

SUPREME COURT OF LOUISIANA

In re LeBlanc

786 So. 2d 719 (La. 2001) · No. 98-DB-074; 99-DB-005 · Decided April 27, 2001

SUMMARY

The Louisiana Supreme Court considers attorney disciplinary charges against Jeffrey P. LeBlanc involving client-fund conversion, neglect, failure to communicate, failure to return unearned fees, and failure to cooperate with disciplinary authorities. The court disbarred LeBlanc, ordered full restitution to his victims, and assessed costs against him.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Per curiam; Philip C. Ciaccio, Justice Pro Tempore, sitting for Associate Justice Harry T. Lemmon
JURISDICTION	Louisiana
DECIDED	April 27, 2001
DOCKET	98-DB-074; 99-DB-005
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding arising from nine counts of formal charges filed by the Office of Disciplinary Counsel. The hearing committee and disciplinary board found violations of the Louisiana Rules of Professional Conduct and recommended disbarment and restitution; no party objected to the board's recommendation.
STANDARD OF REVIEW	The court reviewed the record and the disciplinary board's findings and recommendation; no more specific formal standard of review was stated.
PRECEDENTIAL VALUE	Published precedential opinion

TOPICS

- restitution
- remedies

PRACTICE AREAS

- legal ethics
- attorney discipline
- professional responsibility

QUESTIONS PRESENTED

1. Whether the record supported the hearing committee's findings that LeBlanc violated the Louisiana Rules of Professional Conduct as charged.
2. What sanction was appropriate for LeBlanc's intentional misconduct, prior disciplinary history, client harm, and failure to cooperate with the disciplinary process.

HOLDINGS

1. The record supported the hearing committee's findings that LeBlanc violated the professional rules as charged.
2. Lawyer discipline is imposed primarily to maintain professional standards, safeguard the public, preserve the integrity of the legal profession, and deter future violations; the appropriate sanction depends on the facts, seriousness of the offenses, and aggravating and mitigating circumstances.
3. LeBlanc lacked the moral fitness to practice law in Louisiana and was properly disbarred, with an order to make full restitution to his victims.

KEY QUOTATIONS

“The purpose of lawyer disciplinary proceedings is not primarily to punish the lawyer, but rather to maintain appropriate standards of professional conduct to safeguard the public, to preserve the integrity of the legal profession, and to deter other lawyers from engaging in violations of the standards of the profession.” (at 722)

“Under these circumstances, we must conclude respondent lacks the moral fitness to practice law in the State of Louisiana.” (at 723)

FACTUAL BACKGROUND

LeBlanc mishandled client funds, including escrow and trust funds, and failed to provide full restitution for some converted funds. He repeatedly neglected legal matters, failed to communicate with clients, failed to return unearned fees or client files, and continued misconduct after prior suspensions and discipline. He also failed to cooperate with the Office of Disciplinary Counsel by refusing or failing to respond to notices, subpoenas, and scheduled hearings.

PROCEDURAL HISTORY

The Office of Disciplinary Counsel filed nine counts against Jeffrey P. LeBlanc. LeBlanc did not answer, and the matter was submitted to the hearing committee on documentary evidence. The hearing committee found the charges proved by clear and convincing evidence and recommended disbarment and restitution. The disciplinary board concurred, found numerous aggravating factors and no mitigating factors, and recommended disbarment and restitution or return of unearned fees. The Louisiana Supreme Court accepted the recommendation and imposed disbarment and full restitution.

DISPOSITION

other

CASES CITED

- Louisiana State Bar Ass'n v. Guidry, 571 So. 2d 161 (La. 1990)
- Louisiana State Bar Ass'n v. Whittington, 459 So. 2d 520 (La. 1984)
- In re LeBlanc, 713 So. 2d 449 (La. 1998)
- In re LeBlanc, 699 So. 2d 378 (La. 1997)

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