

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**Notice for Comment on Proposed  
Amendments to the Rules for Lawyer Disciplinary Enforcement  
for the Eastern District of Louisiana**

Public Notice is hereby given of proposed amendments to the Rules for Lawyer Disciplinary Enforcement for the United States District Court for the Eastern District of Louisiana.

*To incorporate automatic suspension as a part of reciprocal discipline under our Disciplinary Rules, the following language would be substituted in place of current Rule 3 in toto:*

**RULE 3. GROUNDS FOR DISCIPLINE**

**Rule 3.1. Grounds for Discipline.** The court *en banc* may impose discipline upon a lawyer authorized to practice before this court if it finds clear and convincing evidence that one or more of the following circumstances exist:

3.1.1. *Misconduct.* The lawyer has committed “misconduct” as defined in the Rules of Professional Conduct.

3.1.2. *Serious Crime.* The lawyer has been convicted of a serious crime in any court of the United States or any of its territories, commonwealths, or possessions, or any state of the United States, or the District of Columbia. The term “serious crime” includes (1) a felony, or (2) any other crime that raises a substantial question as to the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects.

3.1.3. *Reciprocal Discipline.* The lawyer has been disciplined by any court of the United States or any of its territories, commonwealths, or possessions, or any state of the United States, or the District of Columbia.

**Rule 3.2. Automatic Suspension.** Whenever a lawyer admitted to practice before this court is suspended or disbarred from the practice of law by any court of the United States or any of its territories, commonwealths, or possessions, or any state of the United States, or the District of Columbia, such discipline shall operate as an automatic suspension of the lawyer’s right to practice in this court pending the commencement and completion of disciplinary proceedings, and an order of suspension shall be issued by the court. The automatic suspension from this court shall remain in effect unless the lawyer has, by motion to the court within 28 days after service of the order of automatic suspension, shown good cause (under the three criteria set out in *Selling v. Radford*, 243 U.S. 46, 50-51 (1917)), as to why the suspension should not remain in effect pending the commencement and completion of disciplinary proceedings. The Chief Judge or his or her designee shall rule on such motion within 14 days of its filing.

*To incorporate permanent disbarment into our Disciplinary Rules, Rules 8 and 9 would be revised to add the underlined language shown below:*

## **RULE 8. AVAILABLE SANCTIONS**

The court *en banc* may impose the following disciplinary sanctions: disbarment (including permanent disbarment in extraordinary cases) or suspension from practice before this court, public reprimand, private admonition, monetary sanctions, restitution, probation and such other sanctions as the court deems appropriate.

## **RULE 9. POST-DISCIPLINE PROCEDURES**

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**Rule 9.3. Reinstatement.** A suspended or disbarred lawyer (except one who has been permanently disbarred) may practice before the court only after the court has ordered that the lawyer be reinstated to practice.

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**Rule 9.3.6. Conditions of Reinstatement.** If the *en banc* court finds the lawyer is unfit to resume the practice of law, the court must deny the motion. If the *en banc* court finds the lawyer fit to resume the practice of law, the court must reinstate the applicant. Reinstatement may be conditioned upon the payment of all or part of the expenses of the proceedings; upon the making of partial or complete restitution to parties harmed by the applicant whose conduct led to the suspension or disbarment; and other conditions deemed proper by the court. If the lawyer has been suspended or disbarred, reinstatement may be conditioned upon the furnishing of proof of competency, character and fitness to practice law, which proof may include certification by the Bar Examiners of the State or other admitting jurisdiction of the lawyer's successful completion of an examination for admission to practice subsequent to the date of suspension or disbarment. The judgment must require appropriate evidence of satisfaction of any conditions of reinstatement imposed and must fix the time at which the reinstatement is effective. A lawyer who has been permanently disbarred is ineligible for reinstatement.

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The current rules may be found posted in their entirety on the court's website at this [link](#). Comments may be made in writing via email to [Clerk@laed.uscourts.gov](mailto:Clerk@laed.uscourts.gov) through April 13, 2025. Comments received will be made public and posted on the court's website with the author's name.

March 14, 2025

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