

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: ATTLAH D. BURRELL

NUMBER: 18-DB-003

RECOMMENDATION TO THE LOUISIANA SUPREME COURT



INTRODUCTION AND PROCEDURAL HISTORY

This is a proceeding based on the filing of a petition and application for reinstatement to the practice of law following the suspension of Attlah D. Burrell (“Ms. Burrell”), Louisiana Bar Roll Number 24764.

On March 4, 2011, pursuant to a petition for consent discipline, the Louisiana Supreme Court suspended Ms. Burrell for three years, retroactive to February 20, 2008, the date of her interim suspension. *In re Burrell*, 2011-B-0242 (La. 3/4/11), 56 So.3d 947. Ms. Burrell’s misconduct involved failing to properly supervise her nonlawyer staff and facilitating the unauthorized practice of law by a suspended attorney. *Id.*

Ms. Burrell filed this petition and application for reinstatement on January 2, 2018. On March 5, 2018, the Office of Disciplinary Counsel (“ODC”) filed its response to Ms. Burrell’s petition. ODC filed an amended response on March 9, 2018. ODC took no position regarding Ms. Burrell’s petition for reinstatement, which caused a hearing of the matter to be held pursuant to Louisiana Supreme Court Rule XIX, Section 24(F). The hearing in this matter before Committee No. 27 (“the Committee”) was held on July 12, 2018.¹ Dele Akintade Adebamiji appeared on behalf of Ms. Burrell. Chief Disciplinary Counsel Charles B. Plattsmier appeared on behalf of ODC. Ms. Burrell testified on her own behalf and also called the following

¹ Members of Committee No. 27 included Edythe L. Koonce (Chair), Charles S. McCowan, Jr. (Lawyer Member), and Diana G. Savoy (Public Member).

witnesses who testified as to her character and fitness to return to the practice of law: Eleanore Collins (business owner/minister/former client of Ms. Burrell) and Hazel Knighton (Executive Director of Operation Restoring Hearts Outreach Center). Respondent's Exhibits 1 (in globo), 1a, 6 (in globo), 7-9, 9a, 9b, and 10-11 were introduced into evidence. ODC did not call any witnesses or offer any exhibits into evidence.

The Committee issued its report on November 14, 2018, recommending that Ms. Burrell be reinstated to the practice of law, with conditions. ODC filed a notice of objection to the Committee's report on November 26, 2018 in which it does not object to the Committee's final recommendation that Ms. Burrell be reinstated; however, ODC urges that the conditions of reinstatement recommended by the Committee be addressed and more clearly defined by the Board. ODC also filed a pre-argument memorandum on December 17, 2018 in which it advances the same position. On January 3, 2019, Ms. Burrell's pre-argument memorandum was filed. In her memorandum, Ms. Burrell agrees with the Committee's recommendation that her petition for reinstatement be granted, subject to a few minor changes in the conditions recommended by the Committee.

Oral argument before Panel "A" of the Disciplinary Board was held on January 17, 2019.² Dele Akintade Adebamiji appeared on behalf of Ms. Burrell. Chief Disciplinary Counsel Charles B. Plattsmier appeared on behalf of ODC.

THE HEARING COMMITTEE'S REPORT

The Committee issued its report on November 14, 2018. The report included the following synopsis of the testimony and evidence presented and the findings, conclusions, and recommendations made by the Committee:

² Members of Panel "A" included Dominick Scandurro, Jr. (Chair), Linda G. Bizzarro (Lawyer Member), and Charles H. Williamson, Jr. (Public Member).

EVIDENCE

The Respondent, Ms. Burrell, testified on her own behalf. Eleanore Collins and Hazel Knighton also testified as favorable character witnesses for Ms. Burrell. Counsel stipulated that there were three other character witnesses who, if they had been called to testify, their testimony would have been similarly favorable about Ms. Burrell.

