

ORIGINAL

Louisiana Attorney Disciplinary Board

FILED by: *Anthony Amato*
Docket# 16-DB-021 Filed-On 7/13/2018

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: LINDA LOUISE STADLER

NUMBER: 16-DB-021

RECOMMENDATION TO THE LOUISIANA SUPREME COURT

INTRODUCTION

This is an attorney discipline matter arising out of formal charges filed by the Office of Disciplinary Counsel (“ODC”) against Linda Louise Stadler (“Respondent”), Louisiana Bar Roll Number 24654.¹ ODC alleges that Respondent violated the following Rules of Professional Conduct: 8.4(a) (violate or attempt to violate the Rules of Professional Conduct); and 8.4(b) (commit a criminal act especially one that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer).² In her answer to the formal charges, Respondent admitted to all material facts alleged and that her conduct violated Rule 8.4(b). At the outset of the hearing, counsel for Respondent confirmed that Respondent admitted to the facts and the rule violations. The hearing proceeded on mitigation issues only.³ The hearing committee (“committee”) assigned to the matter recommended Respondent be suspended for twelve months, fully deferred.

For the following reasons, the Board adopts the committee’s factual findings and expressly finds that Respondent violated Rules 8.4(a) and 8.4(b). The Board recommends that Respondent be suspended for six months, fully deferred, subject to a two-year probation period.

PROCEDURAL HISTORY

The formal charges were filed on March 2, 2016. The charges state, in pertinent part:

¹ Respondent is 57 years old and was admitted to the Louisiana Bar on 10/11/96. Her primary registration address is 2895 Highway 190, Suite 204, Mandeville, LA 70471. Respondent is currently eligible to practice law in Louisiana. Respondent was admitted to the Maryland Bar on 6/21/95, but never actively practiced in Maryland and does not still hold her license in Maryland. Hearing Transcript (“T.”) 23.

² See attached Appendix for full text of the Rules.

³ See T.6-7.

I.

On or around August 30, 2014, Respondent was arrested for *Driving While Intoxicated 1st* in Slidell, Louisiana. On September 16, 2014, the Respondent pled guilty. The Respondent's sentence was deferred pursuant to Louisiana Code of Criminal Procedure, article 894. Respondent was placed [sic] under two years of supervised probation with the following conditions: (1) perform 48 hours of community service; (2) successfully complete a driver improvement and substance abuse program; (3) pay a fine in the amount of \$350.00, plus costs; and (4) participate in one session of the MADD Victim Impact Panel. Respondent is currently under supervised probation. Respondent completed an approved substance abuse and driver awareness program on November 20, 2014. During ODC's investigation into the 2014 DWI, it was discovered that the Respondent had acquired a DWI in 2002.

On November 4, 2014, ODC forwarded [sic] notice of the complaint to Respondent via certified mail, return receipt number 7179 1000 1649 2563 4377, addressed to her Bar registered address [sic] at 2895 HWY 190, Suite 204, Mandeville, Louisiana 70471. The Domestic Return Receipt was executed on November 7, 2014.

Respondent has violated the Rules of Professional Conduct 8.4(a), violating the *Rules of Professional Conduct* and 8.4(b), committing a criminal act especially one that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

II.

On or around December 26, 2002, Respondent was arrested for *Driving While Intoxicated* and *Improper Lane Usage* in Slidell, Louisiana. On or around August 14, 2003, the Respondent pled guilty to both charges. Sentencing of the Respondent was deferred pursuant to Louisiana Code of Criminal Procedure, article 894. Respondent was placed under one year of supervised probation with the following conditions: (1) perform 48 hours of community service; (2) successfully complete a driver improvement program; (3) successfully complete an approved substance abuse program; (4) pay court cost in the amount \$350.00, plus other agency fees; and (5) pay probation supervision fees in the amount of \$50.00 per month. Respondent was released from her probation on February 13, 2004.

The matter was expunged from Respondent's record. On October 6, 2015, ODC forwarded notice of allegations to the Respondent regarding her 2002 DWI to her Bar registered address at 2895 HWY 190, Suite 204, Mandeville, Louisiana 70471.

Respondent has violated the Rules of Professional Conduct 8.4(a), violating the *Rules of Professional Conduct* and 8.4(b), committing a criminal act especially one that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

Through her counsel, Damon S. Manning, Respondent answered the formal charges on October 10, 2016. Respondent admitted to all material facts alleged in the formal charges and that her conduct violated Rule 8.4(b) and requested a hearing to consider mitigation issues.

