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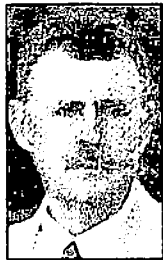
DA's license on the line?

Charges filed by state counsel

BY PATRICK FLANAGAN
THE DAILY IBERIAN

Sixteenth Judicial District Attorney Phil Haney's license to practice law could be on the line, as charges were filed recently by the Louisiana Supreme Court Office of Disciplinary Counsel. The charges against Haney

were filed Sept. 6 by ODC — the judge and jury for Louisiana lawyers — alleging Haney's representation of an Iberia Parish woman in a 2007 civil case against an Iberia Parish man conflicted with his public duty as district attorney.



Haney

In a Sept. 27 response, Haney's lawyer Richard Stanley of New Orleans, denied the allegations.

The allegations were brought to ODC in 2010 by former state Sen. Troy Hebert, D-Jeanerette,

who submitted a 10-page complaint stating Haney illegally used his private practice, committed perjury before legislative committees, "double-dipping" by assistant district attorneys and that he collected more than the \$100,000 allowed by parish governments to pay for legal counsel.

"Since I'm no longer a senator I've moved on," said Hebert Monday. "It's up to the justice system now."

According to the charges filed by ODC, Haney's conflict dates back to a May 20, 2007, boating accident involving Shane Roberts and Stephanie Provost. Provost, who was in an inner-tube being pulled by Roberts'

boat, was injured during the accident.

Roberts was charged with reckless operation of a watercraft and no water-skiing observer by the state Department of Wildlife and Fisheries and scheduled for an arraignment hearing Aug. 17, 2007.

Haney was then retained sometime between May 20, 2007, and Aug. 10, 2007, by Provost to represent her in a civil suit against Roberts for damages for her injuries from the boating accident, according to the charges filed by ODC. Haney responded by recusing his office from prosecuting the criminal charges against Roberts, and

prosecution of the criminal case was handed over to the state Attorney General's Office.

On Oct. 26, 2007, the Attorney General's Office filed the additional charge of negligent injuring against Roberts at the Iberia Parish Courthouse.

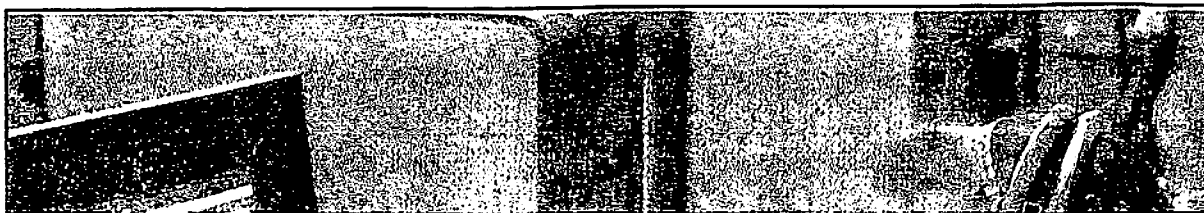
The ODC charges allege that Haney continued to represent Provost in the civil case against Roberts. The civil case was settled in December 2007 and Haney received \$20,000 for representing Provost.

"Mr. Haney pursued the private civil matter for Ms. Provost, which conflicted with his public

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SAVING WRITING SKILLS

Trying to balance technology,



Job ops coming to S.M.

Businesses opening shop in St. Martinville

LICENSE: Sanctions ahead

FROM PAGE A1

duty as District Attorney to prosecute Mr. Roberts, in violation of Rules of Professional Conduct," state the charges filed by ODC.

Representing Haney, Stanley responded to the charges in a letter stating the district attorney was retained by Provost on a contingency fee basis-only and denied Haney was hired by Provost to seek damages from Roberts.

"(T)hat simply did not occur," Stanley said. "(T)he scope of Mr. Haney's representation of Ms. Provost was strictly limited to negotiation of her personal injury claim with State Farm Insurance and resolution of a ... claim by a health insurance company, matters as to which Mr. Roberts was not a party and which were ultimately settled without the necessity of filing a lawsuit."

Stanley said Haney's decision to represent Provost was not a conflict of interest "with his public duty as district attorney to prosecute" Roberts.

