

The Supreme Court of the State of Louisiana

IN RE: LARUE HAIGLER, III

No. 2023-B-00446

IN RE: Office of Disciplinary Counsel - Applicant Other; Notice of Discipline in
Another Jurisdiction Pursuant to Rule XIX, Section 21 and Motion to Initiate
Reciprocal Discipline Proceedings;

June 07, 2023

Reciprocal disability inactive status imposed. See per curiam.

JLW

JDH

SJC

JTG

WJC

JBM

PDG

Supreme Court of Louisiana

June 07, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2023-B-0446

IN RE: LaRUE HAIGLER, III

ATTORNEY DISCIPLINARY PROCEEDING

PER CURIAM

Pursuant to Supreme Court Rule XIX, § 21, the Office of Disciplinary Counsel (“ODC”) has filed a petition seeking the imposition of reciprocal disability inactive status against respondent, LaRue Haigler, III,¹ an attorney licensed to practice law in the States of Louisiana and Alabama, based upon his transfer to disability inactive status by the Disciplinary Board of the Alabama State Bar.

UNDERLYING FACTS AND PROCEDURAL HISTORY

On February 28, 2023, the Disciplinary Board of the Alabama State Bar issued an order transferring respondent to disability inactive status. The order provides that “pursuant to Rule 27(c), *Ala. R. Disc. P.*,² LaRue Haigler, III, is hereby transferred to Disability Inactive Status, effective immediately.”

¹ On November 7, 2022, the ODC filed formal charges against respondent in disciplinary board docket number 22-DB-058, and those charges remain pending.

² Rule 27 of the Alabama Rules of Disciplinary Procedure provides, in pertinent part:

(c) Incapacity claimed by Respondent Lawyer. If, during the course of a disciplinary proceeding, the respondent contends that he or she is suffering from a disability by reason of mental or physical infirmity, illness, or addiction to drugs or intoxicants, which makes it impossible for the respondent to defend himself or herself, the Disciplinary Board shall enter an order transferring the respondent to disability inactive status until a determination is made of the respondent’s ability to adequately defend himself or herself. The Disciplinary Board shall appoint a lawyer to represent the respondent if he or she is without adequate representation, and may take or direct such action to be taken as it deems necessary or proper to determine whether the respondent is able to adequately defend himself or herself, including the examination of the respondent by such qualified medical experts as the Disciplinary Board shall designate. If the Disciplinary Board determines that the respondent

After receiving notice of the order transferring respondent to disability inactive status in Alabama, the ODC filed a petition to initiate reciprocal disability inactive status proceedings in Louisiana, pursuant to Supreme Court Rule XIX, § 21. A certified copy of the decision and order of the Disciplinary Board of the Alabama State Bar was attached to the motion. On March 29, 2023, this court rendered an order giving respondent and the ODC thirty days to demonstrate why transferring him to disability inactive status in this state would be unwarranted. Respondent failed to file any response in this court.

In response to the court's order, the ODC indicated that the documentation submitted to the Disciplinary Board of the Alabama State Bar in support of the petition to transfer to disability inactive status indicates that respondent is unable to assist in his defense of pending disciplinary proceedings due to incapacity as a result of substance use and other disorders for which he is currently undergoing treatment.

DISCUSSION

The standard for transferring an attorney to disability inactive status on a reciprocal basis is set forth in Supreme Court Rule XIX, § 21(D). That rule provides, in pertinent part:

Upon the expiration of thirty days from service of the notice pursuant to the provisions of paragraph B, this court shall impose ... disability inactive status unless disciplinary counsel or the lawyer demonstrates, or this court finds that it clearly appears upon the face of the record from which the discipline is predicated, that:

... (5) the reason for the original transfer to disability inactive status no longer exists.

If this court determines that any of those elements exists, this court shall enter such other order as it deems appropriate. The burden is on the party seeking different

is able to adequately defend himself or herself, it shall take such action as it deems proper and advisable including a direction for the resumption of the disciplinary proceedings against the respondent.

discipline in this jurisdiction to demonstrate that the imposition of the same discipline is not appropriate.

On February 28, 2023, the Disciplinary Board of the Alabama State Bar transferred respondent to disability inactive status. The imposition of reciprocal disability inactive status in Louisiana is appropriate, and there is no suggestion otherwise upon the face of the record. Accordingly, we will transfer respondent to disability inactive status.

DECREE

Considering the Petition for Reciprocal Disability Inactive Status filed by the Office of Disciplinary Counsel and the record filed herein, it is ordered that respondent, LaRue Haigler, III, Louisiana Bar Roll number 33168, be and he hereby is transferred to disability inactive status.