

2004 SURVEY ON LAWYER DISCIPLINE SYSTEMS
AMERICAN BAR ASSOCIATION
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2004 ABA Survey on Lawyer Discipline Systems (S.O.L.D.)

The ABA Survey on Lawyer Discipline Systems questionnaire for 2004 was sent to 56 lawyer disciplinary agencies. **All 56** agencies responded to the questionnaire. Medians and averages of various categories are shown where potentially meaningful. In most instances, averages have been rounded to the nearest whole number.

The 2004 Survey consists of eight charts arranged alphabetically by jurisdiction, with footnotes if clarification of data is necessary. In some instances exact figures were not available. Therefore, approximate figures were provided. The abbreviation “N/A” means that the data was not available or applicable. These charts were compiled from statistics reported to the ABA by the various jurisdictions. Please contact the specific jurisdiction if you have further inquiries. Contact information for lawyer disciplinary agencies is at <http://www.abanet.org/cpr/regulation/scpd/disciplinary.html>. Numerous resources for research and statistics about lawyers and the legal profession are readily available at [ABA Market Research Department \(MRD\)](#).

2004 S.O.L.D. Survey Results

The following jurisdictions indicated they have fiscal years rather than calendar years: Alabama, Connecticut, District of Columbia, Florida, Georgia, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New York 2nd Jud. Dept. 9th District, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wisconsin.

Questions regarding the Survey should be addressed to Ellyn S. Rosen, Senior Counsel, at the ABA Center for Professional Responsibility. You can contact her at rosene@staff.abanet.org.

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American Bar Association

Center for Professional Responsibility

SURVEY ON LAWYER DISCIPLINE SYSTEMS

2004 DATA

Jurisdiction: _____

Person Reporting: _____ Tel.# _____

Title of Person Reporting: _____

INTRODUCTION

The American Bar Association's Center for Professional Responsibility is the only organization that collects, analyzes and compiles statistics about lawyer regulatory systems on a national basis. This data, which is published as the ABA Survey on Lawyer Disciplinary Systems (S.O.L.D.), serves to educate the public, the profession, the news media and disciplinary agencies about enforcement, caseload and budgetary activity in each jurisdiction. Information from the Survey has been used by disciplinary agencies to effect changes in caseload management, staffing and funding of their lawyer disciplinary systems. As a result, it is essential that the Center maintain accurate data with respect to each jurisdiction.

We appreciate your cooperation in helping us collect this vital data and your timely responses are especially appreciated. Prompt responses to the questionnaire allow us to publish the data in a more timely manner, making it more useful to disciplinary agencies and the public, and reduces the number of follow up inquiries that we have to make. If you have questions regarding the timing of your response due to your fiscal year, please contact Ellyn S. Rosen, Associate Regulation Counsel at rosene@staff.abanet.org, as soon as the concern arises.

The Survey questionnaire is intended to be as brief as possible, while still allowing us to gather essential, accurate and complete information. We continue our efforts to make the Survey more “user friendly” given the diversity of lawyer disciplinary systems and terminology utilized by the various agencies. Any suggestions for future modifications that would increase the usefulness of the Survey are welcome and appreciated. Thank you again for your continued participation.

TERMS AND PHRASES

The following explanation of terms and phrases used in the Survey on Lawyer Discipline Systems is provided to assist in the collection of data.

Complaint:

Any information received by the disciplinary agency regarding lawyer conduct that requires a determination as to whether the disciplinary agency has jurisdiction over the lawyer or matter(s) complained of, or whether sufficient facts are alleged that would, if true, constitute misconduct. These complaints are sometimes called “grievances” or “requests for the investigation of a lawyer.” These complaints may be in the form of a written submission, e-mail submission, an in-person discussion whose contents are reduced to writing, or other information received by the disciplinary agency, including written, audio or visual media reports, records of criminal convictions, etc.

Disbarment on Consent:

A form of discipline on consent whereby a lawyer against whom formal charges are pending tenders a conditional admission to the allegations of misconduct, agrees that the appropriate sanction for that misconduct is disbarment and requests that the appropriate authority, typically the highest court, impose that sanction. In some jurisdictions, disbarment on consent is referred to as resignation with charges pending. In other jurisdictions, a resignation, with or without charges pending, means that a lawyer who is retired, or no longer engaged in the practice of law in that jurisdiction asks to assume inactive status. The latter form of resignation does not constitute a disciplinary sanction for purposes of this Survey and should not be reported to us.

Formal Charges:

Any document, pleading or notice filed by the disciplinary agency, or appropriate authority, before the designated adjudicatory tribunal, wherein a lawyer is charged with specified acts of misconduct and a disciplinary sanction is sought.

Investigation:

Any inquiry into allegations of misconduct contained in the initial complaint to the disciplinary agency, including, but not limited to, asking the lawyer who is the subject of the complaint to respond to the allegations, interviewing witnesses and/or obtaining documentary evidence concerning the allegations.

Misconduct:

A violation of the applicable rules of professional conduct.

Private/Non-Public Sanction:

Any disciplinary sanction where the identity of the lawyer sanctioned is kept confidential. Such private sanctions may include censure, admonition or reprimand. In cases where a lawyer receives a private sanction, a description of the conduct for which that lawyer has been disciplined, without disclosing the name of the lawyer, may still be published for the education of the profession and the public. For purposes of this Survey, if such publication occurs the sanction is still considered private/non-public.

Screened Out/Summarily Dismissed Without Investigation:

The disposal of a complaint by the disciplinary agency without seeking any information in addition to that which is contained in the initial complaint to the agency, whether or not that complaint is accorded file status or is docketed.

PART II. CASE PROCESSING AND SANCTION STATISTICS

Please fill in the appropriate figures for calendar year 2004 or for your fiscal year ending in the month of _____, 2004. Where a question asks for an average, such as in Part III, Sections A. & C., please provide that number for the calendar or fiscal year that you use. Some questions will ask for data relating to other years. If you have any concerns regarding how to respond to a particular question, please contact Ellyn S. Rosen, Associate Regulation Counsel, at rosene@staff.abanet.org.

If your jurisdiction does not maintain the type of data or engage in the type of activity requested, please answer with the designation N/A. Please provide explanations of your responses where necessary.

A. LAWYER POPULATION

1. Total number of lawyers, resident and nonresident, with active licenses to practice law in your jurisdiction in the **2004** calendar/fiscal year:

B. CASE PROCESSING STATISTICS

2. Total number of complaints received by the disciplinary agency regarding lawyer conduct during the **2004** calendar/fiscal year:

3. Total number of complaints received by the disciplinary agency prior to the commencement of the **2004** calendar/fiscal year that were still pending on the first day of that calendar/fiscal year:

4. Total number of complaints that were screened out or dismissed without investigation during the **2004** calendar/fiscal year for lack of jurisdiction, or for not alleging sufficient facts that would, if true, constitute misconduct. (This number may include complaints that were received prior to the commencement of the **2004** calendar/fiscal year.):

5. Total number of complaints that were investigated during the **2004** calendar/fiscal year. (This number should include complaints from previous years that were still pending as of the first day of the **2004** calendar/fiscal year, as well as complaints received during that year):

6. Of the total number of complaints reported in response to Question 5, how many were closed or dismissed by the disciplinary agency during the **2004** calendar/fiscal year after a determination that there was not a sufficient basis to warrant formal charges.

