

Attorney Discipline/Grievances

Office of Bar Counsel Investigations

The Office of Bar Counsel investigates complaints of misconduct filed against attorneys who are members of the D.C. Bar. An investigation by Bar Counsel can result in: Dismissal

Diversion

Informal Admonition

Formal charges

Strategies for Bar Counsel Investigations

The most effective way to deal with an inquiry from Bar Counsel is to provide a full and timely response. Cooperation and forthrightness can go a long way in resolving a complaint. In many cases, it may keep the matter from moving to the “next level.” Tully Rinckey PLLC’s Professional Responsibility and Legal Ethics practice group is available to represent attorneys **in Bar Counsel Investigation Disciplinary Proceedings**

Bar Counsel prosecutes disciplinary proceedings before Hearing Committees, the Board on Professional Responsibility (Board), and the D.C. Court of Appeals (DCCA). Hearing committees hold hearings on formal charges and submit findings and recommendations to the Board. Either party may file exceptions to the committee’s recommendations. The Board reviews the entire record and may affirm, modify, or expand the findings and recommendations of the hearing committee. An appeal from a Board report is to the DCCA, which will enter an appropriate order. In doing so, the court will accept the findings of fact made by the Board unless they are unsupported by substantial evidence of record, and it shall adopt the Board’s recommended disposition unless doing so would foster a tendency toward inconsistent dispositions for comparable conduct or would otherwise be unwarranted. The DCCA may order: Dismissal of some or all of the charges

Disbarment

Suspension for not more than three years

Censure

Reprimand

Informal admonition

Revocation or suspension of a license to practice as a Special Legal Consultant

Probation for not more than three years

Strategies for Disciplinary Proceedings

Historically, grievance committees do not file disciplinary charges which lack merit or have little chance of success. It is for that reason that the majority of these cases result in the imposition of some form of discipline. Where, however, we conclude that a charge lacks merit, we will vigorously defend the matter on behalf of our client in an effort to have the charge dismissed. Contrastingly, in a case where the proof of misconduct is clear, efforts will be made to provide evidence in mitigation, good character testimony, and a showing that steps have been taken by the attorney to address any underlying issues. Such a showing could include a monitoring plan with a mental health expert, an accountant who provides periodic reports confirming that the attorney's escrow account is properly maintained, or an attorney who agrees to mentor the attorney and monitor his or her practice. Tully Rinckey PLLC's Professional Responsibility and Legal Ethics practice group is available to aggressively defend attorneys in disciplinary proceedings in the District of Columbia. Call today to schedule a consultation with one of our legal ethics and discipline attorneys at 202-787-1900 or e-mail info@1888law4life.com

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If you have an urgent legal matter after normal business hours, call 518-727-3593 to speak to an attorney 24 hours a day, seven days a week. The firm is responsive to the needs of current and prospective clients. We will respond to phone calls within normal business hours and e-mails within the next business day.