

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: ELZEY JEFFREY PERILLOUX

NUMBER: 20-DB-061

RECOMMENDATION TO THE LOUISIANA SUPREME COURT

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INTRODUCTION

This is an attorney discipline matter based upon the filing of formal charges by the Office of Disciplinary Counsel (“ODC”) against Elzey Jeffrey Perilloux (“Respondent”), Louisiana Bar Roll Number 22586.¹ 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 in other respects).² The hearing committee (“Committee”) assigned to the matter found that Respondent violated the rules as charged and recommended that Respondent be permanently disbarred. The Committee also recommended that Respondent pay all costs and expenses of this proceeding.

For the following reasons, the Board concludes that Respondent violated Rules 8.4(a) and 8.4(b), as charged. The Board recommends that Respondent be permanently disbarred. 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).

PROCEDURAL HISTORY

The formal charges were filed on November 24, 2020. The charges state, in pertinent part:

¹ Respondent was admitted to the Louisiana Bar on October 8, 1993. His primary registration address is 2393 Highway 18, Suite 101, Edgard, LA 70049. However, it is noted that Respondent is currently incarcerated. Respondent was suspended from the practice of law in Louisiana on an interim basis on November 4, 2020, and remains on interim suspension. *In re Perilloux*, 2020-B-1178 (La. 11/04/2020), 303 So.3d 626.

² See attached Appendix for full text of the Rules.

II.

In 2016 Respondent ran for a seat on the district court bench and was elected to Division B of the 40th Judicial District Court.

III.

While a district court judge, Respondent was accused of improper touching of a 14 and a 15 year old [sic] girl in his home in LaPlace, Louisiana during May of 2017, and of improper touching of a 17 year old [sic] girl in December of 2017. Criminal charges against Respondent were brought by the Louisiana Attorney General's office and on Saturday September 5, 2020 a jury convicted him of three (3) felony counts of indecent behavior with a juvenile and the presiding judge found him guilty of one (1) count of a misdemeanor sexual battery.

IV.

Following his conviction, on or about September 21, 2020 Respondent submitted a letter of resignation as a district court judge to the Louisiana Secretary of State.

V.

Respondent's conduct reflects violations of Rule 8.4(b) – the commission of a criminal act; and 8.4(a) – violate or attempt to violate the Rules of Professional Conduct.

On December 15, 2020, Respondent, through his then counsel of record, filed a request to stay the proceeding until all appeals from his criminal conviction were concluded.³ By an order signed by the Adjudicative Committee Chair on December 16, 2020, the matter was stayed pending the finality of Respondent's conviction.

On February 21, 2025, ODC filed a Motion to Lift Stay and Set Date for Hearing in Mitigation which motion was granted on February 27, 2025.

On August 19, 2025, Respondent filed Respondent's Answer and Response to ODC's Prehearing Memorandum/Statement in Mitigation.⁴ Respondent admitted the three felony and one misdemeanor convictions but continued to assert his innocence in connection with the criminal matters. He further described how the criminal proceedings had significantly harmed him and his

³ Respondent was on interim suspension when the formal charges were filed. *See In re Perilloux*, 2020-B-1178 (La. 11/04/2020), 303 So.3d 626.

⁴ Respondent's former counsel had withdrawn from representation in this matter in March 2025.

family financially and emotionally. He also attached a draft memorandum which included arguments to be presented in post-conviction relief proceedings.

The hearing in this matter was held on December 15, 2025, before Hearing Committee No. 23.⁵ Deputy Disciplinary Counsel Paul E. Pendley appeared on behalf of ODC. Respondent appeared pro se via Zoom. The Committee heard testimony from Respondent, who was the only witness who testified at the hearing. ODC's Exhibit ODC 2 was the only exhibit admitted into evidence.

The Committee filed its report on January 22, 2026. Respondent filed an objection to the report on February 9, 2026.

ODC timely filed its brief to the Board on March 12, 2026. On March 18, 2026, the Board received a handwritten note from Respondent dated March 11, 2026. Respondent stated in the note that he had no access to a functioning typewriter or research material and he was waiving the filing of a new brief in the matter. He requested that the Board review his prior filings.