7. In how many of the complaints reported in response to Question 5, was there a determination by the appropriate authority, in calendar/fiscal year **2004** that formal charges of misconduct should be brought/initiated:

8. Total number of lawyers against whom formal charges were brought/initiated in calendar/fiscal year **2004**:

C. SANCTIONS

9. Total number of lawyers who received private, i.e., non-public, disciplinary sanctions during calendar/fiscal year **2004**:

10. Total number of lawyers who received public disciplinary sanctions in the calendar/fiscal year **2004**:

11. Of these total public sanctions,

a. Total involuntary/adjudicated disbarments: _____

b. Total disbarments on consent (including resignations as defined in the Terms & Phrases): _____

c. Total suspensions excluding interim suspensions: _____

d. Total interim suspensions (for risk of harm or for criminal conviction): _____

e. Total public reprimands/censures: _____

f. Total probations (including probation imposed with other sanctions): _____

g. Total transfers to disability-inactive status: _____

D. REINSTATEMENT AND READMISSION

12. Total number of petitions, motions and requests for reinstatement/readmission to the practice of law filed during calendar/fiscal year **2004**: _____
13. Of these, the number granted after imposition of the following sanction:
- a. Disbarment (involuntary, adjudicated disbarment and disbarment on consent as defined in the Terms & Phrases): _____

 - b. Suspension: _____
14. Total number of petitions, motions or requests for reinstatement/readmission denied and/or dismissed, voluntarily or involuntarily, during calendar/fiscal year **2004**:
- _____

PART III. CASE LOAD

A. DISCIPLINARY COUNSEL

15. What was the average caseload per staff lawyer in calendar/fiscal year **2004**? (Caseload means the number of investigations and formal charges).

16. What was the average number of cases per staff lawyer carried over into calendar/fiscal year **2004** from previous years?

17. What was the average number of new cases assigned per staff lawyer in calendar/fiscal year **2004**?

18. What was the average number of cases closed per staff lawyer during calendar/fiscal year **2004**?

B. TIME GUIDELINES

19. In response to the **2004** survey, the following jurisdictions indicated that they have formally adopted time guidelines for case processing: AK, CA, LA, MD, MS, NE, NV, NJ, OH, OR, PA, SC, VA, and WI. If your jurisdiction has adopted such formal time guidelines, indicate so below, and provide a brief description or a copy of them:

20. If your jurisdiction does not have formally adopted time guidelines, does your jurisdiction have unofficial or aspirational time guidelines?

Yes _____ No _____

(If yes, and they are new or have changed since **2003**, please include a copy or indicate below what they are.)

C. CASE PROCESSING TIMES

21. What is the average time to process a complaint from the receipt of the complaint to summary dismissal/screening without investigation, as described in Section II, B -- Case Processing Statistics of this Survey?

22. What is the average time to process a complaint from the receipt of the complaint to closure or dismissal if no formal charges are filed?

23. What is the average time to process a complaint from the receipt of the complaint to the filing of formal charges?

24. What is the average time to process a complaint from the receipt of the complaint to the imposition of:

Private/non-public sanction: _____

Public sanction: _____

25. What is the average time to process a petition, motion or request for reinstatement/readmission to the practice of law, from the time the petition, motion or request is filed to final disposition?

PART VI. FEES, DUES, AND BUDGET

A. 2004 BUDGET

26. Total budget for the lawyer discipline system in the **2004** calendar/fiscal year: \$_____

27. Total budget for disciplinary counsel's office: \$_____

28. This amount includes:

a. Salaries and benefits: Yes _____ No _____

b. Space: Yes _____ No _____

c. Equipment and Supplies: Yes _____ No _____

d. Travel/Education/Training: Yes _____ No _____

e. Other: _____

29. Total budget for disciplinary board administration: \$_____

30. Please indicate the percentage of funding from each source:

a. Bar association earmarked dues: _____ %

b. Supreme Court assessed fees: _____ %

c. Supreme Court general budget: _____ %

d. Legislative appropriation: _____ %

e. Other: (please specify) _____

B. FEES & DUES

31. Please respond to the following for calendar year **2004** or for your fiscal year ending in the month of _____, **2004**.

32. Annual fees/dues required per lawyer to practice law: \$_____.

If there is a scale related to years of practice, please include from lowest to highest:

_____ (years in practice) \$ _____

PART V. STAFFING OF THE DISCIPLINARY AGENCY

Please report the total number of full-time equivalents for 2004 in each category, e.g., when two individuals are each employed part-time for 50% of the work week, they equal one full-time equivalent. Decimals may be used, e.g., when three individuals are each employed part-time for 50% of the work week, they equal 1.5 full-time equivalents. Please report paid staff only.

	<u>Full Time</u>	<u>Part Time</u>
1. Chief Disciplinary Counsel:	_____	_____
2. Other Disciplinary Counsel:	_____	_____
3. Other lawyers on staff:	_____	_____
4. Investigators:	_____	_____
5. Legal assistants/paralegals:	_____	_____
6. Secretarial/clerical/administrative personnel:	_____	_____
7. Law students/clerks:	_____	_____
8. Auditors:	_____	_____
9. Probation monitors:	_____	_____
10. Other staff not reflected above: (please specify category of personnel)	_____	_____
11. TOTAL number of paid disciplinary agency staff: (should be the sum of 1 through 10)	_____	_____
12. What is the percentage of nonlawyer members on hearing bodies in your agency?	_____	_____

In order for the Center to maintain accurate information for each jurisdiction in the Directory of Lawyer Disciplinary Agencies, please complete the following information for the Chief Disciplinary Counsel and the Disciplinary Board Chair:

Name of Chief Disciplinary Counsel: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Website (if available): _____

Name of Disciplinary Board Chair: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

**THANK YOU VERY MUCH FOR TAKING THE TIME TO COMPLETE THIS SURVEY.
PLEASE RETURN THE COMPLETED QUESTIONNAIRE BY JUNE 1, 2005, TO:**

Susan E. Dianovsky
American Bar Association
Center for Professional Responsibility
321 North Clark Street, 15th Floor
Chicago, Illinois 60610-4714
PH: 312-988-6223
FAX: 312-988-5491 or 312-988-5280
E-Mail: sdianovsky@staff.abanet.org

*Call for an e-mail version of the survey if you prefer.

CHART I

LAWYER POPULATION AND AGENCY CASELOAD VOLUME, 2004

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Lawyers with Active License</u>	<u>No. of Complaints Received by Disciplinary Agency</u>	<u>No. of Complaints Pending from Prior Years</u>	<u>No. of Complaints Dismissed for Lack of Jurisdiction</u>	<u>No. of Complaints Investigated</u>	<u>No. of Complaints Dismissed After Investigation</u>	<u>No. of Complaints Warranting Filing of Formal Charges</u>	<u>No. of Lawyers Formally Charged</u>
Alabama	14,840	1,514	96	1,133	348	187	63	63
Alaska	2,753	177	83	146	51	36	15	8
Arizona	14,197	4,714	715	1,253	1,697	760	252	73
Arkansas	8,500	1,070	1,000	820	800	640	164	128
California	149,440	14,168	3,287	10,477	5,843 ¹	2,682	1,516	622
Colorado	20,839	4,270	42	3,785	572	150	189	49
Connecticut	31,402	1,311	N/A	226	1,089 ¹	725 ²	214	100
Delaware	3,107	507	50	220	337	229	57	45
District of Columbia	76,068	1,116	405	579	820	415	22	22
Florida	67,551	8,820	3,777	1,373	10,939	6,236	742	N/A
Georgia	28,119	2,472	484	2,185	306	128	166	43
Hawaii	4,473	606	647	188	819	290	14	12
Idaho	3,570	413	81	304	213	30	11	11
Illinois	78,101	6,070	2,189	1,303	6,957	4,643	369	174

¹California: In previous years this figure included inquiries closed at intake. This figure now represents the number of investigations pending on January 1st and the number of new complaints advanced to investigation status.