The following exhibits were admitted without objection:

Ex. 11 Client Assistance Fund Certificate indicating that there were no payments made by the Client Assistance Fund in the underlying disciplinary action

No. 1A Petition for [R]einstatement

No. 1 Certified Return Receipt

No. 6 Character [W]itness [L]etters

No. 7 MCLE Transcript

No. 8. Request for Exemption from Dues and Disciplinary Action

No. 9A. Promissory Note

No. 9B. Cost Statement

No. 10. Request for Exemption form LADB Periodic Assessment for 2017-2018

At the hearing, the record was held open for Ms. Burrell to submit proof of publication in the Louisiana Bar Journal about her request for reinstatement. The advertisement printed in the Feb./Mar. 2014 Bar Journal was filed into the record on July 16, 2018.

LAW AND FINDINGS OF FACT

Reinstatement following suspension is governed by Louisiana Supreme Court Rule XIX, Section 24. Section 24(E) establishes the substantive criteria for reinstatement, which are as follows:

- E1. “The lawyer has fully complied with the terms and conditions of all prior discipline orders, except to the extent that they are abated under section 25.”**
- E2. “The lawyer has not engaged nor attempted to engage in the unauthorized practice of law during the period of suspension or disbarment.”**
- E3. “If the lawyer was suffering under a physical or mental disability or infirmity at the time of the suspension or disbarment, including alcohol or other drug abuse, the disability or infirmity has been**

removed. Where alcohol or other drug abuse was a causative factor in the lawyer's misconduct, the lawyer shall not be reinstated or readmitted unless:

- a) the lawyer has pursued appropriate rehabilitative treatment;
- b) the lawyer has abstained from the use of alcohol or other drugs for at least one year; and
- c) the lawyer is likely to continue to abstain from alcohol or other drugs."

- E4. "The lawyer recognizes the wrongfulness and seriousness of his conduct for which the lawyer was suspended or disbarred."
- E5. "The lawyer has not engaged in any other professional misconduct since suspension or disbarment."
- E6. "Notwithstanding the conduct for which the lawyer was disciplined, the lawyer has the requisite honesty and integrity to practice law."
- E7. "The lawyer has kept informed about recent developments in the law and is competent to practice and has satisfied MCLE requirements for the year of reinstatement or reinstatement [*sic*]."
- E8. "The lawyer has paid to the Louisiana State Bar Association currently owed bar dues."
- E9. "The lawyer has paid all filing fees owed to the Clerk of Court and all disciplinary costs to the Disciplinary Board."
- E10. "The lawyer has paid to the Disciplinary Board currently owed disciplinary administration and enforcement fees required under Section 8 (A) of this rule and has filed the registration statement required under Section 8 (C) of this rule."
- E11. "The lawyer shall obtain a certification from the Client Assistance Fund that no payments have been made by the Fund to any of the lawyer's clients. To the extent that Client Assistance Funds have been paid to qualifying clients, the lawyer shall obtain a certification from the Fund that the Fund has been reimbursed in its entirety, or alternatively, that a payment plan is in effect which will result in reimbursement to the Fund."

RECOMMENDATION

Ms. Burrell was suspended from the practice of law as the result of a consent submission for a three-year suspension which was made retroactive. Respondent was eligible to apply for reinstatement approximately seven years ago. Her suspension came about because of her failure to oversee the actions of a

suspended lawyer, Mr. Nolan Hammond, who was working for her as a paralegal, but ultimately held himself out to the public to be a lawyer. Ms. Burrell is to be commended for her community and civic activities. She has a most sincere demeanor and seems passionate about helping others, which she testified that she did throughout the time of her legal practice and during her suspension. Ms. Burrell is very active in community service and provides volunteer service in [sic] through her literacy work, her work with convalescents and juveniles, and by speaking engagements and ministry work.