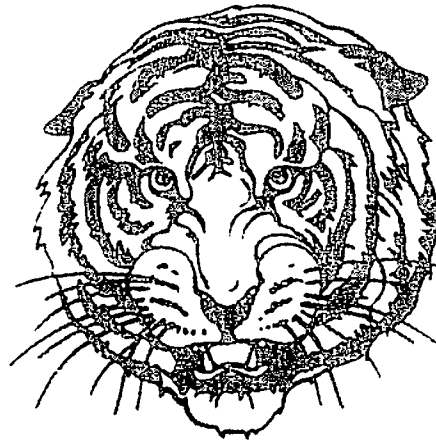
After meeting with Provost some time between June 14, 2007, and June 22, 2007, Haney had his secretary check the records to ensure that no charges were pending against Roberts. That conflicts

check, Stanley said, was conducted before June 26, and at that time, no charges had been filed by Wildlife and Fisheries, so Haney agreed to represent Provost. Stanley said when a second conflicts check was conducted in late July 2007, it revealed that Wildlife and Fisheries had filed charges against Provost on July 13, more than 25 days after the boating accident involving Provost. Haney responded by recusing his office from prosecuting Roberts, said Stanley.

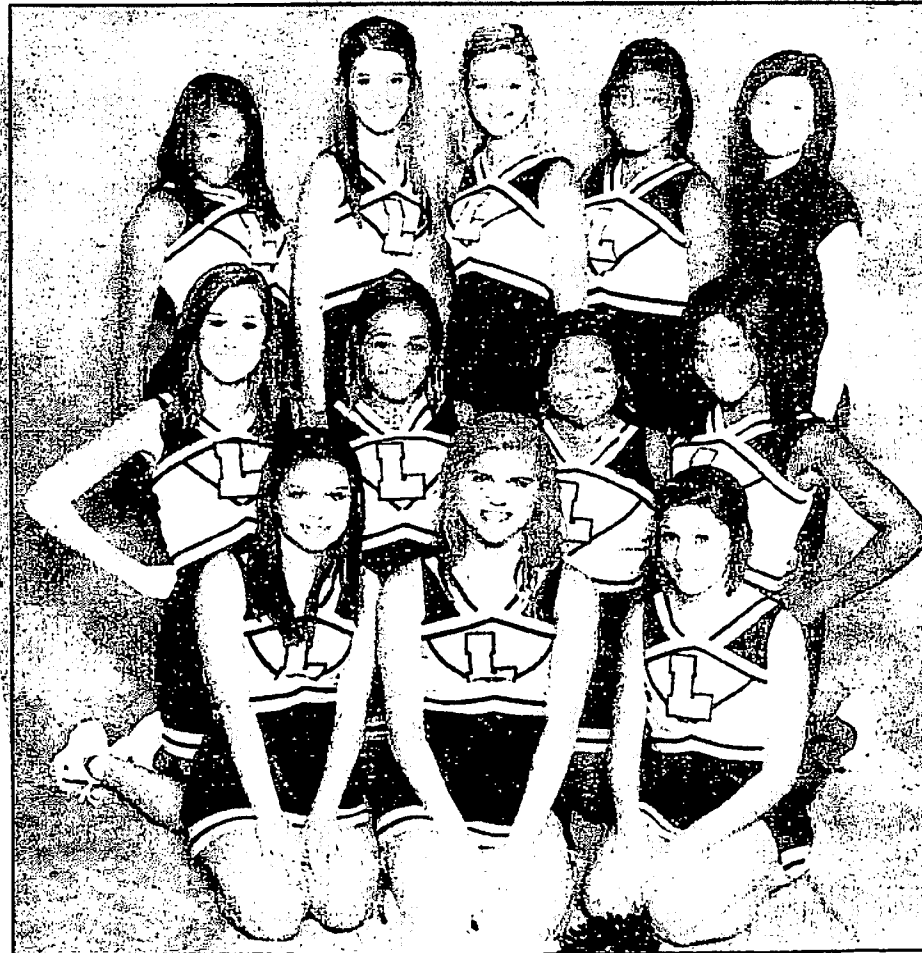
ODC attorney Charles Plattsmier said now formal charges have been filed, the next step for Haney will be a hearing before an ODC panel, which has yet to be scheduled by the disciplinary board.

From there, the ODC hearing committee will hear evidence from the committee and Haney's lawyer. Information from the hearing will go to the disciplinary board, which will make a recommendation to the state Supreme Court. It will make the final decision, Plattsmier said.

"The types of sanctions a lawyer could face range from public reprimand, probation, suspension and, if it's something serious enough, his removal from the practice of law by disbarment," Plattsmier said.



A Salute To Loreauville High School's Cheerleaders!



Auto sales are up in September on big trucks