

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 95- 9166

IN RE COLLEN A. CLARK

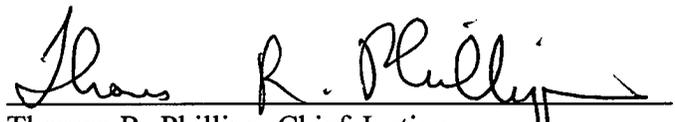
We withdraw our order of March 23, 1995, No. 95-9072, revoking Collen Clark's probationary license. Without expressing any opinion on the merits of his underlying case, we conclude that Clark is entitled to judicial review.

In 1990, Clark graduated from law school and sought a license to practice law. Because of his history of alcohol abuse, Clark was granted a two-year temporary license. In 1992, the Board of Law Examiners ordered Clark to undergo evaluation for chemical dependency. After a hearing, the Board found that Clark suffered from chemical dependency and recommended that he receive a two-year probationary license. Clark appealed the finding of chemical dependency. Clark later dismissed the appeal, and the Board granted him a probationary license. In 1993, the Board held a hearing to determine whether Clark was fulfilling the conditions of his probationary license. The Board recommended extending the license for one year. The Board ordered Clark to abstain from alcohol and drugs, accept the supervision of an attorney monitor from the Lawyers' Assistance Program, attend at least three Alcoholics Anonymous meetings per week, provide weekly logs of his AA attendance, and attend a meeting of Lawyers Concerned for Lawyers once a week.

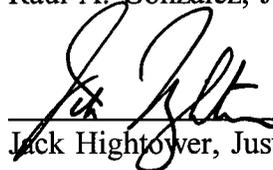
In February of 1995, the Board held a hearing to consider revocation of Clark's license, based on allegations that Clark had violated the terms of his probation. The Board found that Clark missed several meetings of his attorney support group and failed to keep attendance logs for certain periods of time. The Board recommended that Clark's probationary license be revoked, and this Court issued an order to that effect on March 23, 1995. After Clark filed this motion for reconsideration, we stayed the revocation of his license pending our review of the matter.

Clark is entitled to review of the Board's decision in the district court. Rule XV of the Rules Governing Admission to the Bar of Texas, which governs "judicial review of the Board's decisions," gives applicants the right to "institute, in the district courts of Travis County, Texas proceedings for review of such decision within sixty (60) days after the date the written decision is mailed to the Applicant." Rule XV(i)(1). Rule XVI(g), which deals with probationary licenses, incorporates the hearing requirements of Rule XV, including the provisions for judicial review. Under these rules, Clark should have had at least sixty days to initiate review proceedings before the final order was issued. Accordingly, the order revoking Clark's license to practice law is withdrawn, and Clark may seek judicial review of the Board's recommendation.

SIGNED AND ENTERED this 1st day of August, 1995

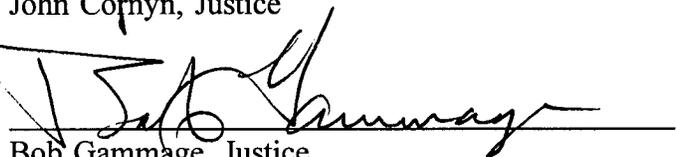

Thomas R. Phillips, Chief Justice

Raul A. Gonzalez, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


John Cornyn, Justice


Bob Gammage, Justice



Craig Enoch, Justice



Rose Spector, Justice



Priscilla R. Owen, Justice