The Committee finds that Ms. Burrell has satisfactorily completed the requirements of Rule XIX, Section 24, Section 24(E) 1-7 and E11. Ms. Burrell has complied with the terms of her suspension (E1), and she has not engaged in the unauthorized practice of law during her suspension (E2). Ms. Burrell recognizes the seriousness of the conduct and the wrongfulness of the conduct for which she was suspended (E4). The Committee believes that Ms. Burrell has complied with her disciplinary sanction, and that she understands her past errors. Ms. Burrell has not engaged in any misconduct since her suspension, (E5) and Ms. Burrell exhibits the requisite honesty and integrity to practice law, all of which was shown by not only Ms Burrell's testimony, but also from the testimony of her colleagues and character witnesses, Ms. Collins and Knighton. (E6). Concerning the requirement of Section 24(E7), Ms. Burrell has satisfied the MCLE requirements for the year 2018 and 2017, and in fact, she has obtained more than the mandatory 12 hours of MCLE required of a practicing lawyer for the years 2018 and 2017. However, her CLE attendance during her suspension was both limited and sporadic, and she has been completely removed from the practice of law for over ten years, which means that she may have some difficulty with being able to re-enter the practice with knowledge of present law and may be hindered by having to re-learn or become acquainted with the fundamentals of practicing law and recent developments in the law.

Concerning the financial requirements of Section 24(E), Ms. Burrell will be required to make the payments of Section 24(E8) and (E9) when her reinstatement is granted. She has been making regular monthly payments towards the Section 24(E10) payment for the past seven years, although it is not completely paid as of this date. Ms. Burrell obtained the required certification from the Client Assistance Fund that the fund has not made any payments resulting from these disciplinary proceedings nor has any claim been made against her for client funds. (E11). Additionally, the record was left open for Ms. Burrell to provide proof of publishing her request to be reinstated in the Louisiana Bar Journal, and she did provide that proof of having the reinstatement contained in the Louisiana Bar Journal in 2014. The Committee has not received any notification of objection to the reinstatement.

Ms. Burrell submitted payment for the bar association dues she would owe to the Louisiana State Bar Association, but her payment was returned pending disposition of this matter. It is the Committee's understanding that those dues will be payable upon her reinstatement (E8). Ms. Burrell filed a request for

waiver of the disciplinary assessment that is paid when the dues are paid, but that request was denied. The Committee understands that those dues will be owed at the time her reinstatement to practice law is granted (E9). Therefore while Ms. Burrell has not yet paid these dues, that fact does not negate her reinstatement since the dues are not yet owed. Ms. Burrell requested a waiver of the \$500.00 administrative fee owed as an advance deposit for these proceedings, and the disposition of that waiver has not yet been determined. Ms. Burrell also submitted evidence that she has been regularly paying \$50.00 monthly for approximately seven years towards the costs resulting from the prior disciplinary proceedings pursuant to a promissory note, and she is current on those payments. (E10). The Committee has no reason to doubt that she would continue to make those periodic payments until her debt is paid in full. However, Ms. Burrell did testify concerning her financial hardships due to her husband's death and her inability to obtain paying employment. She currently receives VA benefits resulting from her husband's death. She works as a staff minister and is paid solely by donations from her church community. The Committee is of the opinion that if Ms. Burrell had greater income that she would pay the amounts owed to the LSBA.

The Committee finds that Ms. Burrell has met her burden of proof concerning the substantive criteria for reinstatement, excluding the financial criteria that have been outlined above and that the Committee understands will not be due until reinstatement is granted. However, the Committee has serious concerns about Ms. Burrell's plan to re-enter the practice of law in Louisiana while living in Texas. She testified that it is her intention to work in Houston, but that she will practice Louisiana law with a Texas law firm that handles Louisiana legal work. She also intends to apply for a Texas law license and hopes to learn Texas law while working in a Texas law firm. As of the date of the hearing she did not provide any specific firms or lawyers with which she could work nor did she tell the Committee the name of where she might apply for work if her request for reinstatement was granted. But, she did testify that she was not opposed to supervision of a mentoring lawyer. The Committee has concerns about the practicality of Ms. Burrell's plan to live in Texas and practice Louisiana law. Indeed, the Committee is also concerned that Ms. Burrell may be placing herself in the situation where she could be practicing law in Texas without a Texas license.