The hearing in this matter was held on February 23, 2017, before Hearing Committee No. 27.⁴ Deputy Disciplinary Counsel Karen Green and Gregory Tweed appeared on behalf of the ODC. Respondent appeared with counsel, Damon Manning. At the outset of the hearing, the Committee Chair clarified that the hearing concerned mitigation only. Counsel for Respondent confirmed that the hearing dealt with two DWI guilty plea convictions, that the convictions were conclusive evidence of guilt in these proceedings, and that Respondent had admitted to the facts and rule violations in her answer. T.6-7. The committee heard testimony from the following: Respondent, Judge Jim Lamz (character witness), Brandon Cline (character witness), Chastity Young (licensed professional counselor), Christine Curtis (character witness), and J. “Buddy” Stockwell III (executive director of Judges and Lawyers Assistance Program (“JLAP”)). ODC’s Exhibits 1 through 4 and 6 through 8 and Respondent’s Exhibits 1 through 17 were admitted into evidence. ODC proffered its Exhibit 5, the police report relating to the 2014 DWI arrest.

The hearing committee issued its report on October 23, 2017. The ODC filed a notice of no objection to the committee report on October 27, 2017. Respondent filed a notice of no objection to the committee report on November 6, 2017. However, while Respondent stated in the notice that she does not object to the committee report, she also urged the Board to consider whether a six-month suspension, fully deferred, would be more appropriate.

Respondent filed her brief to the Board on December 18, 2017. Respondent stated that she does not object to the committee’s recommendation and that should the Board agree with the

⁴ Hearing Committee No. 27 was comprised of Brent E. Kinchen (Committee Chair), Sue McNabb (Lawyer Member), and James R. Mobley (Public Member).

committee, she is prepared to accept the recommendation of a twelve-month suspension, fully deferred. However, Respondent respectfully requested that the Board “consider whether a six-month suspension, fully deferred, might be appropriate under the unique facts and circumstances of this case.” Respondent’s Pre-Argument Brief, pp. 1-2. Respondent contended the following circumstances warrant her request for the more lenient sanction. Respondent has practiced law in Louisiana for twenty-one years and has no prior disciplinary history. She has good character and a good reputation. In addition to her general practice, she serves as a Small Claims Court Arbitrator in Slidell City Court and as attorney for Father’s for Child Protection in Bogalusa City Court. The DWI arrests were isolated incidents, twelve years apart. She took responsibility for her actions in both DWI cases and fully and timely complied with the requirements of probation in both cases. She cooperated with the ODC and the JLAP and completed the recommended individual therapy sessions. She does not have an ongoing alcohol problem and JLAP did not require or even recommend that she enter into a recovery agreement or be subject to further treatment or monitoring.

ODC filed its brief to the Board on December 19, 2017. ODC did not object to the recommendation of a one-year suspension, fully deferred, with the added condition that Respondent pay all costs associated with these proceedings. While the ODC does not object to the ultimate sanction recommended by the committee, the ODC did object to the committee’s finding full and free disclosure to disciplinary board or cooperative attitude toward proceedings as a mitigating factor. ODC maintained Respondent initially rebelled against the ODC’s request for her to contact JLAP and expressed the position that she did not require the services of JLAP. *See* T.115.

Oral argument of this matter was held on February 21, 2017, before Board Panel “A.”⁵ Deputy Disciplinary Counsel Karen Green appeared on behalf of ODC. Respondent appeared with counsel, Mr. Manning.

HEARING COMMITTEE REPORT

The committee’s report was filed on October 23, 2017. The committee provided the following summary of the evidence presented at the hearing:

The hearing dealt with two DWI convictions pertaining to the respondent. The hearing pertained to issues of mitigation.

The first witness called was Judge Jim Lamz. He is the city and juvenile judge for St. Tammany Parish. He was admitted to practice law in 1980 and took the bench in November of 2004. He has known the respondent for approximately 15 years. He indicated she was active socially and civilly in the community. He had a personal and professional relationship with her. He has appointed her to several posts and she acts as an arbitrator. Judge Lamz had no concern over her fitness to practice law. She reports to him and [he] testified that she has earned his trust. He has never seen her drink and felt that she was a health nut.

