

SUPREME COURT OF LOUISIANA

No. 2020-OB-00315

IN RE: P. MICHAEL DOHERTY BREEDEN, III

Attorney Disciplinary Proceeding

CRAIN, J., concurs and assigns reasons.

I agree the petition for permanent resignation from the practice of law should be accepted, as the conditions of La. Supreme Court Rule XIX, § 20.1 are satisfied. I write to note the allegations against respondent include converting funds from clients and third parties, and respondent's permanent resignation should not exonerate him from restitution. In these type cases, I encourage the Office of Disciplinary Counsel to negotiate terms of restitution with respondents or to notify victims of their rights, including the right to file suit for civil conversion or malpractice, or to pursue criminal charges. The Rules of Professional Conduct exist, in part, to protect the public from unethical lawyers. Without in any way diminishing the significance of permanent resignation, we must remain mindful of the victims.