¹Connecticut: This figure is for those complaints processed for investigation in 2004. It equals 1311 complaints filed minus 226 screened, plus 4 additional complaints processed when a screening appeal was adjudicated in favor of the complainant. It does not include complaints still pending as of 1-1-04.

²Connecticut: Jurisdiction's statistical reports do not indicate number of cases dismissed without formal charges in a particular year. This number is the number of complaints grievance panels returned with findings of no probable cause.

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Indiana	15,182	1,626	813	1,033	1,406	653	105	54
Iowa	8,342	641 ¹	152	20	644	460	85	23
Kansas	14,371	955	149	396	461	146	40	74
Kentucky	14,400	1,150	734	375	1,371	443	110	69
Louisiana	19,663	2,664	2,570	1,296	4,200	1,029	204	68
Maine	4,820	328	49	80	388	172	27	25
Maryland	31,934	2,095	417	1,610	2,095	1,610	115	80
Massachusetts	47,721	1,097 ¹	1,273	81	2,370	826	166	124
Michigan	35,600	3,471	N/A	2,382	933	533	207	117
Minnesota	25,029	1,147	487	537	1,097	394	N/A	24
Mississippi	8,174	500	0	N/A	55	411	27	27
Missouri	25,206	2,493	649	1,460	1,610	462	116	40
Montana	3,146	471	72	86	394	232	49	19
Nebraska	6,097	597	74	192	405	296	86	52

Iowa: This figure includes 472 regular complaints and 169 delinquency files.

Massachusetts: In addition to these complaints, the central intake Attorney and Consumer Assistance Program, (A.C.A.P.), resolved without opening complaints approximately 5,500 of the 6,046 inquiries it received. None of the responses that follow include any of the 5,500 inquiries that were resolved by A.C.A.P.

CHART I

LAWYER POPULATION AND AGENCY CASELOAD VOLUME, 2004

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Lawyers with Active License</u>	<u>No. of Complaints Received by Disciplinary Agency</u>	<u>No. of Complaints Pending from Prior Years</u>	<u>No. of Complaints Summarily Dismissed for Lack of Jurisdiction</u>	<u>No. of Complaints Investigated</u>	<u>No. of Complaints Dismissed After Investigation</u>	<u>No. of Complaints Warranting Filing of Formal Charges</u>	<u>No. of Lawyers Formally Charged</u>
Nevada	6,321	1,173	N/A	117 ¹	1,056 ²	88 ³	30	27
New Hampshire	3,900	169	149	66	318	118	103	102
New Jersey	59,919	6,052	1,204	4,539	2,717	1,214	281	N/A
New Mexico	7,581	527	97	0	318	118	103	102
New York: 1st Jud. Dept.	74,000	3,612	1,346	1,341	3,675	2,117	56	26
New York: 2nd Jud. Dept. 2nd & 11th Jud. Dist.	13,189	2,327	671	1,183	1,147	325	35	35
New York; 2nd Jud. Dept. 9th Jud. Dist.	12,891	1,401	714	374	540	452	88	34
New York; 2nd Jud. Dept. 10th Jud. Dist.	18,672	2,440	1,319	1,276	1,359	1,093	125	96
New York; 3rd Jud. Dept.	9,028	1,705	1,513	981	2,237	346	177	137
New York; 4th Jud. Dept.	12,000	2,156	649	872	2,918	1,056	128	66
North Carolina	19,745	1,581	N/A	1,238	N/A	N/A	N/A	53
North Dakota	1,841	247	96	80	142	111	N/A	N/A
Ohio	40,888	6,676 ¹	506 ²	4,430 ¹	2,752 ¹	1,058 ²	39 ²	88
Oklahoma	15,269	1,648	197	1,215	609	392	20	12

¹Nevada: Reflects cases summarily dismissed by Bar Counsel with no investigation and without a grievance file being opened (no screening panel review).

²Nevada: 866 investigated, but no grievance file opened; 190 grievance files opened.

³Nevada: 72 dismissed outright or with a letter of caution; 16 closed with Private Reprimand.

¹Ohio: Combined Office of Disciplinary Counsel and Board of Commissions on Grievances and Discipline.

CHART I

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<u>STATE</u>	<u>No. of Lawyers with Active License</u>	<u>No. of Complaints Received by Disciplinary Agency</u>	<u>No. of Complaints Pending from Prior Years</u>	<u>No. of Complaints Summarily Dismissed for Lack of Jurisdiction</u>	<u>No. of Complaints Investigated</u>	<u>No. of Complaints Dismissed After Investigation</u>	<u>No. of Complaints Warranting Filing of Formal Charges</u>	<u>No. of Lawyers Formally Charged</u>
2Ohio: Office of Disciplinary Counsel only.								
Oregon	12,550	1,738 ¹	N/A	900	840	680	136	N/A
Pennsylvania	56,518	4,891	1,003	1,027	4,867	3,241	351	297
Rhode Island	4,590	423	N/A	88	335	215	8	8
South Carolina	8,042	1,368	740	247	1,861	945	15	N/A
South Dakota	2,105	81	21	32	85	81	1	1
Tennessee	16,871	1,247 ¹	N/A	321	926 ²	1,110 ³	48 ⁴	48
Texas	74,581	8,404	N/A	5,313	2,936	N/A	N/A	N/A
Utah	6,413	1,064 ¹	477	689	852	127	37	22
Vermont	2,700	268	71	90	225	120	43	42
Virginia	24,528	3,737	1,018	2,637	2,118	893	400	N/A
Washington	24,422	2,735	485	1,423 ¹	1,284 ¹	618 ¹	122	77
West Virginia	5,583	663	138	248	801	702	28	8
Wisconsin	21,518	2,225	1,037	1,453	3,262	185	106	52
Wyoming	1,990	150	18	55	121	75	24	33

¹Oregon: Written complaints only.

²Tennessee: In addition, the Board's Consumer Assistance Program (Central Intake) resolved 4,567 consumer concerns by mediation or referral to other agencies.

³Tennessee: Excludes complaints from previous years.

⁴Tennessee: Includes complaints from previous years.

¹Utah: Includes informal complaints and requests for assistance.

¹Washington: Method of calculation differs from previous years.

CHART I

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<u>STATE</u>	<u>No. of Lawyers with Active License</u>	<u>No. of Complaints Received by Disciplinary Agency</u>	<u>No. of Complaints Pending from Prior Years</u>	<u>No. of Complaints Summarily Dismissed for Lack of Jurisdiction</u>	<u>No. of Complaints Investigated</u>	<u>No. of Complaints Dismissed After Investigation</u>	<u>No. of Complaints Warranting Filing of Formal Charges</u>	<u>No. of Lawyers Formally Charged</u>
TOTAL*	1,320,300	127,171	33,764	65,775	88,521	42,298	7,635	3,512
AVERAGE*	23,577	2,271	703	1,196	1,609	783	147	72
MEDIAN*	14,386	1,385	486	820	926	429	96	49

*Some jurisdictions supplied partial data.

CHART II

SANCTIONS IMPOSED

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

STATE	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred on Consent</u>	<u>Of Total Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Publicly Reprimanded/ Censured</u>	<u>Of Total Lawyers Publicly Sanctioned No. on Probation</u>	<u>Of Total Lawyers Publicly Sanctioned No. Transferred to Disability Inactive Status</u>
Alabama	50	41 ¹	3	0	15	2	19	2	3
Alaska	3	5	0	0	4	0	1	0	0
Arizona	N/A	126	9	1	20	1	52 ²	46	4
Arkansas	38	94	1	11	9	7	89 ³	2	1
California	103	444 ⁴	52	77	243	80	60	198	10
Colorado	9	66	6	2	51	16	7	29	8
Connecticut	N/A	95	2	6	20	8	56	N/A	3
Delaware	13	9	1	N/A	1	2	N/A	5	1
District of Columbia	N/A	76	21	10	35	50	43 ⁵	0	4
Florida	0	N/A	41	20	83	38	111 ⁶	34	1
Georgia	54	56	17	5	29	N/A	5	N/A	N/A
Hawaii	38	11	4	1	4	0	2	N/A	0
Idaho	29	15	3	1	4	N/A	5	2	0
Illinois	N/A	167	23	12	74	8	24	23	3
Indiana	20	49	0	7	22	3	17	6	0
Iowa	55	62	4	4	8	2	44	N/A	N/A
Kansas	3	42	5	5	9	N/A	23	0	2

¹Alabama: This number does not include lawyers transferred to Disability Inactive Status.

