

ADMINISTRATIVE OFFICE OF THE COURTS
SUPREME COURT OF ARKANSAS
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September 7, 2011

ASSOCIATE JUSTICE ROBERT L. BROWN
TO RETIRE AT THE END OF NEXT YEAR

On September 7, 2011, Associate Justice Robert L. Brown of the Arkansas Supreme Court announced his retirement, effective January 1, 2013. At the time of his retirement, Justice Brown will be seventy-one years of age. He will have served as an associate justice on the Arkansas Supreme Court for twenty-two years.

“I have devoted most of my professional life to public service, which I consider to be a noble calling,” Brown said. “Twenty-two of those years will have been spent on the court, but I have also served as a deputy prosecuting attorney, legal aide to a governor, legislative assistant to a United States senator, and administrative assistant to a United States congressman,” he added.

While on the Supreme Court, Brown has written more than 1,220 majority opinions, including the term-limits decision for congressmen and senators in 1994 (*U.S. Term Limits v. Hill*), which was affirmed by the United States Supreme Court, and four Lake View decisions on the adequacy and equality of the state’s public school funding system, beginning in 2002 (*Lake View School District v. Huckabee*).

Brown is the author of numerous legal articles, including one in 2007 urging the United States Supreme Court to videotape its oral arguments for public consumption, as the Arkansas Supreme Court now does, and a second article describing how the Arkansas Supreme Court has expanded individual rights under the Arkansas Constitution beyond those rights provided under the United States

Constitution. He is also the author of *The Second Crisis of Little Rock: A Report on Desegregation Within the Little Rock Public Schools*, published by the Winthrop Rockefeller Foundation in 1988, and *Defining Moments: Historic Decisions by Arkansas's Governors from McMath through Huckabee*, published by the University of Arkansas Press in 2010. He currently chairs the Task Force on Judicial Election Reform established by the Arkansas Bar Association in conjunction with the Arkansas Judicial Council.

Brown noted that by the end of 2016, there will be five new justices on the Arkansas Supreme Court due to an Arkansas law that mandates that justices forfeit their retirement benefits if they seek office past the age of seventy.

“One of my proudest moments on the court occurred in 2008 when the Arkansas Supreme Court, as it existed between 1998 and 2000, was ranked second in the country based on its productivity in handing down decisions, its lack of bias, and the quality of its analysis and frequency that other courts cited its opinions,” Brown said. This was the conclusion reached in a report issued by the University of Chicago and prepared by law professors from the University of Chicago, Duke University, and New York University. “The report was strong recognition of the quality of our work and our decisions,” Brown added.

“Having served on the court for twenty-two years, it will be time in my case to pass the torch to a new member who will bring fresh thought and vision to the job of supreme court justice,” Brown said. “And I look forward to exploring other options in public service, or, as the poet, John Milton, said, to exploring ‘pastures new.’”

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Biographical Timeline

B.A. University of the South (Sewanee)	1963
M.A. Columbia University, English and Comparative Literature	1965
J.D. University of Virginia	1968
Law Practice (Chowning, Mitchell, Hamilton & Burrow)	1968-1971
Deputy Prosecuting Attorney, 6 th Judicial District	1971-1972
Legal Aide, Governor Dale Bumpers	1972-1974
Legislative Assistant, Senator Dale Bumpers	1975-1977
Administrative Assistant, Congressman Jim Guy Tucker	1977-1978
Private Practice (Harrison & Brown)	1978-1984
Adjunct Professor (University of Arkansas at Little Rock)	1984
Private Practice (Robert L. Brown, P.A.)	1984-1990
Justice, Arkansas Supreme Court	1991-2011

Publications

Defining Moments, Historic Decisions by Arkansas Governors from McMath to Huckabee (Published October 1, 2010, University of Arkansas Press)

The Second Crisis of Little Rock: A Report on Desegregation Within the Little Rock Public Schools (Little Rock, Arkansas, Winthrop Rockefeller Foundation, 1988)

From Whence Cometh Our Appellate Judges: Popular Election Versus the Missouri Plan, 20 *University of Arkansas Law Review* 313 (Winter 1998)

Expanded Rights Through State Law: The United States Supreme Court Shows State Courts the Way, 4 *Journal of Appellate Practice and Process* 499 (Fall 2002)

From Earl Warren to Wendell Griffen: A Study of Judicial Intimidation and Judicial Self-Restraint, 28 *University of Little Rock Law Review* 1 (Fall 2005)

The Arkansas Supreme Court: The Job and How It Has Changed, *Arkansas Lawyer* (Winter 2005)

Just a Matter of Time? Video Cameras at the United States Supreme Court and State Supreme Courts, 9 *Journal of Appellate Practice and Process* 1 (Spring 2007)

Toxic Judicial Elections: A Proposed Remedy, *Arkansas Lawyer* (Winter 2009)

Awards

Phi Beta Kappa (1963)

Ransick Award for Excellence from Arkansas Bar Association (2007)

Distinguished Alumnus Award, University of the South (Sewanee) (2007)

Inaugural Recipient of the Arkansas Judges and Lawyers Assistance Program “Robert L. Brown Community Support Award” (2010)

Boards

Board of Regents, University of the South (Sewanee) (1989-1995)

William R. Overton Inn of Court, President (1999-2000)

Winthrop Rockefeller Distinguished Lecture Series, Selection Committee

Jefferson Scholars Nominating Committee for the University of Virginia

Marie Foundation Board for Public Interest Purposes

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