Oral argument of this matter was held on April 16, 2026, before Board Panel "C."⁶ Mr. Pendley appeared on behalf of ODC. Respondent appeared pro se by telephone.⁷ During oral argument, Respondent admitted his criminal convictions, that the convictions are final, and that permanent disbarment would be an appropriate sanction for the nature of his convictions. However, he continued to maintain his innocence and objected to the findings made by the Committee that flow from his convictions and that support the Committee's recommendation of permanent disbarment.

⁵ Hearing Committee No. 23 was comprised of Charles A. Cerise, Jr. (Committee Chair), Donald F. de Boisblanc, Jr. (Lawyer Member), and Nancy L. Claypool (Public Member).

⁶ Board Panel "C" was composed of James B. Letten (Chair), Jimmy R. Faircloth, Jr. (Lawyer Member), and Albert R. Dennis III (Public Member).

⁷ As previously noted, Respondent is currently incarcerated. All parties agreed to Respondent's participation in the oral argument by telephone.

HEARING COMMITTEE REPORT

In its report filed on January 22, 2026, the Committee made findings and conclusions and provided analysis in support of the recommended sanction, as follows:

FINDINGS OF FACT

Respondent's convictions of three felony counts involving juveniles and one misdemeanor count are final. Pursuant to Rule XIX, Section 19E, a "certificate of conviction of the respondent shall be conclusive evidence of his/her guilt of the crime for which he/she has been convicted." Respondent has stipulated to the finality of his criminal convictions. Accordingly, the Committee finds that there is clear and convincing evidence to support the Formal Charges for violations of Rules 8.4(a) and 8.4(b). Per Rule XIX, Section 19E, the only question for consideration is "whether the crime warrants discipline and, if so, the extent thereof." Further, "at the hearing the respondent may offer evidence only of mitigating circumstances not inconsistent with the essential elements of the crime for which he/she was convicted as determined by the statute defining the crime."

RULES VIOLATED

Respondent has been convicted of three felonies and one misdemeanor. Respondent admitted during the hearing that his convictions, three of which are felonies involving juveniles, are final. The Committee finds that the record fully supports that by clear and convincing evidence, the Respondent's conduct violated Rules 8.4(a) and 8.4(b). Respondent has committed criminal acts and by doing so has violated the Rules of Professional Conduct.

SANCTION

Louisiana Supreme Court Rule XIX, §10(C), states that when imposing a sanction after finding lawyer misconduct, a committee 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 the actual or potential injury caused by the lawyer's misconduct; and
- (4) The existence of any aggravating or mitigating factors.

Here, Respondent, an attorney admitted to the Bar since 1993 and a former district court judge, violated duties owed to the profession and the public through his three felony and one misdemeanor convictions. Respondent's conduct reflects poorly on the profession and violates his obligations to the public. Respondent acted knowingly. He was convicted of crimes that require intent. Respondent's misconduct caused actual harm to his victims, vulnerable juveniles, and the profession.

In considering mitigating factors, the Committee finds that Respondent has cooperated in the proceedings against him and has experienced the imposition of criminal penalties that include multiple consecutive jail sentences. But the

Committee finds that these mitigating factors are outweighed by the aggravating factors.

In considering aggravating factors, the Committee finds that Respondent has a prior disciplinary offense;[FN5] he was convicted of multiple offenses, three felonies and a misdemeanor; his felony conduct involved juveniles, vulnerable victims; he has substantial experience in the practice of law, including experience as a district court judge handling civil and criminal matters; and he engaged in unlawful conduct.

[FN5 *See In re Perilloux*, 2004-1141 (La. 06/04/04), 875 So.2d 66 (public reprimand for “notariz[ing] a document outside the presence of the signatory”).]

The *ABA Standards for Imposing Lawyer Sanctions*, Standard 7.1, suggests that disbarment is the baseline sanction for Respondent’s misconduct. Appendix D to Rule XIX, Guideline 4 provides that “[s]exual misconduct which results in a felony criminal conviction, such as rape or child molestation” is the type of conduct that might warrant permanent disbarment. Rule XIX, Section 10(A)(1) provides that permanent disbarment is appropriate when “(1) the lawyer’s misconduct is so egregious as to demonstrate a convincing lack of ethical and moral fitness to practice law; and (2) there is no reasonable expectation of significant rehabilitation in the lawyer’s character in the future.”

