

FLOW CHART OF DISCIPLINARY MATTERS

GRIEVANCES

Telephone
Written

NATS (no disciplinary action taken)

- Dismissals/ Discontinue investigation per I.B.C.R. 509(b)(1)
- Refer to fee arbitration; courts;
- Appealable to Hearing Committee - I.B.C.R. 509(d)
- Confidential - I.B.C.R. 521(b)

INFORMALS

- First notice to lawyer of disciplinary matter - I.B.C.R. 509(c)
- Lawyer must respond to the allegations - I.B.C.R. 505(e)
- Confidential - I.B.C.R. 521(b)

DECISIONS BY BAR COUNSEL

- Dismissal; Informal Admonition; Private Reprimand; Probation not limiting license; Restitution - I.B.C.R. 509(c), 506(f), (g), (h) & (i)
- Dispositions are confidential - I.B.C.R. 521(b)
- Appealable to Hearing Committee - I.B.C.R. 509(d)

REQUEST FOR REVIEW

- Request - I.B.C.R. 509(d)
- Hearing Committee of PCB assigned - I.B.C.R. 509(d)(3)
- Request for Hearing or on the record - I.B.C.R. 509(d)(4)

PETITION FOR REVIEW

- Idaho Supreme Court review only if Hearing Committee's decision results in a Sanction being imposed - I.B.C.R. 509 (d)(9)

FORMAL CHARGES

- Formal Charge request of BOC - I.B.C.R. 511(a)
- Complaint - I.B.C.R. 511(b)
- Hearing Committee of Professional Conduct Board (PCB) appointed - I.B.C.R. 511(c)
- Public, no longer confidential - I.B.C.R. 521(b)
- Scheduling, discovery and motions - I.B.C.R. 511; 525(k); 525(b)
- Hearing- I.B.C.R. 511(g), 525

PCB HEARING COMMITTEE DECISION

- Findings and Recommendation - I.B.C.R. 511(h)
- Motion to Alter or Amend - I.B.C.R. 511 (h)(2)
- Public Reprimand
- Probation not limiting license - I.B.C.R. 511(i); 506(e) & (f)
- Findings and Recommendation of Discipline: Public Censure; Probation limiting license; Suspension; Disbarment - I.B.C.R. 511(i); 506(a), (c), (d) & (f)

IDAHO SUPREME COURT

- Independent, basically de novo, review of record and impose discipline - I.B.C.R. 511 (i), (j) & (k)