

SUPREME COURT OF LOUISIANA

In re Salat

131 So. 3d 841 (La. 2014) · Decided January 17, 2014

SUMMARY

The Louisiana Supreme Court denies Syed A. Salat's fourth application for readmission to the bar. The court finds that he failed to prove by clear and convincing evidence that he possesses the requisite competence, honesty, integrity, and moral fitness, citing his failure to make full restitution and his post-disbarment pattern of deceitful conduct. The court permanently precludes him from seeking readmission in the future.

CASE DETAILS

COURT	Supreme Court of Louisiana
JURISDICTION	Louisiana
DECIDED	January 17, 2014
DISPOSITION	other
PROCEDURAL POSTURE	A disbarred attorney sought readmission to the Louisiana bar for the fourth time. The Office of Disciplinary Counsel objected, and both the hearing committee and disciplinary board recommended denial. The Supreme Court of Louisiana denied readmission and permanently barred any further applications.
STANDARD OF REVIEW	The Supreme Court reviewed the hearing committee's factual findings for manifest error, giving deference to credibility determinations. The applicant bore the burden of proving by clear and convincing evidence that he satisfied the requirements for readmission.
PRECEDENTIAL VALUE	precedential
PARTIES	Syed A. Salat v. Office of Disciplinary Counsel

TOPICS

appellate procedure

standard of review

PRACTICE AREAS

legal ethics and professional responsibility

attorney discipline

bar admission and readmission

QUESTIONS PRESENTED

1. Whether Salat proved by clear and convincing evidence that he possessed the competence, honesty, integrity, and moral fitness required for readmission to the Louisiana bar.
2. Whether the hearing committee's factual findings were manifestly erroneous.
3. Whether the Supreme Court had authority to permanently preclude Salat from filing further applications for readmission.

HOLDINGS

1. Salat failed to prove by clear and convincing evidence that he possessed the requisite competence, honesty, integrity, and moral fitness to practice law in Louisiana.
2. The hearing committee's factual findings were not manifestly erroneous because they were based on credibility determinations supported by the record.
3. The Supreme Court had authority to permanently prohibit a disbarred attorney from filing further applications for readmission.

KEY QUOTATIONS

“we have “always had the unfettered authority to refuse readmission to disbarred attorneys, including the right to do so on a permanent basis.”” (131 So. 3d at 843)

“Considering the totality of the facts of this case, we can conceive of no circumstance under which we would ever readmit petitioner to the practice of law in Louisiana.” (131 So. 3d at 843)

“We further order that petitioner shall be permanently precluded from seeking readmission in the future.” (131 So. 3d at 843)

FACTUAL BACKGROUND

Salat, a disbarred attorney, participated in a scheme to alter filing dates on six lawsuits so they would appear timely, was convicted of six counts of filing false public records, and was later disbarred by consent. Over the years following disbarment, he made multiple unsuccessful readmission applications, including applications involving inadequate restitution and false or forged documents. In the present application, he had not made full restitution, including interest, and the hearing committee found that he had not accepted responsibility for his misconduct.

PROCEDURAL HISTORY

Salat was disbarred in 1995 after criminal convictions arising from a scheme to alter filing dates on lawsuits. He filed prior unsuccessful readmission applications in 1999, 2002, and 2007. In 2012 he filed the present application; the hearing committee and disciplinary board recommended denial, and the Supreme Court independently reviewed the record and denied the application.

DISPOSITION

other

CASES CITED

- State v. Salat, 672 So. 2d 333 (La. App. 1 Cir. 1996), writ denied, 679 So. 2d 1378 (La. 1996)
- In re: Salat, 637 So. 2d 454 (La. 1994)
- In re: Salat, 653 So. 2d 548 (La. 1995)
- In re: Salat, 768 So. 2d 31 (La. 2000)
- In re: Salat, 888 So. 2d 199 (La. 2004)
- In re: Salat, 989 So. 2d 91 (La. 2008)
- In re: Laudumiey & Mann, 849 So. 2d 515 (La. 2003), cert. denied, 540 U.S. 1048 (2003)