Here, Respondent’s misconduct was egregious, particularly given his position as a district court judge at the time of his misconduct and the fact that the three felony convictions involved juveniles. Respondent continues to maintain his innocence and is focused on alleged mistreatment of him by persons who are part of the justice system. The Committee finds that there is no reasonable expectation of significant rehabilitation in Respondent’s conduct in the future.

Case law supports a recommendation of permanent disbarment for Respondent under the circumstances of this case.

In *In re Opperman*, 2024-00148 (La. 04/23/24), 383 So.3d 571, the respondent, an ex-assistant district attorney, pleaded *nolo contendere* to one count of indecency with a juvenile and guilty to a second count of indecency with a juvenile, both felonies. Recommendations of permanent disbarment were upheld by the Louisiana Supreme Court. The Court noted that “[d]espite his position of public trust, respondent engaged in serious criminal acts with very vulnerable victims, ages 13 and 16” and “expressed no remorse for his conduct at the hearing of this matter.” *Id.* at **5, 383 So.3d at 573-74.

In *In re Aguillard*, 2007-0351 (La. 06/15/07), 958 So.2d 671, the respondent was convicted of computer-aided solicitation of a minor and carnal knowledge of a juvenile. A recommendation of permanent disbarment was upheld by the Court, which noted, “the imposition of any sanction less than permanent disbarment would require us to ignore the seriousness of respondent’s conduct and the grave harm he has done to his juvenile victim and to the public’s confidence in the legal profession.” *Id.* at **6, 958 So. 2d at 673.

In *In re Pilie*, 2012-1846 (La. 09/28/12), 98 So.3d 802, the Court refused admission to an applicant who had been arrested and charged with felony computer-aided solicitation of a minor and attempted indecent behavior with a juvenile,

despite the petitioner's completion of a pre-trial diversion program and subsequent refusal of criminal charges against him. The Court noted, "[h]ad petitioner been a practicing attorney at the time of his misconduct, it is very likely he would have been permanently disbarred. Given this fact, we can conceive of no circumstance under which we would ever admit petitioner to the practice of law." *Id.* at **3, 98 So.3d at 804.

CONCLUSION

Considering all of the facts of this case and the applicable standards and case law, the Committee recommends permanent disbarment as the appropriate sanction for Respondent's misconduct. The Committee further recommends that all costs and expenses in the matter be assessed against the Respondent in accordance with the Supreme Court Rule XIX Section 10.1.

This opinion is unanimous and has been reviewed by each Committee member, who fully concurs ...

Committee Report, pp. 3-7.

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 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 readmission, 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 Committee's Findings of Fact do not appear to be manifestly erroneous, are supported by the record, and are adopted by the Board.

B. *De Novo* Review

The Board concludes that Respondent violated Rules 8.4(a) and 8.4(b), as charged. These conclusions are supported by the evidence for the reasons stated in the Committee's report quoted above.

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.

By his misconduct, Respondent violated duties owed to the public and the profession. The evidence shows that Respondent was convicted of the crimes of indecent behavior with juveniles (three counts) and misdemeanor sexual battery (one count). By definition, the crimes of which he was convicted require intent.⁸ With respect to the injury caused by the lawyer's misconduct, no evidence was presented regarding the actual acts of misconduct performed by Respondent which resulted in the criminal convictions or the magnitude of the effect Respondent's acts had upon his victims. However, the evidence shows that Respondent was convicted of three separate counts of felony indecent behavior with juveniles and one count of misdemeanor sexual battery. Given the types of acts encompassed by the definitions of these crimes and the fact that there appears to have been three victims, at least two of whom were juveniles, the potential exists that very significant

⁸ See La.R.S. 14:81 ("Indecent behavior with juveniles is the commission of any of the following acts with the *intention* of arousing or gratifying ..." (emphasis added)) and La.R.S. 14:43.1.1 ("A. Misdemeanor sexual battery is the *intentional* touching ..." (emphasis added)).

injury occurred.⁹ Additionally, Respondent's misconduct casts a negative light on the legal profession.