²Arizona: Includes Informal Reprimands.

³Arkansas: Reprimands and Cautions.

⁴California: Includes Disability Inactive Status.

⁵District of Columbia: Includes 34 Informal Admonitions

⁶Florida: Includes 65 Admonishments..

CHART II

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

STATE	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred on Consent</u>	<u>Of Total Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Publicly Reprimanded/ Censured</u>	<u>Of Total Lawyers Publicly Sanctioned No. on Probation</u>	<u>Of Total Lawyers Publicly Sanctioned No. Transferred to Disability Inactive Status</u>
Kentucky	74	33	7	2	13	7	6	4	N/A
Louisiana	23	84	26	15	45	15	14	18	14
Maine	27 ⁷	15	2	0	5	0	8 ⁸	3	52
Maryland	0	80	22	6	23	1	28	N/A	0
Massachusetts	57	85 ⁹	16	11	31	7	25 ¹⁰	2	0
Michigan		111	27	1	49	15	41	2	3
Minnesota	115	23	2	3	10	3	1	3	1
Mississippi	34	37	8	1	11	N/A	17	N/A	0
Missouri	73	44	11	7	4	6	10	7	N/A
Montana	22	21	0	0	13	2	9	1	1
Nebraska	17	30	3	2	15	1	7	7	1
Nevada	22	14	1	3	6	3	0	32 ¹¹	1
New Hampshire	0	8	1	0	1	1	5	0	0
New Jersey	0	177	20	11	57	23	66 ¹²	0	0
New Mexico	4	14	3	0	7	2	2	11	2

⁷Maine: The state's only non-public form of discipline is an informal sanction entitled "dismissal with a warning" which is not discipline.

⁸Maine: One reprimand was later vacated by the Court.

⁹Massachusetts: Excludes Interim Suspensions; includes 2 matters in full court status.

¹⁰Massachusetts: Includes 5 reciprocal disciplinary matters.

¹¹Nevada: Number of matters currently subject to probation monitoring in the calendar year.

¹²New Jersey: Includes 23 Admonitions.

CHART II
SANCTIONS IMPOSED

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

STATE	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred on Consent</u>	<u>Of Total Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Publicly Reprimanded/ Censured</u>	<u>Of Total Lawyers Publicly Sanctioned No. on Probation</u>	<u>Of Total Lawyers Publicly Sanctioned No. Transferred to Disability Inactive Status</u>
New York 1st Jud. Dept.	89	59	23	5	24	15	9	N/A	0
2nd Jud. Dept. 2nd & 11th Jud. Dist.	129	34	12	3	10	8	1	N/A	N/A
New York; 2nd Jud. Dept. 9th Jud. Dist.	73	21	6	8	4	N/A	3	N/A	N/A
New York; 2nd Jud. Dept. 10th Jud. Dist.	108	96	7	31	2	N/A	2	N/A	N/A
New York; 3rd Jud. Dept.	80	37	3	1	24	1	3	5	0
New York; 4th Jud. Dept.	159	21	6	4	5	3	3	N/A	N/A
North Carolina	39	78	19	14	10	2	37	22	9
North Dakota	24	6	2	0	2	3	2	0	2
Ohio	0	113	12	16	56	18 ¹³	11	N/A	N/A
Oklahoma	14	6	1	9	4	0	2	0	N/A
Oregon	0	92	2	12	33	3	41 ¹⁴	2	1
Pennsylvania	130	91	10	27	38	14	2	0 ¹⁵	7
Rhode Island	30	13	0	1	3	3	2	1	3
South Carolina	N/A	35	6	6	16	19	8	N/A	2

¹³Ohio: Includes Suspensions for failure to pay child support.

¹⁴Oregon: Includes 26 Admonitions, which are public in Oregon.

¹⁵Pennsylvania: Probation is a private sanction.

CHART II

SANCTIONS IMPOSED

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

STATE	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred</u>	<u>Of Total Lawyers Publicly Sanctioned No. Disbarred on Consent</u>	<u>Of Total Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Of Total Lawyers Publicly Sanctioned No. Publicly Reprimanded/ Censured</u>	<u>Of Total Lawyers Publicly Sanctioned No. on Probation</u>	<u>Of Total Lawyers Publicly Sanctioned No. Transferred to Disability Inactive Status</u>
South Dakota	36	1	0	0	1	0	0	3	1
Tennessee	73	46	7	0	14	2	25	N/A	6
Texas	242	217	30	14	113	N/A	60	N/A	N/A
Utah	19	30	6	3	6	4	15	1	1
Vermont	5	4	0	0	3	1	2	1	0
Virginia	120	75	16	20	27	N/A	34	N/A	4
Washington	N/A	72 ¹⁶	13	6	26	16	22	2	3
West Virginia	0	16	6	0	1	3	1	0	0
Wisconsin	33	66	1	6	26	16	20	NA	N/A
Wyoming	14	10	0	1	5	0	4	N/A	0
TOTAL*	2300	3373	529	411	1374	434	1106	474	154
AVERAGE*	47	61	9	7	25	9	20	12	4
MEDIAN*	30	42	6	4	13	3	9	2	1

¹⁶Washington: Includes Admonitions.

*Some jurisdictions supplied partial data.

CHART III

REINSTATEMENT AND READMISSION

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/ Readmission Filed</u>	<u>Total No. of Petitions, Motions or Requests for Reinstatement/ Readmission Granted</u>	<u>No. Granted After Disbarment</u>	<u>No. Granted After Suspension</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/ Readmission Denied/Dismissed</u>
Alabama	5	5	1	4	0
Alaska	2	2	0	2	1
Arizona	5	0	0	0	2
Arkansas	10	9	0	9	1
California	18	18	18	0 ¹	14
Colorado	6	7	2	5	1
Connecticut	1	1	1	N/A	0
Delaware	2	2	0	2	0
District of Columbia	3	1	0	1	4
Florida	18	18	N/A	N/A	N/A
Georgia	2 ²	2	0	2	N/A
Hawaii	5	3	0	3	3
Idaho	1	1	0	1	0
Illinois	3	0	0	0	1
Indiana	4	0	0	0	2
Iowa	3	3	0	3	0
Kansas	3	0	0	0	3
Kentucky	10	6	0	6	1
Louisiana	1	1	1	0	0
Maine	2	1	0	1	0

¹California: All Reinstatement proceedings follow Disbarments or Resignations with Disciplinary Charges.

²Georgia: Most Reinstatements/Readmissions handled by Office of Bar Admissions.

