement.; (3) comply with the treatment recommendations of the evaluating physician and/or psychologist; (4) complete an additional ten hours of continuing legal education credits in the area of ethics; (5) and his staff receive training in appropriate office procedures, including but not limited to communications with clients and calendaring of events; (6) following reinstatement, Respondent's practice be supervised for a period of two years' (7) following reinstatement,

Respondent's practice be limited to exclude personal injury and medical negligence cases; (8) following reinstatement, Respondent maintain in full force and effect a policy of malpractice insurance with limits of liability not less than \$500,000.00 and annually provide evidence to the Office of Disciplinary Counsel that his liability insurance continues to be in effect.

Upon consideration whereof, the Court is of opinion to and doth hereby adopt, in part, the recommendations of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that the respondent: (1) be, and he hereby is, suspended from the practice of law in the State of West Virginia for a period of one year; (2) undergo a complete psychological evaluation by a physician and/or psychologist designated by the Office of Disciplinary Counsel, who must file a complete report of findings with and certify to Disciplinary Counsel that Respondent is mentally and psychologically able to resume the practice of law, before respondent can petition for reinstatement; (3) comply with the treatment recommendations of the evaluating physician and/or psychologist; (4) complete an additional ten hours of continuing legal education credits in the area of ethics; (5) and his staff receive training in appropriate office procedures, including but not limited to communications with clients and calendaring of events; (6) following reinstatement, Respondent's practice be supervised for a period of two years; (7) following reinstatement, Respondent's practice be limited to exclude personal injury and medical negligence cases; (8) following reinstatement, Respondent maintain in full force and effect a policy of malpractice insurance with limits of liability not less than \$500,000.00 and annually

provide evidence to the Office of Disciplinary Counsel that his liability insurance continues to be in effect.

Service of an attested copy of this order shall constitute sufficient notice of the contents herein.

A True Copy

Attest:

  
Clerk, Supreme Court of Appeals