After that, Linda Stadler testified. Linda Stadler testified that she was admitted to the bar in 1994 or 1995. She also testified that she was admitted in Maryland but had never actively practiced in Maryland.

Ms. Stadler has had her own law firm since 1999. She practiced primarily family law and child protection.

Fourteen years prior to the hearing, on Christmas Day, she had drinks with friends and received a DWI. After that event, she totally cut alcohol out of her life and had not had a drink until the evening of August 30, 2014.

On August 30, 2014, she conducted a gun and knife show in Chalmette, Louisiana. The show was a success and that night a lot of the vendors went out to celebrate. That evening she had a few drinks. She realized she should not be driving and pulled over on the shoulder. She was waiting for someone to pick her up and apparently someone had called the police. The police arrived and gave her a DWI.

She described herself as a non-drinker and does not drink. Her level of alcohol was .104. Since August 30, 2014, she has not consumed any alcohol.

The next witness to testify was Brandon Cline. He was called as a character witness on behalf of the plaintiff. He is an attorney in Louisiana and Colorado. He went to undergraduate school at the University of South Florida and obtained a degree. He also attended graduate school at the University of New Orleans and has a Master’s in Psychology. He then attended law school at Loyola Law School and graduated in 2004. He currently works at the State of Louisiana Mental Health

⁵ Board Panel A was composed of Brian D. Landry (Chair), Linda G. Bizzarro (Lawyer Member), and Charles H. Williamson, Jr. (Public Member).

Advocacy and Child Advocacy. He categorized himself as a “children’s” attorney. On occasions he is in opposition to Ms. Stadler in some of their cases. He described her as a very good lawyer who was prepared and professional. He has eaten lunch with her on numerous occasions and never has seen her drunk or under the influence.

The next witness called was Chastity Young. Ms. Young is a licensed marriage and family therapist. She is also a licensed professional counselor. She met Ms. Stadler through the Judges and Lawyers Assistance Program (JLAP). She performed a psychological evaluation in this case. The witness did not believe that Stadler was actively experiencing a substance abuse problem. Ms. Stadler was not a “textbook” presentation. Ms. Stadler was described as a binge drinker. Once she starts, then she over indulges. She described Ms. Stadler as one who does not usually consuming [sic] alcohol and had no indication or reports of any alcohol problem other than these two occasions when she overindulged.

Ms. Young is a JLAP approved therapist. She had a number of sessions with Ms. Stadler for well over a year. She is still seeing her once a month. Ms. Young described Ms. Stadler as cooperative and would refer clients to Ms. Stadler. She did not think there was any evidence that a relapse was likely. She struggled with a diagnosis for the plaintiff because she doesn’t fit the criteria that are normally used. She did not believe Ms. Stadler had what she would typically call an active substance abuse problem. There is potential for a problem only. The continuing therapy involved personal relationships and not alcohol related issues.

The next witness called was Christine Curtis. Ms. Curtis is a real estate agent. She knows Ms. Stadler through litigation. Ms. Stadler is her attorney. She has been involved in the child custody case off and on for nine years and has had three prior attorneys. She spoke highly of the representation provided by Ms. Stadler. She has never seen Ms. Stadler drink anything and has never heard of her drinking. She felt that Ms. Stadler was a role model for a child advocate.

The next witness was J. “Buddy “ Stockwell, III. He is the executive director of the JLAP program. He was admitted to the bar in 1991. He has worked extensively with lawyers and judges with substance abuse problems.

Ms. Stadler called him proactively on September 13, 2014. She reported a DWI the Saturday before the call. She reached out to his organization for help and wanted to know what they could do and what she needed to do. He felt she was conscientious and concerned and open and honest about all of the events. She gave him a comfort level right off the bat that she was genuinely trying to obtain help. He testified that he believed that to Ms. Stadler this was “like the end of the world”. (TR p. 73) He indicated that she was “crushed” that this had happened. (TR p. 73) Mr. Stockwell testified that he did not have any concerns at all about her fitness to practice law and felt that she was “done with us”. (TR p. 85) There is no current clinical situation that she has to deal with. (TR p. 85) He did not see any clinical issues at all that needed to be resolved. (TR p. 85) He did not have a concern for her today. (TR p. 85-86)

After the testimony of Mr. Stockwell, Linda Stadler was called back to resume her testimony. She testified regarding her background and hiking the Appalachian Trail. Additionally, she indicated that since the 2014 DWI incident

she has completely abstained from alcohol. Finally, as a result of the DWI she has forfeited her concealed carry permit for five years as a result of the conviction. In summary, she testified that alcohol is not a part of her life and assured the panel that this event would not happen again.