CHART III

REINSTATEMENT AND READMISSION

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/ Readmission Filed</u>	<u>Total No. of Petitions, Motions or Requests for Reinstatement/ Readmission Granted</u>	<u>No. Granted After Disbarment</u>	<u>No. Granted After Suspension</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/ Readmission Denied/Dismissed</u>
Maryland	5	3	0	3	2
Massachusetts	13	11	1	10	2
Michigan	12	1	0	1	4
Minnesota	7	4	0	4	1
Mississippi	2	1	1	0	1
Missouri	31	5	1	4	6
Montana	1	1	0	1	0
Nebraska	5	4	0	4	1
Nevada	5	5 ³	0	4	0
New Hampshire	2	1	0	1	0
New Jersey	N/A	15	0 ⁴	15	N/A
New Mexico	2	2	2	0	0
New York 1st Jud. Dept.	21	21	10	11	7
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	9	5	1	4	4
New York 2nd Jud. Dept. 9th Jud. Dist.	1	0	0	0	1
New York 2nd Jud. Dept. 10th Jud. Dist.	8	6	3	3	2

³Nevada: 1 granted from disability inactive status.

⁴New Jersey, Ohio, Oregon: Disbarment is permanent.

CHART III

REINSTATEMENT AND READMISSION

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/Readmission Filed</u>	<u>Total No. of Petitions, Motions or Requests for Reinstatement/Readmission Granted</u>	<u>No. Granted After Disbarment</u>	<u>No. Granted After Suspension</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/Readmission Denied/Dismissed</u>
New York 3rd Jud. Dept.	15	10	1	9	2
New York 4th Jud. Dept.	8	7	0	7	1
North Carolina	3	0	0	0	0
North Dakota	1	N/A	N/A	N/A	0
Ohio	3	2	0 ⁴	2	1
Oklahoma	10	2	1	1	5
Oregon	200 ⁵	20	0 ⁴	20	N/A
Pennsylvania	75	11	3	8	12
Rhode Island	1	4	1	3	1
South Carolina	N/A	6	0	6	N/A
South Dakota	1	1	0	1	0
Tennessee	11	N/A	N/A	N/A	1
Utah	N/A	2	0	2	1
Vermont	2	1	0	1	0
Virginia	0	N/A	N/A	N/A	0
Washington	0	N/A	N/A	N/A	0
West Virginia	2	1	1	N/A	0
Wisconsin	19	5	1	4	2
Wyoming	1	0	0	0	0

⁵Oregon: There are many types of reinstatement, not all related to discipline.

CHART IV

DISCIPLINARY AGENCY CASELOAD STATISTICS

Not all jurisdictions maintain data

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Average Caseload Per Lawyer</u>	<u>Average No. Carried Over From Prior Years</u>	<u>Average No. of New Cases Assigned Per Lawyer</u>	<u>Average No. of Cases Closed Per Lawyer</u>
Arizona	189	72	117	93
Arkansas	250	250	200	256
California ¹	51	51	73	27
Colorado	100	32	95	108
Connecticut	50	N/A	50	N/A
Delaware	84	12	139	112
District of Columbia	92	44	48	46
Florida	398	114	285	275
Georgia	26	19	18	18
Hawaii	81	N/A	93	45
Idaho	71	52	73	43
Illinois	58.5	64.9	171.9	178.8
Kansas	200	25	200	200
Kentucky	143	123	106	154
Louisiana	565	377	188	224
Maine	155	23	130	131
Maryland	42	42	43	43
Massachusetts	158	85	73	78
Michigan	70	N/A	116	90
Minnesota	33	30	42	33
Montana	415	72	341	288
Nebraska	140	38	135	99

¹California: Official caseload comprised of completed investigations. Ongoing investigations, while supervised by disciplinary counsel, are officially part of investigators' caseloads. These supervised cases are excluded from these figures.

CHART IV

DISCIPLINARY AGENCY CASELOAD STATISTICS

Not all jurisdictions maintain data

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Average Caseload Per Lawyer</u>	<u>Average No. Carried Over From Prior Years</u>	<u>Average No. of New Cases Assigned Per Lawyer</u>	<u>Average No. of Cases Closed Per Lawyer</u>
New Mexico				
New York; 1st Jud. Dept.	45	67	116	116
New York; 2nd Jud. Dept. 2nd & 11th Jud. Dist.	102	120	222	240
New York; 2d Jud. Dept. 9th Jud. Dist.	84	81	114	185
New York; 3rd Jud. Dept.	536	219	284	266
New York; 4th Jud. Dept.	143	86	303	300
Ohio (Office of Disciplinary Counsel only)	90	72	146	157
Oklahoma	15	9	6	7
Oregon ²	50	N/A	65	65
Pennsylvania	195	40	196	195
South Dakota	125	15	50	75
Tennessee	104	N/A	N/A	136
Utah	285	107	178	136
Vermont	112	35	77	60
Virginia	192	92	100	121
West Virginia	267	46	221	234

²Oregon: Effective 8/03, a separate office handles intake and screening. Only matters surviving the screening process are reflected in this statistic.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain data.

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Time Standards Formally Adopted</u>	<u>Average Time from Receipt of Complaint to Summary Dismissal</u>	<u>Average Time From Receipt of Complaint to Closure/Dismissal After Investigation</u>	<u>Average Time From Receipt of Complaint to Filing of Formal Charges</u>	<u>Average Time From Receipt of Complaint to Imposition of Private Sanction</u>	<u>Average Time From Receipt of Complaint to Imposition of Public Sanction</u>	<u>Average Time to Process Petition/Motion or Request for Reinstatement Readmission from Filing to Final Disposition</u>
Alabama	N/A	1 Week	6 Months	12 Months	9 Months	12 Months	6 Months
Alaska	Yes	69 Days ¹	1166 Days ²	N/A	349 - 1035 Days ³	832 - 904 Days ⁴	59 Days
Arizona	N/A	21 Days	209 Days	283 Days	N/A	403 Days	267 Days
California	Yes	47 Days	197 Days	361 Days	452 Days	501 Days	391 Days
Colorado	No	1.3 Weeks	38.7 Weeks	35.3 Weeks	76.8 Weeks	76.8 Weeks	29.4 Weeks
Connecticut	Yes	N/A	N/A	94 Days	N/A	243 Days	N/A
Delaware	N/A	2 Weeks	90 Days	4 Months	5 Months	6 - 9 Months	3 Months
Florida	No	28 Days	64 - 96 Days	162 Days	N/A	338 Days	N/A
Georgia	N/A	1 Week	60 Days	8 Months	6 Months	1 Year	6 Months
Idaho	N/A	1 Month	N/A	N/A	N/A	N/A	N/A
Iowa	N/A	3 Days	4 Months	18 Months	5 Months	12 Months	3 Months
Kansas	N/A	45 Days	60 Days	9 Months	1 Year	1 - 1.5 Years	1 Year
Kentucky	No	4 Weeks	5 Months	13 Months	N/A	24 Months	9 Months
Louisiana	Yes	397 Days	772 Days	1352 Days	568 Days	1257 Days	941 Days
Maine	N/A	10 Days	3 - 5 Months	6 - 8 Months	3 - 5 Months	6 - 8 Months	3 - 4 Months
Maryland	Yes	30 Days	120 Days	9 Months	N/A	12 - 13 Months	30 Days
Massachusetts ⁵	No	48 Days	268 Days	719 Days	599 Days	893 Days	186 Days
Michigan	No	45 - 60 Days	N/A	N/A	N/A	N/A	165 Days
Minnesota	No	1 Month	6 Months	N/A	Admonition - 10 Months Private Probation - 17 Months	N/A	N/A

¹Alaska: This number is for 147 grievances.

²Alaska: This number is for 36 dismissed cases.

³Alaska: 349 days for Admonition; 1035 days for Reprimand.

⁴Alaska: 832 days for Suspension; 904 days for Censure.

⁵Massachusetts: Includes automatic Reinstatements. These responses were calculated without including any of the 5,500 inquiries that the Attorney and Consumer Assistance Program resolved without opening a complaint.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain data.

