

The Supreme Court of the State of Louisiana

**IN RE: NEIL DENNIS WILLIAM
MONTGOMERY**

No. 2022-OB-01756

IN RE: Office of Disciplinary Counsel - Applicant Other; Neil Dennis William
Montgomery - Applicant Other; Findings and Recommendations (Reinstatement);

February 14, 2023

Conditional reinstatement granted. See per curiam.

JTG

JLW

JDH

SJC

WJC

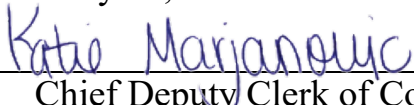
JBM

PDG

Crichton, J., additionally concurs and assigns reasons.

Supreme Court of Louisiana

February 14, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2022-OB-1756

IN RE: NEIL DENNIS WILLIAM MONTGOMERY

ON APPLICATION FOR REINSTATEMENT

PER CURIAM

On August 31, 2018, we suspended petitioner from the practice of law for one year and one day. We also ordered petitioner to provide an accounting and a refund of unearned fees, with legal interest, to two former clients, and assessed petitioner with the costs and expenses of the disciplinary proceeding. *In re: Montgomery*, 18-0637 (La. 8/31/18), 251 So. 3d 401. Petitioner now seeks reinstatement to the practice of law.

Having considered the recommendation of the hearing committee, as well as the record of these proceedings, we find petitioner has met his burden of proving that he is entitled to be reinstated to the practice of law. Accordingly, we will reinstate petitioner to the practice of law, subject to the following conditions:

1. Petitioner shall continue to comply with the terms of the monitoring agreement he signed with the Judges and Lawyers Assistance Program (“JLAP”) on August 28, 2019.
2. Petitioner shall authorize the Executive Director of JLAP to report any violations of the JLAP agreement to the Office of Disciplinary Counsel (“ODC”).
3. Upon the expiration of the term of petitioner’s JLAP agreement, the Executive Director of JLAP shall make a determination concerning the need for petitioner’s continued participation in JLAP.

4. In the event that JLAP determines continued monitoring of petitioner is necessary or appropriate, petitioner shall enter into a new JLAP agreement for the time period recommended by JLAP.
5. Petitioner shall keep his child support obligation current, and shall supply a report to the ODC every six months showing the required payments and proof of those payments.
6. Petitioner shall make a good faith effort to resolve his tax issues with the IRS, and shall supply a report to the ODC every six months detailing his efforts in this regard.
7. In the event that petitioner returns to the private practice of law he shall promptly notify the ODC in writing, and shall consent to the appointment of a practice monitor for a period of two years.

DECREE

Upon review of the recommendation of the hearing committee, and considering the record, it is ordered that Neil Dennis William Montgomery, Louisiana Bar Roll number 30204, be immediately reinstated to the practice of law in Louisiana, subject to the conditions set forth herein. Should petitioner fail to comply with the conditions 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.

SUPREME COURT OF LOUISIANA

No. 2022-OB-01756

IN RE: NEIL DENNIS WILLIAM MONTGOMERY

Attorney Disciplinary Proceeding

Crichton, J., additionally concurs and assigns reasons.

In 2018, Justice Marcus Clark and I dissented from the majority opinion in *In re: Montgomery*, 18-0637 (La. 8/31/18), 251 So. 3d 401, finding the sanction imposed to be too lenient. However, at this juncture, I note that petitioner has complied with all of the conditions for reinstatement set forth in Supreme Court Rule XIX, § 24(E). Further, over the course of the past four years, he has successfully completed inpatient treatment and is in full compliance with his JLAP recovery agreement. Subject to the conditions set forth in the majority opinion, irrespective of my previous position in this case, I commend petitioner for his apparent commitment to recovery and agree with the per curiam that the petitioner be reinstated to the practice of law.