

1 **Rule ~~14-519~~11-564. ~~Lawyers~~ Finding of guilt or entry of a plea to ~~convicted of~~ a crime.**

2 (a) ~~Transmittal of~~Duty to report judgment of any finding of guilt or plea to a
3 crime conviction. After a finding of guilt or entry of a plea of guilty or no contest –
4 including the entry of a plea in abeyance – for any crime, except for misdemeanor traffic
5 offenses or traffic ordinance violations not involving the use of alcohol or drugs:

6 (1) The Lawyer must notify the OPC in writing of such a finding or plea within
7 14 days after it is entered and include the following information:

8 (A) name, bar number, and current address;

9 (B) the court in which the finding or plea was entered; and

10 (C) the case number in which the finding or plea was entered.

11 (2) The court must forward documentation that the Lawyer has been found
12 guilty of or has entered a plea to a crime to the OPC within 28 days after the
13 finding or plea is entered. ~~The court in which a lawyer is convicted of any felony~~
14 ~~or any misdemeanor which reflects adversely on the lawyer's honesty,~~
15 ~~trustworthiness, or fitness as a lawyer shall, within 30 days after the conviction,~~
16 ~~transmit a certified copy of the judgment of conviction to OPC counsel.~~

17 (b) **Motion for interim suspension.** On being advised that a ~~L~~Lawyer has been
18 ~~convicted~~ found guilty of or has entered a plea of guilty or no contest for a felony or
19 misdemeanor ~~crime which that~~ reflects adversely on the ~~L~~Lawyer's honesty,
20 trustworthiness, or fitness ~~as a lawyer to practice law,~~ the OPC ~~shall~~ must determine
21 whether the crime warrants interim suspension. ~~Upon a determination~~ After
22 determining that the crime warrants interim suspension, the OPC ~~shall~~ must file an
23 ~~formal complaint~~ Action, ~~accompanied by the certified copy of the judgment of~~
24 ~~conviction,~~ and concurrently file a motion for immediate interim suspension. ~~An action~~
25 ~~is commenced under this rule when both the petition for interim suspension and the~~
26 ~~formal complaint are filed.~~ The ~~r~~Respondent may assert any jurisdictional deficiency
27 ~~which establishing~~ establishes that the interim suspension may not properly be ordered,

28 such as ~~that~~ the crime is not a felony or a misdemeanor that~~does not~~ reflects adversely
29 on the ~~R~~Respondent's honesty, trustworthiness, or fitness ~~as a lawyer to practice law~~, or
30 that the ~~R~~Respondent is not the individual who was found guilty of or had entered a
31 plea of guilty or no contest~~convicted~~. The ~~R~~Respondent is not entitled to an evidentiary
32 hearing but may request an informal hearing, solely to determine whether the finding
33 of guilt or plea was for a felony or misdemeanor that reflects adversely on the
34 Respondent's honesty, trustworthiness, or fitness to practice law. If an order for interim
35 suspension is not obtained, the OPC must dismiss the ~~formal complaint~~Action shall be
36 ~~dismissed and OPC counsel shall~~and will process the matter as it does any other
37 information coming to the OPC's attention~~of the OPC~~.

38 (c) **Imposition**. The district court ~~shall~~will place a ~~R~~Respondent on interim suspension
39 upon proof that the ~~R~~Respondent has been ~~convicted~~found guilty of or has entered a
40 plea of~~to~~ a felony or misdemeanor ~~crime which~~that reflects adversely on the
41 ~~R~~Respondent's honesty, trustworthiness, or fitness ~~as a lawyer to practice law~~ regardless
42 of any~~the~~ pendency~~ing of any~~ appeal.

43 (d) ~~Dissolution of~~Dissolving interim suspension. Interim suspension may be
44 dissolved as provided in Rule ~~14-518(d)~~11-563.

45 (e) ~~Conviction~~Documentation as conclusive evidence. Except as provided in
46 paragraph (b), ~~a certified copy of a judgment of conviction~~documentation that the
47 Respondent has been found guilty of or has entered a plea to a crime constitutes
48 conclusive evidence that the ~~R~~Respondent committed the crime.

49 (f) **Automatic reinstatement from interim suspension**~~upon reversal of conviction~~. If a
50 ~~R~~respondent suspended solely under ~~the provisions of~~ paragraph (c) demonstrates that
51 the underlying ~~conviction~~finding of guilt or plea has been reversed or vacated, the
52 order for interim suspension ~~shall~~will be vacated and the ~~R~~respondent placed on active
53 status. ~~The vacating of~~Vacating the interim suspension ~~shall~~will not automatically
54 terminate any disciplinary proceeding then pending against the ~~R~~respondent, the

55 disposition of which ~~shall~~will be determined based on~~the basis of~~ the available
56 evidence other than ~~conviction~~the reversed or vacated finding of guilt or plea.

57 (g) **Notice to clients and other of interim suspension.** An interim suspension under
58 this rule ~~shall~~constitutes a suspension of the ~~r~~Respondent for the purpose of Rule ~~14-~~
59 ~~526~~11-570.

60 Effective December 15, 2020