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Time Standards Formally Adopted</u>	<u>Average Time from Receipt of Complaint to Summary Dismissal</u>	<u>Average Time From Receipt of Complaint to Closure/Dismissal After Investigator</u>	<u>Average Time From Receipt of Complaint to Filing of Formal Charges</u>	<u>Average Time From Receipt of Complaint to Imposition of Private Sanction</u>	<u>Average Time From Receipt of Complaint to Imposition of Public Sanction</u>	<u>Average Time to Process Petition/Motion or Request for Reinstatement or Readmission from Filing to Final Disposition</u>
Mississippi	N/A	2 - 3 Months	2 - 3 Months	2 - 3 Months	3 - 4 Months	3 - 4 Months	3 Months - 1 Year ⁶
Montana	No	2 Weeks	90 Days	6 Months	100 Days	1 Year	90 Days
Nebraska	Yes	1 -2 Days	30 - 60 Days	4 - 6 Months	5 - 7 Months	1 - 2 Years	2 Months
Nevada	N/A	1 - 4 Weeks	30 - 90 Days	60 - 120 Days	60 - 90 Days	Uncontested 4-9 Months Contested 9-12 Months	60 - 90 Days
New Mexico	N/A	2 Weeks	1 Month	2 Months	2 Months	6 Months	3 Months
New York 1st Jud. Dept.	N/A	14 Days	6 Months	19 Months	21 Months	N/A	N/A
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	No	2 Weeks	4 Months	4 Months - 1 Year	4 - 8 Months	1.5 Years	1 Year
New York 2nd Jud. Dept. 9th Jud. Dist.	No	1 Week	9 - 12 Months	Varies	9 - 12 Months	Varies	Varies
New York 2nd Jud. Dept. 10th Jud. Dist.	N/A	3 Weeks	6 Months	1 Year	N/A	N/A	N/A
New York 3rd Jud. Dept.	N/A	60 Days	90 Days	3 Months - 1 Year	120 Days	6 Months - 1 Year	6 Months
New York 4th Jud. Dept.	No	14 Days	90 Days	9 Months	2 - 6 Months	1 Year	3 Months
North Dakota	Yes	3 Months	3 Months	3 Months	3 Months	6 Months	8 Months

⁶Mississippi: Timing depends upon when Supreme Court rules on petition.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain data.

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Time Standards Formally Adopted</u>	<u>Average Time from Receipt of Complaint to Summary Dismissal</u>	<u>Average Time From Receipt of Complaint to Closure/Dismissal After Investigator</u>	<u>Average Time From Receipt of Complaint to Filing of Formal Charges</u>	<u>Average Time From Receipt of Complaint to Imposition of Private Sanction</u>	<u>Average Time From Receipt of Complaint to Imposition of Public Sanction</u>	<u>Average Time to Process Petition/Motion or Request for Reinstatement Readmission from Filing to Final Disposition</u>
Ohio	Yes	4 Weeks	60 - 150 Days	150+ Days	N/A	24 Months	6 Months (hearing)
Oklahoma	No	15 - 20 Days	120 Days	150 Days	130 Days	360 Days	270 Days
Oregon	Yes	14 Days	140 Days	300 Days	N/A	24 months	Uncontested: 60 Days Contested: 24 months
Pennsylvania	Yes	19 Days	50 Days	7 Months	15 Months	24 Months	7 Months
Rhode Island	N/A	2 Days	90 Days	6 - 8 Months	8 - 10 Months	8 - 10 Months	6 Months
South Carolina	Yes	4 - 5 Days	60 - 90 Days ⁷	Varies	Varies	9 Months - 1 Year ⁸	N/A ⁹
South Dakota	No	5 Days	60 Days	6 Months	90 Days	9 Months	6 Months
Tennessee	Yes	1 - 5 Days	1 Year	6 Months	1 Year	1 - 2 Years	1 Year
Utah	No	85 Days	231 Days	296 Days	703 Days	933 Days	241 Days
Vermont	No	20 Days	60 - 90 Days	90 - 120 Days	N/A	N/A	N/A
Washington	Yes	45 Days	140 Days	300 Days	N/A	N/A	N/A
West Virginia	No	30 Days	6 Months	9 Months	N/A	15 Months	20 Months
Wisconsin	Yes	55 Days	394 Days	N/A	394 Days	456 Days	307 Days
Wyoming	No	14 Days	10 Weeks	3 Months	2 Months	4 Months	2 Months

⁷South Carolina: If dismissed by Disciplinary Counsel after preliminary investigation.

⁸South Carolina: Number varies if an agreement is reached and accepted sooner and no hearing is held.

⁹South Carolina: Not handled by Office of Disciplinary Counsel except to file return and make appearance.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2004

SOURCE: Survey on Lawyer Discipline Systems, 2004

ABA Center for Professional Responsibility

STATE	<u>Total No. of Lawyers with Active Licenses</u>	<u>Total Lawyer Discipline System Budget (\$)</u>	<u>Total Discipline Counsel or Comparable Prosecutorial Office Budget (\$)</u>	<u>Total Discipline Board or Comparable Administrative/ Adjudicative Budget (\$)</u>	<u>Source of Funding</u>
Alabama	14,840	789,650	Included	Included	100% Legislative appropriation.
Alaska	2,753	608,269	Included	0	100% Bar Association earmarked dues.
Arkansas	8,500	614,966	597,966	17,000	100% Supreme Court assessed fees, assessed fines and costs.
California	149,440	31,809,447	Included	N/A	100% Bar Association earmarked dues.
Colorado	20,839	3,873,129	3,091,637	11,100	100% Supreme Court assessed fees.
Connecticut	31,402	N/A	N/A	N/A	100% Supreme Court general budget.
Delaware	3,107	N/A	N/A	N/A	100% Supreme Court assessed fees.
District of Columbia	76,068	4,699,123	N/A	N/A	100% Bar Association earmarked dues.
Florida	67,551	9,656,587	Included	Included	95% Bar Association earmarked dues, 5% cost reimbursement.
Georgia	28,119	1,809,997	Included	30,000	100% Bar Association earmarked dues.
Hawaii	4,473	1,167,225	Included	1,167,225	100% Supreme Court assessed fees.
Idaho	3,570	372,220	350,099	22,122	100% Bar Association earmarked dues.
Illinois	78,101	12,673,285	10,875,118	1,798,167	97.29% Supreme Court assessed fees; 1.60% interest earned and 1.11% recovered costs.
Indiana	15,182	1,666,834	1,638,797	Included in 1,638,797	100% Supreme Court assessed fees.
Iowa	8,342	712,266	652,158	63,108	100% Supreme Court assessed fees.
Kansas	14,371	1,300,000	1,050,000	Included in 1,050,000	100% Supreme Court assessed fees.
Kentucky	14,400	861,154	Included	Included	100% Bar Association earmarked dues.
Louisiana	19,663	3,311,348	2,100,000	1,211,348	100% Supreme Court assessed fees.
Maine	4,820	817,136	Included	Included	99% Supreme Court assessed fees, 3% MCLE and 3% other income.
Maryland	31,934	3,579,799	Included	N/A	100% Supreme Court general budget.
Massachusetts	47,721	7,906,199	4,656,355	1,466,224	100% Supreme Court assessed fees.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2004

