

STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – LOS ANGELES

In the Matter of	)	Case No.: <b>12-R-14335-RAH</b>
	)	
<b>EVE JOY BROWN</b>	)	<b>DECISION</b>
	)	
	)	
Petitioner for Reinstatement.	)	
_____	)	

Petitioner Eve Joy Brown seeks to be reinstated as a member of the State Bar of California. She filed a petition for reinstatement to the practice of law on June 8, 2012. Petitioner represented herself. The State Bar was represented by Deputy Trial Counsel Meredith A. McKittrick of the Office of the Chief Trial Counsel.

In a response filed August 13, 2012, the State Bar did not oppose the petition or request a hearing.

On August 13, 2012, the parties filed a joint pretrial stipulation of undisputed facts, which the court hereby approves.

The matter was submitted for decision on August 15, 2012.

Petitioner has demonstrated, by clear and convincing evidence, that she has satisfied the requirements for reinstatement to the practice of law. Therefore, the court recommends that petitioner be reinstated to the practice of law in California.

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## II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

### A. Resignation Without Charges Pending

Petitioner was admitted to the practice of law in the State of California on December 1, 2006, and was a member of the State Bar until she resigned *without charges pending*. Her resignation was accepted by the Supreme Court effective July 8, 2010, in case no. S183208 (State Bar Court case no. 10-W-04805).

### B. Cal. Rules of Court, Rule 9.10(f), and Rule 5.445(B), Rules Proc. of State Bar

To be reinstated to the practice of law, a petitioner who resigned without charges pending must establish by clear and convincing evidence that she has passed a professional responsibility examination, has present moral qualifications for reinstatement and has present ability and learning in the general law. (Cal. Rules of Court, rule 9.10(f); Rules Proc. of State Bar, rule 5.445(B).)<sup>1</sup>

### C. Professional Responsibility Examination

Petitioner has complied with California Rules of Court, rule 9.10(f), by taking and passing the November 5, 2011, Multistate Professional Responsibility Examination.

### D. Moral Qualifications

As to moral qualifications, the question before the court is “whether Petitioner is a fit and proper person to practice law at this time.” (*Pacheco v. State Bar* (1987) 43 Cal.3d 1041.) Petitioner has proven by clear and convincing evidence the requisite good moral character for reinstatement to the practice of law.

Petitioner’s resignation from the State Bar of California without charges pending was motivated solely by a change in career and geography. Since there have never been any disciplinary charges or discipline imposed, no evidence of rehabilitation is required. The State Bar currently has no evidence of any negative moral character for petitioner and, therefore, does not oppose the petition based on her moral character.

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<sup>1</sup> Since petitioner resigned without charges pending within five years prior to filing the petition for reinstatement, she is not required to provide proof of passage of the Attorney’s Bar Examination. (Rule 445(B).)

**E. Present Learning and Ability in the General Law**

The court finds by clear and convincing evidence that petitioner possesses present learning and ability in the general law required for reinstatement.

From August 2007 through May 2012, petitioner was employed as a full-time senior lecturer at Indiana University, teaching law classes to undergraduates and to MBA students at the Kelley School of Business.

The classes petitioner taught included: The Legal Environment of Business; Honors Legal Environment of Business; Law and the Arts; Research and Writing in Law and Public Policy; and The Law of Nonprofit Organizations. The topics covered in these courses included: contracts, employment law, civil procedure, corporations, torts, criminal law, evidence, trial practice and procedure, intellectual property, constitutional law and legal research and writing. She also served as a judge for the annual Ethics Case Competition in 2009, 2010 and 2011. Petitioner has actively kept up with current learning, research and developments in these areas of the law in order to teach effectively and to remain a contributing member of the legal community.

Petitioner received the following awards during her tenure at Indiana University: Trustee Teaching Award, Indiana University (2010); Panschar Teaching Award Nominee, Kelley School of Business (2009, 2010); Charles M. Hewitt Master Teacher Competition Finalist, Academy of Legal Studies in Business (2010); Kappa Alpha Theta outstanding professor (2008, 2010); Student Choice Award Nominee, Indiana University (2009, 2011); and Innovative Teaching Award, Kelley School of Business (2008).

Commencing in August 2012, through the present, petitioner is employed at Suffolk University Law School, Boston, Massachusetts. She was hired to create and direct a new intellectual property law clinic where she will teach eight students during the 2012-2013 academic year.

Petitioner has authored material for the 15<sup>th</sup> edition of a legal textbook entitled *Business Law: The Ethical, Global, and E-Commerce Environment* (McGraw-Hill, 2013) as well as for a

textbook currently under consideration for publication entitled *Personal Law: Law for Everyday Life*.

Petitioner has been invited to give lectures, including *Contract Law for Visual Artists* and *Intellectual Property 101: Your Rights as an Artist*, in 2011 and 2010, respectively, at the Indiana University School of Fine Arts.

Moreover, petitioner has attended and presented at various conferences, including two research papers<sup>2</sup> at the Academy of Legal Studies in Business Annual Conference, New Orleans, LA (August 2011); one paper<sup>3</sup> at the Association for the Study of Law, Culture and the Humanities Conference, Las Vegas NV (March 2011) and panel chair and discussant for panel entitled *Representing Law in Victoria Literature*. Moreover, petitioner served as president of the Tri-State Academy of Legal Studies in Business and as conference chair for the annual meeting which entailed reviewing all research paper submissions on various business law-related topics from legal scholars across the Midwest (Bloomington, IN, 2010).

### III. RECOMMENDATION

For the foregoing reasons, the court concludes that petitioner has sustained her burden by clear and convincing evidence by establishing: (1) that she passed the Multistate Professional Responsibility Examination; (2) that she possesses present moral qualifications; and (3) that she has present learning and ability in the general law for reinstatement to the practice of law in California. Accordingly, the court recommends that the petition for reinstatement be **GRANTED** and that petitioner, **EVE JOY BROWN**, be reinstated as a member of the State Bar of California upon payment of fees and taking the oath required by law.

Dated: September \_\_\_\_\_, 2012

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RICHARD A. HONN  
Judge of the State Bar Court

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<sup>2</sup> *Digital Ownership Rights in the Kindle Age and All Tweets are not Created Equal: A New Approach to Consumer Law in the Social Media Context.*

<sup>3</sup> *All the World's a Stage: A Proposal for Using Literature and Drama to Enhance Legal Education.*