Committee Report, pp. 3-6.

After reviewing the evidence, the committee made the following Findings of Fact:

- The hearing pertains strictly to mitigation.
- Linda Stadler does not have an ongoing alcohol problem that needs treatment.
- Respondent is not dishonest and made a good faith effort to rectify her conduct.
- Respondent was cooperative with the ODC and the JLAP program.
- Respondent has good character and a good reputation.
- Respondent exhibited remorse as a result of the incident.
- Respondent understands that this type of event reflects negatively on the profession.

Committee Report, p. 6.

The committee next addressed the rules violated stating:

It is alleged that she violated Rule 8.4(A) and 8.4(B). The respondent pled guilty to a DWI in 2014 and 2002. The allegation is that the commission of the criminal act reflects adversely on the profession as a whole.

Committee Report, p. 6. The committee did not expressly state a conclusion or finding that Respondent violated any rule. Committee Report, p. 6. However, in her answer, Respondent had admitted to all of the facts alleged and to a violation of Rule 8.4(b) and counsel for Respondent confirmed at the hearing that Respondent admitted to all of the facts and rule violations alleged. T.6-7.

In addressing the appropriate sanction to be imposed, the committee first considered the factors outlined in Louisiana Supreme Court Rule XIX, §10(C). The committee found that Respondent violated duties owed to the public and the legal community and that Respondent acted knowingly and intentionally in consuming alcohol and driving. The committee also found that while Respondent's misconduct caused no actual harm to a client, her conduct did cause actual harm in that her criminal acts adversely reflect on the lawyer's fitness as a lawyer in other respects

and the two criminal acts caused actual harm to the profession as a result of the repetitive criminal conduct. The committee also recognized that the potential for actual physical injury was a factor to be considered.

The committee further considered the *ABA Standards for Imposing Lawyer Sanctions*, specifically citing Standard 5.12 which states:

5.12 Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

The committee next considered mitigating factors. The committee found the following mitigating factors to be present: no prior disciplinary record; full cooperation with the ODC; full cooperation and compliance with the JLAP; good effort to rectify her conduct and understanding that her conduct reflected negatively on the profession. The committee did not discuss consideration of any aggravating factors.

The committee then provided the following analysis of the relevant jurisprudence:

The Louisiana jurisprudence in similar cases has been cited by the respondent and the Office of Disciplinary Counsel. The Office of Disciplinary Counsel recommended that she be suspended for a year and a day while the respondent recommended suspension of six months fully deferred or less.

The case law is not exactly on point pertaining to Ms. Linda Stadler. The following cases were considered in the recommendation of this panel.

In *Re: Marcello*, 09-1945 (La. 10/09/2009), 18 So.3d 1271. In this case, the respondent was arrested and charged with DWI in February and May 2007. Prior to a hearing, a joint agreement was entered into for a fully deferred suspension of one year and one day subject to a five year probation agreement. This case does not provide a great deal of facts but is one of the most similar cases to the case at hand. The distinction is that there were two convictions in Marcello's case occurring within a short period of time. Here, the respondent's convictions were 12 years apart.

In the case of *In Re: Settle*, 2012, 0617 (La. 04/25/2012), 87 So.3d 853, the attorney was twice charged with a DWI. Prior to a hearing, a consent disciplinary sanction was agreed to of a year and a day fully deferred with the respondent's successful completion of a JLAP program. In this particular case, respondent has voluntarily submitted to an independent JLAP evaluation which resulted in no recommendation for a recovery agreement.

Another case to be considered is *In Re: Tallon*, 2008-0179 (La. 02/22/2008), 974 So.2d 1292. In this case, the respondent was twice convicted of DWI and completed an inpatient substance abuse treatment. A joint agreement was entered into for a suspension of one year and one day fully deferred.

