

The Discipline System

Selected Rules for Enforcement of Lawyer Conduct (ELC)

ELC 2.2 BOARD OF GOVERNORS; DISCIPLINARY SELECTION PANEL

- (a) **Function.** The Board of Governors of the Association:
- (1) through the Executive Director, provides administrative and managerial support to enable the Office of Disciplinary Counsel, the Disciplinary Board, review committees, and other Association staff and appointees to perform the functions specified by these rules;
 - (2) makes appointments, removes those appointed, and fills vacancies as provided in these rules; and
 - (3) performs other functions and takes other actions provided in these rules, delegated by the Supreme Court, or necessary and proper to carry out its duties.
- (b) **Limitation of Authority.** The Board of Governors, officers of the Association, and the Executive Director of the Association have no right or responsibility to direct the investigations, prosecutions, appeals or discretionary decisions of the Office of Disciplinary Counsel under these rules, or to review hearing officer, review committee, or Disciplinary Board decisions or recommendations in specific cases.
- (c) **Restrictions on Discipline-System Appointments.** After leaving office, Association officers and Executive Director and Board of Governors members cannot serve as hearing officers, Disciplinary Board members, or Conflicts Review Officers until three years have expired after departure from office.
- (d) **Restriction on Advising or Representing Respondents or Grievants.** Current and former members of the Board of Governors, Executive Directors, and officers of the Association are subject to the restrictions set forth in rule 2.14.

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ELC 2.14 RESTRICTIONS ON REPRESENTING OR ADVISING RESPONDENTS OR GRIEVANTS

- (a) **Current Officeholders.** Association officers and Executive Director, Board of Governors members, Disciplinary Board members, and hearing officers, while serving in that capacity, cannot knowingly advise or represent individuals regarding pending or likely disciplinary grievances or proceedings, other than advising a person of the availability of grievance procedures.
- (b) **Former Officeholders.** After leaving office, Association officers and Executive Director, Board of Governors members, Disciplinary Board members, and hearing officers cannot represent individuals in pending disciplinary grievances or proceedings until three years have expired after departure from office.

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ELC 3.1 OPEN MEETINGS AND PUBLIC DISCIPLINARY INFORMATION

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- (f) **Wrongful Disclosure or Release.** Disclosure or release of information made confidential by these rules, except as permitted by rule 3.4(a) or otherwise by these rules may subject a person to an action for contempt of the Supreme Court. If the person is a lawyer, wrongful disclosure or release may also be grounds for discipline.