Due to its concerns, the Committee recommended that Ms. Burrell's readmission be conditioned upon the following requirements:

- (1) Ms. Burrell must be supervised by a mentoring lawyer who is in good standing and is licensed to practice law in Louisiana, with that supervision to last for a period of two (2) years;
- (2) Ms. Burrell's reinstatement should be conditioned upon her successful completion of

eight (8) hours of continuing legal education seminars that are designated for new lawyers and/or small firm and solo practitioners by the LSBA;

- (3) Ms. Burrell should enter into a payment plan for the LSBA dues, disciplinary assessments, and disciplinary fees that will be due upon her reinstatement; and
- (4) A review of Ms Burrell's compliance with the terms and conditions of the reinstatement should be conducted every three (3) months until the amounts owed are paid in full and the supervisory period has expired.

DISCUSSION

I. Standard of Review

The powers and duties of the Disciplinary Board are defined in Section 2 of the Louisiana Supreme Court Rule XIX, Rules for Lawyer Disciplinary Enforcement. Rule XIX, Section 2(G)(2)(a) states that the Board is “to perform appellate review functions, consisting of review of the findings of fact, conclusions of law, and recommendations of 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 Committee's legal determinations as well as its application of the Rules of Professional Conduct and/or Louisiana Supreme Court Rule XIX. *See In re Hill*, 90-DB-004, Recommendation of the Board (1/22/91).

II. Reinstatement Criteria and Discretionary Conditions

A suspended lawyer petitioning for reinstatement to the practice of law must satisfy the procedural requirements outlined in Rule XIX, Section 24(A-D). The lawyer must also satisfy all the criteria detailed in Rule XIX, Section 24(E), or present good and sufficient reason why he or she should nevertheless be reinstated to the practice of law. The petitioning lawyer has the

burden of proving the satisfaction of each criterion by clear and convincing evidence. Rule XIX, Section 18(C). Further, even where the lawyer has met the burden of proof justifying reinstatement or readmission, the Court may impose conditions upon a lawyer's reinstatement or readmission. Rule XIX, Section 24(J).

Rule XIX, Section 24, reads, in pertinent part:

A. Generally. A disbarred lawyer or a suspended lawyer who has served a suspension period of more than one year, exclusive of any waivers or periods of deferral, shall be reinstated or readmitted only upon order of the court. No lawyer may petition for reinstatement until six months before the period of suspension has expired....

B. Petition and Application. A petition for reinstatement or readmission must be under oath or affirmation under penalty of perjury and shall specify with particularity the manner in which the lawyer meets each of the criteria specified in paragraph E or, if not, why there is good and sufficient reason for reinstatement or readmission... An application for reinstatement or readmission, also drafted under oath or affirmation under penalty of perjury, shall also be submitted by the lawyer. ...

C. Service of Petition and Application. The lawyer shall file the petition and application with the disciplinary board and shall serve a copy of the petition and application (Parts I and II) on disciplinary counsel. ...

D. Publication of Notice of Petition and Application. At the same time that a lawyer files a petition and application for reinstatement or readmission, the lawyer shall also publish a notice of the petition and application in the journal of the state bar and in a newspaper of general circulation in each judicial district in which the lawyer maintained an office for the practice of law when the lawyer was suspended or disbarred. The notice shall inform members of the bar and the public about the petition and application for reinstatement or readmission, and shall request that any individuals file notice of their opposition or concurrence with the board within thirty days. In addition, the lawyer shall notify the complainant(s) in the disciplinary proceeding that led to the lawyer's suspension or disbarment that the lawyer is applying for reinstatement or readmission, and shall inform each complainant that he or she has thirty days to raise objections to or to support the lawyer's petition and application.

