

1 **Rule ~~14-606~~11-587. Prior discipline orders.**

2 The following sanctions are generally appropriate in cases involving prior discipline.

3 (a) Delicensure is generally appropriate when a Lawyer:

4 (1) intentionally or knowingly violates the terms of a prior disciplinary
5 order and such violation causes injury or potential injury to a client, the
6 public, the legal system, or the profession; or

7 (2) has been suspended for the same or similar misconduct, and
8 intentionally or knowingly engages in further similar acts of misconduct
9 that cause injury or potential injury to a client, the public, the legal system,
10 or the profession.

11 (b) Suspension is generally appropriate when a Lawyer has been reprimanded
12 for the same or similar misconduct and engages in further similar acts of
13 misconduct that cause injury or potential injury to a client, the public, the legal
14 system, or the profession.

15 (c) Reprimand is generally appropriate when a Lawyer:

16 (1) negligently violates the terms of a prior disciplinary order and such
17 violation causes injury or potential injury to a client, the public, the legal
18 system, or the profession; or

19 (2) has received an admonition for the same or similar misconduct and
20 engages in further similar acts of misconduct that cause injury or potential
21 injury to a client, the public, the legal system, or the profession.

22 (d) An admonition is generally not an appropriate sanction when a Lawyer
23 violates the terms of a prior disciplinary order or when a Lawyer has engaged in
24 the same or similar misconduct in the past.

25 ~~Absent aggravating or mitigating circumstances, upon application of the factors set out~~
26 ~~in Rule 14-604, the following principles generally apply in cases involving prior~~
27 ~~discipline.~~

28 ~~(a) The district court or Supreme Court may impose further sanctions upon a~~
29 ~~lawyer who violates the terms of a prior disciplinary order.~~

30 ~~(b) When a lawyer engages in misconduct similar to that for which the lawyer~~
31 ~~has previously been disciplined, the appropriate sanction will generally be one~~
32 ~~level more severe than the sanction the lawyer previously received, provided~~
33 ~~that the harm requisite for the higher sanction is present.~~

34 *Effective December 15, 2020*