

SUPREME COURT OF LOUISIANA

No. 2021-B-00518

IN RE: JEANANNE ROY SELF

Attorney Disciplinary Proceeding

Genovese, J., concurs in part, dissents in part, and assigns the following reasons.

Since Respondent herein has admitted the formal charges alleging she engaged in the unauthorized practice of law and was arrested for possession of marijuana, the sole question presented for this Court is the appropriate sanction.

A majority of this court has opted for a 30-day suspension from the practice of law, followed by a one-year period of unsupervised probation. I concur in the 30-day suspension, but dissent from the probation disposition.

As presented herein, I find the one-year period of unsupervised probation cannot be meaningfully enforced. According to the conditions of the discipline imposed by this Court, once Respondent serves her 30-day suspension, there is no sanction to be imposed should she violate her one-year period of unsupervised probation. So what purpose does the probation serve? None.

A probation contemplates a sanction for a violation thereof. If there is no sanction—as is the case herein—then there is no need for any probation. If there is a violation of probation, without a sentence to be imposed over and above the suspended portion of that sentence, the probation is meaningless and serves no purpose, as there is no sanction for a violation of said probation.

Thus, I would remand for a sanctionable probation or else eliminate this inane probation altogether.