E. Criteria for Reinstatement and Readmission. A lawyer may be reinstated or readmitted only if the lawyer meets each of the following criteria, and executes and files with the petition for reinstatement or readmission an application for reinstatement or readmission, a copy of which can be obtained from the board administrator, or, if not, presents good and sufficient reason why the lawyer should nevertheless be reinstated or readmitted:

- (1) The lawyer has fully complied with the terms and conditions of all prior disciplinary orders except to the extent that they are abated under Section 25.
- (2) The lawyer has not engaged nor attempted to engage in the unauthorized practice of law during the period of suspension or disbarment.
- (3) If the lawyer was suffering under a physical or mental disability or infirmity at the time of suspension or disbarment, including alcohol or other drug abuse, the disability or infirmity has been removed. Where alcohol or other drug abuse was a causative factor in the lawyer's misconduct, the lawyer shall not be reinstated or readmitted unless:
 - (a) the lawyer has pursued appropriate rehabilitative treatment;
 - (b) the lawyer has abstained from the use of alcohol or other drugs for at least one year; and
 - (c) the lawyer is likely to continue to abstain from alcohol or other drugs.
- (4) The lawyer recognizes the wrongfulness and seriousness of the misconduct for which the lawyer was suspended or disbarred.
- (5) The lawyer has not engaged in any other professional misconduct since suspension or disbarment.
- (6) Notwithstanding the conduct for which the lawyer was disciplined, the lawyer has the requisite honesty and integrity to practice law.
- (7) The lawyer has kept informed about recent developments in the law and is competent to practice and has satisfied MCLE requirements for the year of reinstatement or readmission.
- (8) The lawyer has paid to the Louisiana State Bar Association currently owed bar dues.
- (9) The lawyer has paid all filing fees owed to the Clerk of Court and all disciplinary costs to the Disciplinary Board.
- (10) The lawyer has paid to the Disciplinary Board currently owed disciplinary administration and enforcement fees required under Section 8(A) of this rule and has filed the registration statement required under Section 8(C) of this rule.
- (11) The lawyer shall obtain a certification from the Client Assistance Fund that no payments have been made by the Fund to any of the lawyer's clients. To the extent that Client Assistance Funds have been paid to qualifying clients, the lawyer shall obtain a certification from the Fund that the Fund has been reimbursed in its entirety, or alternatively, that a payment plan is in effect which will result in reimbursement to the Fund.

...

J. Conditions of Reinstatement or Readmission. The court may impose conditions on a lawyer's reinstatement or readmission. The conditions shall be imposed in cases where the lawyer has met the burden of proof justifying reinstatement or readmission, but the court reasonably believes that further precautions should be taken to insure that the public will be protected upon the lawyer's return to practice.

The court may impose any conditions that are reasonably related to the grounds for the lawyer's original suspension or disbarment, or to evidence presented at the hearing regarding the lawyer's failure to meet the criteria for

reinstatement or readmission. The conditions may include any of the following: passing the bar examination as a condition to readmission following disbarment; limitation upon practice (to one area of law or through association with an experienced supervising lawyer); participation in continuing legal education courses; monitoring of the lawyer's practice (for compliance with trust account rules, accounting procedures, or office management procedures); abstention from the use of drugs or alcohol; active participation in Alcoholics Anonymous or other alcohol or drug rehabilitation program; monitoring of the lawyer's compliance with any other orders (such as abstinence from alcohol or drugs, or participation in alcohol or drug rehabilitation programs). If the monitoring lawyer determines that the reinstated or readmitted lawyer's compliance with any condition of reinstatement or readmission is unsatisfactory and that there exists a potential for harm to the public, the monitoring lawyer shall notify the court.