The following aggravating factors are present: prior disciplinary offense; dishonest or selfish motive; a pattern of misconduct; multiple offenses; refusal to acknowledge wrongful nature of conduct; vulnerability of victims; substantial experience in the practice of law; and illegal conduct. Mitigating factors include cooperative attitude toward proceedings; imposition of other penalties or sanctions; and remoteness of prior offense.¹⁰

B. The ABA Standards and Case Law

The *ABA Standards for Imposing Lawyer Sanctions* provide guidance in determining the appropriate sanction to be imposed for Respondent's misconduct. Standard 5.11 states:

5.11 Disbarment is generally appropriate when:

- (a) a lawyer engages in serious criminal conduct a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or
- (b) a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

While Respondent's misconduct does not fit squarely within Standard 5.11, Respondent has engaged in intentional criminal conduct that seriously adversely reflects on the lawyer's fitness to practice. Additionally, as aptly discussed by the Committee in its sanction analysis quoted above,

⁹ It is noted that the record reflects a notation in the minutes of the criminal record that "it was the court's opinion that defendant has not come to grips with the magnitude of what he had put the victims through." See ODC Ex. ODC 2. The disciplinary hearing record contains no other information about the impact of Respondent's misconduct on his victims.

¹⁰ Respondent received a public reprimand in 2004, sixteen years prior to his criminal conviction. See *In re Perilloux*, 2004-1141 (La. 06/04/04), 875 So.2d 66.

the Louisiana Supreme Court's rules and jurisprudence support the conclusion that permanent disbarment is appropriate here.

Respondent has admitted his criminal convictions, that the convictions are final, and that permanent disbarment would be an appropriate sanction for the nature of his convictions. However, he continues to maintain his innocence and objects to the findings made by the Committee that flow from his convictions and that are required to support the Committee's recommendation of permanent disbarment. *See* Rule XIX, §§10(A)(1) and 10(C).

Rule XIX, Section 19(E) provides that after a conviction has become final, the conviction of the respondent shall be conclusive evidence of his guilt of the crime(s) for which he was convicted. "The sole issue to be determined at the hearing shall be whether the crime warrants discipline and, if so, the extent thereof. At the hearing, the respondent may offer evidence only of mitigating circumstances *not inconsistent with the essential elements of the crime* for which he/she was convicted as determined by the statute defining the crime." Rule XIX, §19(E) (emphasis added). Respondent here admits he was convicted but persists in objecting to findings that are consistent with the essential elements of his convictions such as he acted intentionally and caused harm to juveniles who are vulnerable victims.

In reaching the sanction recommendation of permanent disbarment, the Committee and the Board have performed the analysis and made findings required under the jurisprudence and rules of the Louisiana Supreme Court. The duties violated, Respondent's mental element, the injury caused, and the aggravating and mitigating factors have all been considered pursuant to the Court's guidance. Additionally, in recommending permanent disbarment, the Court's Guidelines for Depicting Conduct Which Might Warrant Permanent Disbarment have been considered. Further, the recommendation of permanent disbarment is made after determination by both the Committee

and the Board, as required by Rule XIX, §10(A)(1), that Respondent's misconduct is so egregious as to demonstrate a convincing lack of ethical and moral fitness to practice law and there is no reasonable expectation of significant rehabilitation in the lawyer's character in the future.

CONCLUSION

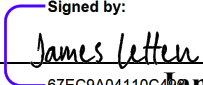
In light of the above, the Board concludes that Respondent violated Rules 8.4(a) and 8.4(b), as charged, that Respondent should be permanently disbarred, and that Respondent should be assessed with the costs and expenses of these proceedings in accordance with Louisiana Supreme Court Rule XIX, §10.1(A).

RECOMMENDATION

The Board recommends that Elzey Jeffrey Perilloux be permanently disbarred and that he 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

Marie D. Centanni
Kevin E. Cunningham
Albert R. Dennis III
Jimmy R. Faircloth, Jr.
Valerie S. Fields
Ronald J. Miciotto
Aldric C. Poirier, Jr.
Erica J. Rose

Signed by:
By: 
67EC9A04110C0000 James B. Letten
FOR THE ADJUDICATIVE COMMITTEE

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;

...

CERTIFICATE OF MAILING

**In re: Elzey Jeffrey Perilloux
Docket No(s). 20-DB-061**

I hereby certify that a copy of the Recommendation of the Louisiana Attorney Disciplinary Board has this day been mailed to the Respondent(s) and/or the Counsel for the Respondent(s) by United States Mail and E-Filed to the Office of Disciplinary Counsel this **30th** day of **June, 2026** at the following address:

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**Raul V. Esquivel III
BOARD ADMINISTRATOR**