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

STATE	Total No. of Lawyers with Active Licenses	Total Lawyer Discipline System Budget (\$)	Total Discipline Counsel or Comparable Prosecutorial Office Budget (\$)	Total Discipline Board or Comparable Administrative/ Adjudicative Budget... (\$)	Source of Funding
Michigan	35,600	4,019,302	3,033,433	985,869	100% Bar Association earmarked dues.
Minnesota	25,029	2,551,910	Included	Included	100% Supreme Court assessed fees.
Mississippi	8,174	437,759	Included	N/A	N/A
Missouri	25,206	2,050,980	1,797,980	253,000	100% Supreme Court assessed fees.
Montana	3,146	397,106	266,186	130,920	61% Supreme Court assessed fees, 39% Supreme Court general budget.
Nebraska	6,097	516,000	N/A	N/A	100% Supreme Court assessed fees.
Nevada	6,321	1,052,000	Included	Included	100% Bar Association earmarked dues.
New Hampshire	3,990	809,224	Included	N/A	96% Supreme Court assessed fees; 4% Character and Fitness Committee fees.
New Jersey	59,919	8,981,159	5,463,316	1,733,028	100% Supreme Court assessed fees.
New Mexico	7,581	727,680	649,680	78,000	100% Supreme Court assessed fees.
New York 1st Jud. Dept.	74,000	3,689,076	Included	0	100% Legislative appropriation.
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	13,189	1,224,442	Included	N/A	100% Legislative appropriation.
New York 2nd Jud. Dept. 9th Jud. Dist.	12,891	N/A	1,616,975	N/A	100% Legislative appropriation.
New York 2nd Jud. Dept. 10th Jud. Dist.	18,672	N/A	1,971,251 ¹	N/A	100% Legislative appropriation.
New York 3rd Jud. Dept.	9,028	1,164,390	Included	Included in 1,164,390	100% Legislative appropriation.
New York 4th Jud. Dept.	12,000	N/A	1,756,014	N/A	100% Legislative appropriation.

¹New York 10th Jud. District: for 2004-2005.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2004

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Total No. of Lawyers with Active Licenses</u>	<u>Total Lawyer Discipline System Budget (\$)</u>	<u>Total Discipline Counsel or Comparable Prosecutorial Office Budget (\$)</u>	<u>Total Discipline Board or Comparable Administrative/ Adjudicative Budget (\$)</u>	<u>Source of Funding</u>
North Carolina	19,745	1,019,526	381,232	69,609	100% Bar Association earmarked dues.
North Dakota	1,841	269,321	Included	N/A	51% Bar Association earmarked dues and 49% Legislative appropriation.
Ohio	40,888	3,900,599	1,942,685	1,957,914 ²	100% Supreme Court assessed fees.
Oklahoma	15,269	855,777	N/A	N/A	General budget line item - General Counsel budget accounts for 19% of overall budget.
Oregon	12,550	2,140,000	1,695,000	40,000	100% Bar Association earmarked dues.
Pennsylvania	56,518	7,427,500	Included	Included	92% Supreme Court assessed fees; 8% late payment fees, investments, and interest income.
Rhode Island	4,590	715,304	Included	715,304	100% Supreme Court assessed fees.
South Carolina	N/A	N/A	N/A	N/A	100% Supreme Court general budget.
South Dakota	2,105	67,000	37,000	30,000	100% Bar Association non-earmarked dues.
Tennessee	16,871	2,006,600	2,000,600	6,000	95% Supreme Court assessed fees; 5% interest earnings and reimbursement of expenses.
Texas	74,581	7,312,275	7,179,442	132,858	100% Bar Association earmarked dues.
Utah	6,413	794,031	Included	N/A	100% Bar Association earmarked dues.
Vermont	2,700	359,114	200,000	40,000	100% Supreme Court assessed fees.
Virginia	24,528	3,509,737	Included	N/A	100% Bar Association earmarked dues.
Washington	24,422	3,288,341	3,157,501	15,000	97% Bar Association dues; 3% cost recovery.
West Virginia	5,583	673,984	Included	673,984	100% Bar Association earmarked dues.
Wisconsin	21,518	2,201,000	Included	Included	100% Bar Association earmarked dues.
Wyoming	1,990	117,550	98,700	2,850	100% Bar Association earmarked dues.

²Ohio: Includes 1,206,123 to reimburse costs of Certified Grievance Committees.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

Discipline Office Budget Includes:

<u>STATE</u>	<u>Salaries/Benefits</u>	<u>Space</u>	<u>Equipment/Supplies</u>	<u>Travel/Education/Training</u>	<u>Annual Dues/Fees (\$)</u>
Alabama	X			X	250
Alaska	X	X	X	X	450
Arizona					315 / 460 ¹
Arkansas	X		X	X	100 / 175 ²
California	X	X	X	X	390 ³
Colorado	X	X	X	X	50 / 155 / 195 ⁴
Connecticut	X	X	X	X	525 ⁵
Delaware	N/A	N/A	N/A	N/A	190 / 210 / 285 / 405 ⁶
District of Columbia	X		X	X	155
Florida	X	X	X	X	265
Georgia	X	X	X	X	104 / 208 ⁷
Hawaii	X	X	X	X	100 / 200 ⁸
Idaho	X	X	X	X ⁹	55 / 90 / 140 / 255 / 340 ¹⁰
Illinois	X	X	X	X	0 / 90 / 229 ¹¹
Indiana	X	X	X	X	105

¹Arizona: 0-2 years in practice/2+ years in practice.

²Arkansas: 0-3 years in practice/3+ years in practice.

³California: Reduction of dues based on income available upon request.

⁴Colorado: Inactive/ 0-3 years in practice/3+ years in practice.

⁵Connecticut: Includes \$425 occupational tax plus \$75 client security fund fee.

⁶Delaware: Government employee/ 0-5 years in practice/ 5-10 years in practice/10+ years in practice.

⁷Georgia: Inactive/Active.

⁸Hawaii: 0-4 years in practice/5+ years in practice.

⁹Idaho: Also includes audit, insurance, share of Board Commissioner's meeting expenses, investigation, hearing and pre-trial expenses, publications and dues; committee xpenses re UPOL and fee arbitration matters.

¹⁰Idaho: 72 years or older/less than 1 year in practice and admitted after 7-1/less than 1 year in practice and admitted before 7-1/1-3 years in practice/3+years in practice.

¹¹Illinois: Less than 1 year in practice/1-3 years in practice or inactive/3+ years in practice.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

Discipline Office Budget Includes:

<u>STATE</u>	<u>Salaries/Benefits</u>	<u>Space</u>	<u>Equipment/Supplies</u>	<u>Travel/Education/Training</u>	<u>Annual Dues/Fees (\$)</u>
Iowa	X	X	X	X	135
Kansas	X	X	X	X	150
Kentucky	X		X		110 / 220 / 270 ¹²
Louisiana	X	X	X	X	100 / 165 ¹³
Maine	X	X	X	X	87 / 192 / 87 / 122 ¹⁴
Maryland	X		X	X	120
Massachusetts	X		X	X	165 / 220 / 20 ¹⁵
Michigan	X	X	X	X	315
Minnesota	X	X	X	X	97 / 218 / 107 ¹⁶
Mississippi	X	X	X	X	50 / 70 / 130 / 270 ¹⁷
Missouri	X	X	X	X	133 / 143 / 198 ¹⁸
Montana	X	X	X	X	285
Nebraska	X	X	X	X	220 / 320 ¹⁹
Nevada	X	X	X	X	200 / 350 / 500 / 100 ²⁰

¹²Kentucky: Judges/0-5 years in practice/5+ years in practice.

¹³Louisiana: 0-3 years in practice/3+ years in practice.

¹⁴Maine: Active resident 0-2 years in practice/Active resident more than 2 years in practice/Active non-resident 0-2 years in practice/Active non-resident more than 2 years in practice.

¹⁵Massachusetts: 0-5 years in practice/5-50 years in practice/50+ years in practice.

¹⁶Minnesota: 0-3 years in practice/3+ years in practice/Non-resident and Military.

¹⁷Mississippi: Less than one year in practice/1 year in practice/2-3 years in practice/4+ years in practice.

