

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8043

**ORDER PROMULGATING AMENDMENTS TO THE
RULES ON LAWYERS PROFESSIONAL RESPONSIBILITY**

The Office of Lawyers Professional Responsibility has requested that the court administratively amend certain provisions in the Rules on Lawyers Professional Responsibility for consistency with the requirements in the Rules of Civil Appellate Procedure for paper copies of documents submitted to the Clerk of Appellate Courts for filing.

The court has reviewed the proposed amendments. Based on all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the attached amendments to the Rules on Lawyers Professional Responsibility are promulgated to be effective October 1, 2014, and shall apply to all cases pending or commenced on or after the effective date.

Dated: September 29, 2014

BY THE COURT

Lorie S. Gildea
Chief Justice

MINNESOTA RULES ON LAWYERS
PROFESSIONAL RESPONSIBILITY

Effective January 1, 1989
Including Amendments Received Through October 1, 2014

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RULE 9. PANEL PROCEEDINGS

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(m) Respondent's Appeal to Supreme Court. The lawyer may appeal a Panel's affirmance of the Director's admonition or an admonition issued by a Panel by filing a notice of appeal, with proof of service, and seven copies thereof with the Clerk of Appellate Courts and by serving a copy on the Director within 30 days after being notified of the Panel's action. The respondent shall be denominated by number or randomly selected initials in the proceeding. The Director shall notify the complainant, if any, of the respondent's appeal. This Court may review the matter on the record or order such further proceedings as it deems appropriate. Upon conclusion of such proceedings, the Court may either affirm the decision or make such other disposition as it deems appropriate.

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RULE 11. RESIGNATION

This Court may at any time, with or without a hearing and with any conditions it may deem appropriate, grant or deny a lawyer's petition to resign from the bar. A copy of a lawyer's petition to resign from the bar shall be served upon the Director. The original petition with proof of service and one copy shall be filed with this Court. If the Director does not object to the petition, the Director shall promptly advise the Court. If the Director objects, the Director shall also advise the Court, but then submit the matter to a Panel, which shall conduct a hearing and make a recommendation to the Court. The recommendation shall be served upon the petitioner and filed with the Court.

RULE 12. PETITION FOR DISCIPLINARY ACTION

(a) **Petition.** When so directed by a Panel or by this Court or when authorized under Rule 10 or this Rule, the Director shall file with this Court a petition for disciplinary action or a petition for revocation of conditional admission, with proof of service. ~~An original and nine copies shall be filed.~~—The petition shall set forth the unprofessional conduct charges. When a lawyer is subject to a probation ordered by this Court and the Director concludes that the lawyer has breached the conditions of the probation or committed additional serious misconduct, the Director may file with this Court a petition for revocation of probation and further disciplinary action with proof of service.

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RULE 13. ANSWER TO PETITION FOR DISCIPLINARY ACTION

(a) **Filing.** Within 20 days after service of the petition, the respondent shall file an ~~original and seven copies of an answer with~~ in this Court, with proof of service. The answer may deny or admit any accusations or state any defense, privilege, or matter in mitigation.

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RULE 16. TEMPORARY SUSPENSION PENDING DISCIPLINARY PROCEEDINGS

(a) **Petition for Temporary Suspension.** In any case where the Director files or has filed a petition under Rule 12, if it appears that a continuation of the lawyer's authority to practice law pending final determination of the disciplinary proceeding poses a substantial threat of serious harm to the public, the Director may file with this Court ~~an original and seven copies of a~~ petition for suspension of the lawyer pending final determination of the disciplinary proceeding, with proof of service. The petition shall set forth facts as may constitute grounds for the suspension and may be supported by a transcript of evidence taken by a Panel, court records, documents or affidavits.

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(c) **Answer.** Within 20 days after service of the petition or such shorter time as this Court may order, the lawyer shall file in this Court ~~an original and seven copies of~~ an answer to the petition for temporary suspension, with proof of service. If the lawyer fails to do so within that time or any extension of time this Court may grant, the petition's allegations shall be deemed admitted and this Court may enter an order suspending the

lawyer pending final determination of disciplinary proceedings. The answer may be supported by a transcript of any evidence taken by the Panel, court records, documents, or affidavits.

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RULE 18. REINSTATEMENT

(a) **Petition for Reinstatement.** A copy of a petition for reinstatement to practice law shall be served upon the Director. The ~~original~~ petition, with proof of service, ~~and seven copies,~~ shall then be filed with this Court. Together with the petition served upon the Director's Office, a petitioner seeking reinstatement shall pay to the Director a fee in the same amount as that required by Rule 12(B), Rules for Admission to the Bar, for timely filings. Applications for admission to the bar following a revocation of conditional admission shall be filed with the Board of Law Examiners pursuant to Rule 16, Rules for Admission to the Bar.