

SUPREME COURT OF MISSISSIPPI

In re the Petition for Reinstatement of Woolbright

890 So. 2d 884 (Miss. 2004) · Decided August 19, 2004

SUMMARY

The Mississippi Supreme Court considers Tammy L. Woolbright’s petition for reinstatement after she was disbarred following a guilty plea to third-offense driving under the influence. The Court grants reinstatement contingent on her passing the bar examination and continuing participation in Alcoholics Anonymous and the Mississippi Lawyers and Judges Assistance Program.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Randolph, Justice; Smith, C.J.; Waller, P.J.; Cobb, P.J.; Easley, J.; Carlson, J.; Dickinson, J.; Randolph, J.
JURISDICTION	Mississippi
DECIDED	August 19, 2004
DISPOSITION	other
PROCEDURAL POSTURE	A disbarred attorney petitioned the Supreme Court of Mississippi for reinstatement under Rule 12 of the Mississippi Rules of Discipline. The Mississippi Bar conditionally supported reinstatement.
STANDARD OF REVIEW	The Court reviews attorney-discipline matters de novo, case by case, while sitting as the trier of fact.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Mississippi
PARTIES	Tammy L. Woolbright v. Mississippi Bar

TOPICS

civil procedure

PRACTICE AREAS

legal ethics and professional responsibility attorney reinstatement attorney discipline

QUESTIONS PRESENTED

1. Whether Woolbright satisfied the jurisdictional and substantive requirements for reinstatement under the Mississippi Rules of Discipline.
2. Whether reinstatement should be conditioned on passage of the bar examination and continued participation in substance-abuse treatment and assistance programs.

HOLDINGS

1. Woolbright demonstrated rehabilitation in conduct and character and satisfied the reinstatement requirements concerning pecuniary loss, restitution, moral character, and legal learning sufficiently to warrant reinstatement.
2. Reinstatement was granted contingent on Woolbright's satisfying the Rule 12.5 examination requirement and continuing participation in Alcoholics Anonymous and the Mississippi Lawyers and Judges Assistance Program.

KEY QUOTATIONS

“The fundamental inquiry is whether the attorney has rehabilitated himself in conduct and character since the suspension was imposed.” (885)

“A firm resolve to live a correct life evidenced by outward manifestation sufficient to convince a reasonable mind clearly that the person has reformed is only required.” (885)

“Therefore, her petition is granted provided she satisfies the examination requirements of Rule 12.5 and continues to participate in substance abuse programs.” (888)

FACTUAL BACKGROUND

Woolbright, admitted to the Mississippi bar in 1981, pleaded guilty to third-offense DUI arising from a 1999 one-car accident and received a five-year suspended sentence, a fine, and alcohol-treatment requirements. She was disbarred in 2000 after failing to respond to the Bar's formal complaint. After disbarment, she completed treatment, participated in Alcoholics Anonymous and community activities, paid required fines and costs, satisfied probation early, and presented evidence of remorse, rehabilitation, financial compliance, and support for reinstatement.

PROCEDURAL HISTORY

Woolbright was disbarred after failing to respond to a formal complaint arising from her guilty plea to third-offense DUI. After the required waiting period, she filed a petition for reinstatement. The Supreme Court reviewed the petition and supporting evidence de novo and granted reinstatement subject to specified conditions.

DISPOSITION

other

CASES CITED

- Mississippi Bar v. Woolbright, 797 So. 2d 208 (Miss. 2000)

- In re Morrison, 819 So. 2d 1181, 1183-84 (Miss. 2001)

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