In *Re: [Baer]*,⁶ 2009-B-1795, 21 So.3d 941, the attorney had a disciplinary proceeding after twice being arrested and charged with DWI. The Supreme Court held that the attorney violated the Rules of Professional Conduct and suspended the attorney for one year and one day. Unlike this particular case, the Committee in [Baer] noted that the attorney was addicted to alcohol, and had been involved in at least two accidents with property damage while driving under the influence.

Another case considered was *In Re: Alexander*, 2008-B-0462, (La. 06/27/2008), 984 So.2d 702. In *Alexander*, the attorney was convicted of three DWIs and also failure to cooperate with the ODC during its investigation. In this case, the attorney had prior disciplinary offenses, and it was determined that there was a pattern of misconduct. The chemical dependency was the primary cause for his behavior and he was sanctioned with a suspension for a year and one day.

In *Re: James, II*, 2012-B-2701 (03/01/2013), 108 So.3d 747, the attorney was convicted twice of DWI. In addition, the attorney refused to participate in the lawyer assistance program despite his diagnosis of alcoholism. The attorney was suspended from the practice of law for one year and one day.

Committee Report, pp. 8-9.

In reaching their sanction recommendation, the committee reasoned:

From the above referred to cases, it is clear that the general suspension is one year and one day. However, in this case, the committee believes that the fact that the convictions occurred twelve years apart and the fact that the respondent fully cooperated with the Office of Disciplinary Counsel are factors to be considered. Additionally, she was not found to be an alcoholic and JLAP did not require or recommend that she enter into a recovery program. The Committee was impressed with the remorse of the respondent and believes that a suspension of 12 months fully deferred is an appropriate sanction for the respondent in this case.

Committee Report, pp. 9-10.

ANALYSIS OF THE RECORD BEFORE THE BOARD

I. Standard of Review

The powers and duties of the Disciplinary Board are defined in §2 of Louisiana Supreme Court Rule XIX. Rule XIX, §2(G)(2)(a) states that the Board is “to perform appellate review

⁶ In the Committee Report, the committee referenced this decision as *In re: Harkins*. The name of the respondent in the matter is actually Deborah Harkins Baer.

functions, consisting of review of the findings of fact, conclusions of law, and recommendations of hearing committees with respect to formal charges ... and petitions for reinstatement, and prepare and forward to the court its own findings, if any, and recommendations.” Inasmuch as the Board is serving in an appellate capacity, the standard of review applied to findings of fact is that of “manifest error.” *Arceneaux v. Domingue*, 365 So. 2d 1330 (La. 1978); *Rosell v. ESCO*, 549 So. 2d 840 (La. 1989). The Board conducts a *de novo* review of the hearing committee’s application of the Rules of Professional Conduct. *In re Hill*, 90-DB-004, Recommendation of the Louisiana Attorney Disciplinary Board (1/22/92).

A. The Manifest Error Inquiry

The factual findings of the committee do not appear to be manifestly erroneous, are supported by the record, and are adopted by the Board.

B. De Novo Review

The ODC proved by clear and convincing evidence that Respondent violated Rules 8.4(a) and 8.4(b) as charged. There is no dispute that Respondent has twice pled guilty to DWI. Thus, she clearly violated Rule 8.4(b) which provides that it is professional misconduct for a lawyer to commit a criminal act especially one that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects. The violation of Rule 8.4(b) establishes the derivative violation of Rule 8.4(a) which provides that it is professional misconduct to violate or attempt to violate the Rules of Professional Conduct. Further, in her answer, Respondent admitted to all material facts alleged and that she violated Rule 8.4(b), and at the hearing, her attorney confirmed that Respondent admitted to the rule violations. T.7.

II. The Appropriate Sanction

A. Rule XIX, §10(C) Factors

Louisiana Supreme Court Rule XIX, §10(C) states that when imposing a sanction after a finding of lawyer misconduct, the Court or Board shall consider the following factors:

1. whether the lawyer has violated a duty owed to a client, to the public, to the legal system, or to the profession;
2. whether the lawyer acted intentionally, knowingly, or negligently;
3. the amount of actual or potential injury caused by the lawyer's misconduct; and
4. the existence of any aggravating or mitigating factors.

Here, Respondent violated duties to the public and the profession. Respondent acted knowingly and intentionally in consuming alcohol and driving on at least two occasions. Respondent caused actual harm in that her behavior and convictions reflect adversely on the profession as a whole. Further, her misconduct caused the potential for physical injury to the public.