III. Analysis of Rule XIX, Section 24 Criteria and Conditions

The record demonstrates that Ms Burrell has satisfied the prerequisites for reinstatement contained in Rule XIX, Section 24 (A-D).³ The record also supports the Committee's finding that Ms. Burrell has satisfied the criteria for reinstatement set forth in Rule XIX, Section 24(E), excluding the financial criteria that were outlined by the Committee as to Section 24 (E)(8) and (E)(9) which will not be due until reinstatement is granted.⁴ Further, at the argument before the Board panel, ODC did not contest the Committee's findings as to the reinstatement criteria nor did ODC oppose reinstatement, assuming certain conditions are met after reinstatement. Given

³ While Ms. Burrell filed a notice of her petition and application for reinstatement in the Louisiana Bar Journal, the Advocate newspaper (Baton Rouge, Louisiana), and The Town Talk newspaper (Alexandria, Louisiana) in 2014, her actual petition and application for reinstatement were not filed with the Board until January of 2018. See Respondent Exhibit 1 (in globo); Respondent Exhibit 1a; Letter dated 7/16/18 from Mr. Adebamiji to Donna L. Roberts, Board Administrator, filed in the record of these proceedings. ODC did not object to this delay between the filing of the notices and the filing of the actual petition and application, despite the requirement of Section 24(D) that the petition and application and notices thereof must be filed at the same time. Given the ODC's lack of objection and Ms. Burrell's financial circumstances during this time, the Board will excuse the delay and agrees with the Committee that Ms. Burrell has complied with Section 24(D).

⁴ The Board also notes that while the Committee found that Ms. Burrell had satisfactorily completed the requirements of Section 24(E) 1-7 and (E)11, it did not further discuss Section 24(E)(3) in its analysis. This section addresses the situation in which a lawyer was suffering under a physical or mental disability or infirmity at the time of his or her suspension or disbarment. ODC informed the Committee that this section was not an issue in this proceeding. Hrg. Tr., p. 10. The record also establishes that Ms. Burrell was not suffering from any such disability or infirmity at the time of her suspension. *Id.*, at pp., 31, 74-76, 86-87. The Board agrees with the Committee's apparent finding that this section is not applicable to this proceeding.

the above, the Board adopts the Committee's recommendation that Ms. Burrell's petition be granted.

As suggested by the parties, some clarification is needed to define the nature and scope of the conditions of reinstatement recommended by the Committee. The Committee's first condition of reinstatement is that Ms. Burrell be supervised by a "mentoring lawyer" who is in good standing and licensed to practice law in Louisiana, with that supervision to last for a period of two (2) years. The Board will adopt this condition; however, the Board will instead identify the "mentoring lawyer" as a "probation monitor" which is consistent with Rule XIX, Appendix C, and the system by which lawyers are monitored when concerns exist regarding reinstatement or readmission. This probation monitor will support Ms. Burrell's re-entry into the practice of law and report to ODC's Monitoring Counsel concerning her progress and her compliance with the Rules of Professional Conduct.⁵

The second condition of reinstatement recommended by the Committee is that Ms. Burrell's reinstatement be conditioned upon her successful completion of eight (8) hours of continuing legal education seminars that are designated for new lawyers and/or small firm and solo practitioners by the LSBA. As to this condition, the Board clarifies that these eight hours should be in addition to the normal twelve-and-one-half hours of continuing legal education expected of all eligible lawyers. Moreover, the Board will not designate a specific provider of these continuing legal education hours so as to allow Ms. Burrell the opportunity to choose those providers who offer the most meaningful seminars to her practice. These hours are to be completed within her first year of practice following reinstatement.

⁵ In her pre-argument memorandum, Ms. Burrell states that she plans to work in a law firm upon reinstatement and that she has no intention at this time of being a solo practitioner if reinstated.

