Rules for Enforcement of Lawyer Conduct (ELC)

Table of Rules

Title 1 - Scope, Jurisdiction, and Definitions

ELC 1.1 Scope of Rules
ELC 1.2 Jurisdiction
ELC 1.3 Definitions
ELC 1.4 No Statute of Limitation
ELC 1.5 Violation of Duties Imposed by These Rules

Title 2 - Organization and Structure

ELC 2.1 Supreme Court
ELC 2.2 Board of Governors
ELC 2.3 Disciplinary Board
ELC 2.4 Review Committees
ELC 2.5 Hearing Officer or Panel
ELC 2.6 Hearing Officer Conduct
ELC 2.7 Conflicts Review Officer
ELC 2.8 Disciplinary Counsel; Special Disciplinary Counsel
ELC 2.9 Adjunct Investigative Counsel
ELC 2.10 Removal of Appointees
ELC 2.11 Compensation and Expenses
ELC 2.12 Communications to the Association Privileged
ELC 2.13 Respondent Lawyer

Title 3 - Access and Notice

ELC 3.1 Open Meetings and Public Disciplinary Information
ELC 3.2 Confidential Disciplinary Information
ELC 3.3 Application to Stipulations, Disability Proceedings, and Diversion Contracts
ELC 3.4 Release or Disclosure of Otherwise Confidential Information
ELC 3.5 Notice of Discipline
ELC 3.6 Maintenance of Records

Title 4 - General Procedural Rules

ELC 4.1 Service of Papers
ELC 4.2 Filing; Orders
ELC 4.3 Papers
ELC 4.4 Computation of Time
ELC 4.5 Stipulation to Extension or Reduction of Time
ELC 4.6 Subpoena Under the Law of Another Jurisdiction
ELC 4.7 Enforcement of Subpoenas

Title 5 - Grievance Investigations and Disposition

ELC 5.1 Grievants
ELC 5.2 Confidential Sources
ELC 5.3 Investigation of Grievance
ELC 5.4 Privileges
ELC 5.5 Discovery Before Formal Complaint
ELC 5.6 Disposition of Grievance
ELC 5.7 Advisory Letter

Title 6 -- Diversion

ELC 6.1 Referral to Diversion
ELC 6.2 Less Serious Misconduct
ELC 6.3 Factors For Diversion
ELC 6.4 Notice to Grievant
ELC 6.5 Diversion Contract
ELC 6.6 Affidavit Supporting Diversion
ELC 6.7 Effect of Non-Participation In Diversion
ELC 6.8 Status of Grievance
ELC 6.9 Termination of Diversion

Title 7 - Interim Procedures

ELC 7.1 Interim Suspension For Conviction of A Crime
ELC 7.2 Interim Suspension In Other Circumstances
ELC 7.3 Automatic Suspension When Respondent Asserting Incapacity
ELC 7.4 Stipulation to Interim Suspension
ELC 7.5 Interim Suspensions Expedited
ELC 7.6 Effective Date of Interim Suspensions
ELC 7.7 Appointment of Custodian to Protect Clients' Interests

Title 8 – Disability Proceedings

ELC 8.1 Action On Adjudication of Incompetency
ELC 8.2 Determination of Incapacity to Practice Law
ELC 8.3 Disability Proceedings During the Course of Disciplinary Proceedings
ELC 8.4 Appeal of Transfer to Disability Inactive Status
ELC 8.5 Stipulated Transfer to Disability Inactive Status
ELC 8.6 Costs In Disability Proceedings
ELC 8.7 Burden and Standard of Proof
ELC 8.8 Reinstatement to Active Status
ELC 8.9 Petition For Limited Guardianship

Title 9 – Resolutions Without Hearing

ELC 9.1 Stipulations
ELC 9.2 Reciprocal Discipline and Disability Inactive Status; Duty to Self-Report
ELC 9.3 Resignation In Lieu of Disbarment

Title 10 – Hearing Procedures

ELC 10.1 General Procedure
ELC 10.2 Hearing Officer or Panel
ELC 10.3 Commencement of Proceedings
ELC 10.4 Notice to Answer
ELC 10.5 Answer
ELC 10.6 Default Proceedings
ELC 10.7 Amendment of Formal Complaint
ELC 10.8 Motions
ELC 10.9 Interim Review
ELC 10.10 Prehearing Dispositive Motions
ELC 10.11 Discovery and Prehearing Procedures
ELC 10.12 Scheduling Hearing
ELC 10.13 Disciplinary Hearing
ELC 10.14 Evidence and Burden of Proof
ELC 10.15 Bifurcated Hearings
ELC 10.16 Decision of Hearing Officer or Panel

Title 11 – Review by Board

ELC 11.1 Scope of Title
ELC 11.2 Decisions Subject to Board Review
ELC 11.3 Sua Sponte Review
ELC 11.4 Transcript of Hearing
ELC 11.5 Record On Review
ELC 11.6 Designation of Bar File Documents and Exhibits
ELC 11.7 Preparation of Bar File Documents and Exhibits
ELC 11.8 Briefs For Reviews Involving Suspension or Disbarment Recommendation
ELC 11.9 Briefs For Reviews Not Involving Suspension or Disbarment Recommendation
ELC 11.10 Supplementing Record on Review
ELC 11.11 Request For Additional Proceedings
ELC 11.12 Decision of Board
ELC 11.13 Chair May Modify Requirements

Title 12 – Review by Supreme Court

ELC 12.1 Applicability of Rules of Appellate Procedure
ELC 12.2 Methods of Seeking Review
ELC 12.3 Appeal
ELC 12.4 Discretionary Review
ELC 12.5 Record to Supreme Court
ELC 12.6 Briefs
ELC 12.7 Argument
ELC 12.8 Effective Date of Opinion
ELC 12.9 Violation of Rules

Title 13 – Sanctions and Remedies

ELC 13.1 Sanctions and Remedies
ELC 13.2 Effective Date of Suspensions and Disbarments
ELC 13.3 Suspension
ELC 13.4 Reprimand
ELC 13.5 Admonition
ELC 13.6 Discipline For Cumulative Admonitions
ELC 13.7 Restitution
ELC 13.8 Probation
ELC 13.9 Costs and Expenses

Title 14 – Duties on Suspension or Disbarment

ELC 14.1 Notice to Clients and Others; Providing Client Property
ELC 14.2 Lawyer to Discontinue Practice
ELC 14.3 Affidavit of Compliance
ELC 14.4 Lawyer to Keep Records of Compliance

Title 15 – Audits and Trust Account Overdraft Notification

ELC 15.1 Audit and Investigation of Books and Records
ELC 15.2 Cooperation of Lawyer
ELC 15.3 Disclosure
ELC 15.4 Trust Account Overdraft Notification
ELC 15.5 Declaration or Questionnaire
ELC 15.6 Regulations

Title 16 – Effect of These Rules On Pending Proceedings

ELC 16.1 Effect On Pending Proceedings