The following mitigating factors are supported by the evidence: absence of prior disciplinary record; absence of dishonest or selfish motive; full and free disclosure to disciplinary board and cooperative attitude toward proceedings;⁷ full cooperation and compliance with JLAP; good character and reputation; imposition of other penalties or sanctions; and remorse. The aggravating factors present are substantial experience in the practice of law and illegal conduct.

B. The ABA Standards and Case Law

The *ABA Standards for Imposing Lawyer Sanctions* suggest the baseline sanction for Respondent's misconduct is suspension. Standards 5.12 and 7.2 provide:

5.12 Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

⁷ While Respondent apparently may have briefly hesitated in complying with the ODC's recommendation to contact JLAP (*see* T.115), the overall evidence reflects that she was cooperative throughout the investigation and this proceeding.

7.2 Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

After reviewing the jurisprudence relating to sanctions imposed for misconduct similar to that of Respondent, which discussion is quoted previously herein, and considering the mitigating circumstances specific to Respondent, the committee recommended a one-year suspension, fully deferred. While the committee's recommended sanction is not unreasonable, the Board finds that a six-month suspension, fully deferred, subject to a two-year probation period, would be a more appropriate sanction under the unique circumstances presented in this particular case. The more lenient suspension period appears warranted in this matter based on Respondent's good character and reputation as attested by a judge, a client, and an adversary attorney; her active participation in community work in addition to her general practice; her accepting responsibility for her actions in both DWI cases and fully and timely complying with the requirements of probation in both cases; her cooperation with JLAP and compliance with the recommended therapy; no recommendation or requirement by JLAP that she enter into a recovery agreement or be subject to supervision or screening; her genuine remorse, and the fact that Respondent has no prior disciplinary record.

Additionally, the Board is mindful of the Louisiana Supreme Court's instruction in *In re Dobbins*, 2001-2022 (La. 1/15/02), 805 So.2d 133, 137, that "in cases where the disciplinary board recommends that all or part of a suspension be deferred, it should also recommend either a period of probation, or a period within which the deferred suspension may become executory, in the event of misconduct by the respondent during this period." Because Respondent has engaged in driving while intoxicated on at least two occasions, albeit years apart, the Board finds that a probation period of two years is appropriate.

CONCLUSION

Considering the foregoing, the Board adopts the factual findings of the committee and further expressly finds that Respondent violated Rules 8.4(a) and 8.4(b). The Board recommends that Respondent be suspended for six months, fully deferred. The Board further recommends that the deferral of the six-month suspension period be subject to a two-year probation period and that any misconduct during the probationary period be grounds for making the deferred period of suspension executory and/or imposing additional discipline, as appropriate. Finally, the Board recommends that Respondent be assessed with the costs and expenses of this matter.

RECOMMENDATION

The Board recommends that Linda Louise Stadler be suspended from the practice of law for six months, that the suspension be fully deferred subject to a two-year probation period, and that any misconduct during the probationary period be grounds for making the deferred period of suspension executory and/or imposing additional discipline, as appropriate. The Board further recommends that Respondent be assessed with the costs and expenses of these proceedings in accordance with Louisiana Supreme Court Rule XIX, §10.1(A).

LOUISIANA ATTORNEY DISCIPLINARY BOARD

Pamela W. Carter
Brian D. Landry
Sheila E. O'Leary
Danna E. Schwab
Evans C. Spiceland, Jr.
Melissa L. Theriot
Charles H. Williamson, Jr.

By:



Linda G. Bizzarro
FOR THE ADJUDICATIVE COMMITTEE

Dominick Scandurro, Jr. - Dissent with reason.

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: LINDA LOUISE STADLER

DOCKET NO. 16-DB-021

DISSENT

I understand and agree that there are cases when a DWI conviction should be the basis for disciplinary action. All of the cases cited by the Hearing Committee and the majority of the Board were cases that deserved sanction. This is not one of those cases. Although the respondent has admitted to rule violations and is willing to accept a suspension, I do not believe any sanctions are required in order to uphold the disciplinary process. I would dismiss the charges.

LOUISIANA ATTORNEY DISCIPLINARY BOARD

By: 

DOMINICK SCANDURRO, JR.
Adjudicative Committee Member

APPENDIX

Rule 8.4 Misconduct

It is professional misconduct for a lawyer to:

(a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

(b) Commit a criminal act especially one that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;

. . .