The third condition of reinstatement recommended by the Committee is that Ms. Burrell enter into a new payment plan addressing the LSBA dues, disciplinary assessments, and disciplinary fees that will be due upon her reinstatement.⁶ As to this condition, the Board initially must address the Motion for Abatement of Advance Cost of Hearing Deposit filed by Ms. Burrell on January 2, 2018. The Board recommends that this motion be denied, and Ms. Burrell be required to pay the \$500.00 administrative fee owed as an advance deposit for these proceedings. These funds should be paid immediately if available, or if not, rolled into a new, overall payment plan with the Disciplinary Board encompassing this reinstatement deposit, any costs due from this reinstatement proceeding and any outstanding disciplinary costs. The disciplinary assessment fees and the bar dues which will become due if Ms. Burrell's petition is granted by the Court should be paid immediately upon reinstatement.

The Committee also recommended that a review of Ms Burrell's compliance with the terms and conditions of the reinstatement be conducted every three (3) months until the amounts owed are paid in full and the supervisory period has expired. The Board clarifies that should reinstatement be granted, this task will be performed by ODC's Monitoring Counsel who will design an appropriate probation plan consistent with the directives of the Supreme Court. Should an extension of the two (2) year probation period appear to be necessary in order to meet these directives, probation may be renewed for an additional two year period by consent or after a hearing to determine if there is a continued need for supervision. Rule XIX, Section 10(A)(3).

⁶ As explained by the Committee, Ms. Burrell previously entered into a promissory note with the Disciplinary Board for payment of costs in connection with her underlying disciplinary matter. She has generally paid \$50.00 per month for approximately seven years on the note, with a balance due as of 5/24/18 of \$1,011.14. *See* Respondent Exhibit 9b. Board records indicate that as of 1/7/19, the balance of this note was \$639.01. ODC has suggested that the remaining costs due under this note be rolled into a new, meaningful promissory note which includes any new costs incurred in connection with this reinstatement proceeding.

Finally, the Board will recommend that Ms. Burrell be cast with all costs and expenses of these proceedings.

RECOMMENDATION

The Board recommends that Ms. Burrell's Motion for Abatement of Advance Cost of Hearing Deposit be denied. The Board adopts the Committee's recommendation that the Petition and Application for Reinstatement filed by Attlah D. Burrell be granted, subject to the modified conditions listed below:

- (1) Upon reinstatement, Ms. Burrell shall be placed on probation and supervised by a probation monitor appointed through the Office of Disciplinary Counsel in accordance with Rule XIX, Appendix C, for a period of two (2) years. The probation monitor must be in good standing and licensed to practice law in Louisiana.
- (2) Ms. Burrell's reinstatement shall be conditioned upon her successful completion of eight (8) hours of continuing legal education seminars that are designated for new lawyers and/or small firm and solo practitioners. These eight (8) hours shall be in addition to the twelve-and-one-half (12.5) hours of continuing legal education required to be completed by eligible lawyers in good standing with the LSBA and must be completed during Ms. Burrell's first year of practice following reinstatement.
- (3) The \$500.00 reinstatement deposit assessed with these proceedings shall be paid immediately if the funds are available; if not, payment of this deposit shall be addressed in a new payment plan with the Disciplinary Board. This new payment plan shall encompass the reinstatement deposit (if not immediately paid), any costs due from this reinstatement proceeding, and any outstanding disciplinary costs. Further, immediately upon reinstatement, Ms. Burrell shall pay all disciplinary assessment fees and bar dues that are owed to the Disciplinary Board and the LSBA, respectively.
- (4) A review of Ms. Burrell's compliance with the terms and conditions of her reinstatement shall be conducted every three (3) months by the Office of Disciplinary Counsel until the amounts owed are paid in full and the supervisory period has expired. Should an extension of the two (2) year probation period appear to be necessary to meet the Supreme Court's directives concerning the terms and conditions of the reinstatement, probation may be renewed for an additional two year period by consent or after a hearing to determine if there is a continued need for supervision. Rule XIX, Section 10(A)(3).

Moreover, the Board recommends that Ms. Burrell be cast with all costs and expenses of these proceedings.

LOUISIANA ATTORNEY DISCIPLINARY BOARD

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