

The Supreme Court of the State of Louisiana

IN RE: RICHARD C. OUSTALET, JR.

No. 2022-OB-00597

IN RE: Office of Disciplinary Board - Applicant Other; Findings and
Recommendations (Reinstatement);

June 08, 2022

Conditional reinstatement granted. See per curiam.

JTG
JLW
JDH
SJC
WJC
JBM
PDG

Supreme Court of Louisiana
June 08, 2022

Katio Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2022-OB-0597

IN RE: RICHARD C. OUSTALET, JR.

ON APPLICATION FOR REINSTATEMENT

PER CURIAM

This proceeding arises out of an application for reinstatement to the practice of law filed by petitioner, Richard C. Oustalet, Jr., a suspended attorney.

UNDERLYING FACTS AND PROCEDURAL HISTORY

On May 20, 2019, we accepted a joint petition for consent discipline and suspended petitioner from the practice of law for two years. *In re: Oustalet*, 19-0486 (La. 5/20/19), 271 So. 3d 194. The record of the matter reflects that petitioner neglected his clients' legal matters, failed to communicate with them, relocated and accepted a position as an attorney with the State without giving notice to his clients, continued representing clients while employed with the State, and failed to return unearned fees and client files upon request.

On July 19, 2021, petitioner filed the instant application for reinstatement to the practice of law in Louisiana, asserting that he has complied with the reinstatement criteria set forth in Supreme Court Rule XIX, § 24(E). On September 20, 2021, the Office of Disciplinary Counsel ("ODC") filed an objection to petitioner's reinstatement. The matter was then referred for a formal hearing before a hearing committee. Prior to the hearing, the parties filed joint stipulations of fact addressing some of the issues cited by the ODC in its objection.

Following the hearing, the hearing committee issued its report. The committee recommended petitioner be reinstated to the practice of law, subject to a

two-year period of supervised probation. The committee also recommended a limitation upon petitioner's law practice. The ODC objected to the committee's report and recommendation, and petitioner urged that the recommended limitation upon his practice not be adopted. Accordingly, the matter was reviewed by the disciplinary board pursuant to Supreme Court Rule XIX, § 24(H)(2).

After review, the board recommended petitioner be reinstated to the practice of law, subject to a two-year period of probation governed by the following conditions:

1. Within sixty days of the effective date of reinstatement, petitioner shall present proof to ODC that he is current with the filing of all state and federal tax returns and with payment of all state and federal taxes owed through tax year 2020;
2. Within one year of the effective date of reinstatement, petitioner shall complete the Louisiana State Bar Association's Ethics School in addition to the mandatory continuing legal education hours required to be completed by all lawyers;
3. Within one year of the effective date of reinstatement, petitioner shall attend six hours of continuing legal education in the area of law office management in addition to the mandatory continuing legal education hours required to be completed by all lawyers; and
4. Should petitioner fail to comply with the conditions of probation, or should he commit any misconduct prior to the termination of the probationary period, his conditional right to practice may be terminated immediately, or he may be subjected to other discipline pursuant to the Rules for Lawyer Disciplinary Enforcement, as appropriate.

Neither petitioner nor the ODC objected to the disciplinary board's recommendation.

DISCUSSION

After considering the record in its entirety, we find petitioner has met his burden of proving that he is entitled to be reinstated to the practice of law on a conditional basis. Accordingly, we will order that petitioner be reinstated to the practice of law, subject to a two-year period of probation governed by the conditions recommended by the disciplinary board.

DECREE

Upon review of the recommendations of the hearing committee and the disciplinary board, there being no objection filed herein by the ODC and considering the record, it is ordered that Richard C. Oustalet, Jr., Louisiana Bar Roll number 27599, be immediately reinstated to the practice of law in Louisiana, subject to a two-year period of probation governed by the conditions set forth herein. The probationary period shall commence from the date petitioner and the ODC execute a formal probation plan. Should petitioner fail to comply with the conditions of probation, or should he commit any misconduct during the period of probation, his conditional right to practice may be terminated immediately, or he may be subjected to other discipline pursuant to the Rules for Lawyer Disciplinary Enforcement, as appropriate. All costs of these proceedings are assessed against petitioner.