¹⁸Missouri: Nonresident/resident 0-3 years in practice/resident 3+ years in practice.

¹⁹Nebraska: 0-5 years in practice/5+ years in practice.

²⁰Nevada: 0-5 years in practice/5+ years in practice/annual fee for multijurisdictional practice/federal judiciary member.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

Discipline Office Budget Includes:

<u>STATE</u>	<u>Salaries/Benefits</u>	<u>Space</u>	<u>Equipment/Supplies</u>	<u>Travel/Education/Training</u>	<u>Annual Dues/Fees (\$)</u>
New Hampshire	X	X	X	X	495
New Jersey	X	X	X	X	28 / 165 / 190 ²¹
New Mexico	X	X	X	X ²²	245 / 295 / 345 ²³
New York 1st. Jud. Dept.	X		X	X	350 biennially
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.					350 biennially
New York 2nd Jud. Dept. 9th Jud. Dist.	X	X	X	X	350 biennially
New York 2nd Jud. Dept. 10th Jud. Dist.	X	X	X	X	300 biennially
New York 3rd Jud. Dept.	X	X	X	X	350 biennially
New York 4th Jud. Dept.	X	X	X	X	350 biennially
North Carolina	X	X	X	X	200
North Dakota	X	X	X	X	300 / 325 / 355 ²⁴
Ohio	X	X	X	X	275 biennially

²¹New Jersey: 0-2 years in practice/3-4 years in practice/5-49 years in practice.

²²New Mexico: Budget also includes accounting services, employee benefits, insurance, subscriptions, payroll taxes, and retirement fund management.

²³New Mexico: Less than one year in practice/2-3 years in practice/3+ years in practice.

²⁴North Dakota: Less than 1 year in practice/1-5 years in practice/5+ years in practice.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

SOURCE: Survey on Lawyer Discipline Systems, 2004
 ABA Center for Professional Responsibility

Discipline Office Budget Includes:

STATE	Salaries/Benefits	Space	Equipment/Supplies	Travel/Education/Training	Annual Dues/Fees (\$)
Oklahoma	X		X	X	87 / 175 ²⁵
Oregon	X	X	X	X	0 / 115 / 360 / 432 ²⁶
Pennsylvania	X	X	X	X	175
Rhode Island	X		X	X	350 ²⁷
South Carolina	X	X	X	X	150 / 220 ²⁸
South Dakota	X	X	X	X	190 / 315 ²⁹
Tennessee	X	X	X	X	105
Texas	X	X	X	X	N/A
Utah					190 / 350 ³⁰
Vermont	X	X	X	X	150
Virginia	X	X	X	X	250
Washington	X	X	X	X	191 / 312 / 383 ³¹
West Virginia	X	X	X	X	50 / 150 / 195 ³²
Wisconsin	X	X	X	X	<345 / 345 ³³
Wyoming	X		X		137 / 250 ³⁴

²⁵Oklahoma: Less than three years in practice/3+ years in practice.

²⁶Oregon: 50+ years in practice/15+ years in practice and limited to pro bono work/less than 2 years in practice/2+ years in practice.

²⁷Rhode Island: This includes a mandatory fee of \$225 and an Annual Registration fee of \$150.

²⁸South Carolina: 0-3 years in practice/3+ years in practice.

²⁹South Dakota: 1-4 years in practice/5+ years in practice.

³⁰Utah: 0-3 years in practice/3+ years in practice.

³¹Washington: 1-2 years in practice/3-4 years in practice/5+ years in practice.

³²West Virginia: Inactive and less than one year in practice/1-3 years in practice/3+ years in practice.

³³Wisconsin: 0-3 years in practice at a reduced rate/ 3+ years in practice.

³⁴Wyoming: 0-5 years in practice/5+ years in practice.

CHART VIII

STATE-BY-STATE STAFFING OF DISCIPLINARY COUNSEL'S OFFICE

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Chief Disciplinary Counsel</u>	<u>Other Disciplinary Counsel</u>	<u>Other Lawyers</u>	<u>Investigators</u>	<u>Legal Assistants/ Paralegals</u>	<u>Secretarial/ Clerical/ Admin.</u>	<u>Law Students/ Clerks</u>	<u>Auditors</u>	<u>Probation Monitors</u>	<u>Other Paid Staff</u>	<u>Total Paid Staff</u>	<u>% Nonlawyer Members on Hearing Bodies</u>
Alabama	1	3	0	0; 1	2	5	0	0	0	0	11; 1	16%
Alaska	1	2	0	1	1	2	0	0	0	0	7	N/A
Arizona	1	10	3	2	1.5	10	0	1.5	0	3	32	33%
Arkansas	1	3	0	1	1	1	0	0	0	0	7	28%
California	1	5	60	57	36	56	19	0	0	2	240	N/A
Colorado	1	2	11	5 ¹	N/A	11	2	1	1	1	34	30%
Connecticut	2	4; 0 ³	0	2	0	5; 0 ²	2	0	N/A	0	15; 0 ⁵	33%
Delaware	1	3	0	0	0	1; 1	0	0; 2 ³	0	0	5; 1	33%
District of Columbia	1	10	1	1	0	8	11	0	0	1	32	33%
Florida	1	32	0	0; 24	10	53; 4	0	5	0	0	101; 28	33%
Georgia	1	7	2	1	4	4	0	0	N/A	N/A	19	N/A
Hawaii	1	4; 2	0	1	2	4	0	0	N/A	0	12; 2	2%
Idaho	1	1	0	2	0	2	0; 1	0	0	0	6; 1	67%
Illinois	1	37.4	5	11	14	15	0; 3	0	0.5; 1	0	83.9; 4	33%
Indiana	1	0	9; 1	1	0	3	0; 3	0	0	0	14; 4	22% ⁴
Iowa	1	3	0	1	0	2	0	0	0	0	7	20%
Kansas	1	4	0	2	0	3	1	1	0	0	12	0%
Kentucky	1	6	0	0	8	1	1	0	0	0	17	33% - 19%
Louisiana	1	9	0	4; 1	0	13; 1	0	0	0	14; 4	41; 6	33%
Maine	1	2	0	0	0	6	0; 1	0	0	0	9; 1	N/A

¹Colorado: Includes paralegals/legal assistants.

²Connecticut: Combined Statewide Bar Counsel and Chief Disciplinary Counsel's Offices.

³Delaware: Paid for by the Lawyers' Fund for Client Protection.

⁴Indiana: Not an adjudicative body.

CHART VIII

STATE-BY-STATE STAFFING OF DISCIPLINARY COUNSEL'S OFFICE

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

	<u>Chief Disciplinary Counsel</u>	<u>Other Disciplinary Counsel</u>	<u>Other Lawyers</u>	<u>Investigators</u>	<u>Legal Assistants/ Paralegals</u>	<u>Secretarial/ Clerical/ Admin.</u>	<u>Law Students/ Clerks</u>	<u>Auditors</u>	<u>Probation Monitors</u>	<u>Other Paid Staff</u>	<u>Total Paid Staff</u>	<u>% Nonlawyer Members on Hearing Bodies</u>
Maryland	1	2	8	6	2	11	0	0	0	0	30	33.30%
Massachusetts	1	18	0	16	0	12 ; 2	0	0	0	0	47 ; 2	25%
Michigan	1	12 ⁵	0	3	0	13	3	0	0	1	30	33%
Minnesota	1	8	0	0	4 ; 1	8 ; 1	0 ; 1	0	0	0	21 ; 3	40%
Mississippi	1	2	0	0	1	0 ; 1	0	0	0	0	4 ; 1	0%
Missouri	1	5	1 ; 11	0	3	7 ; 1	0	0	0	0	17 ; 12	33%
Montana	1	0	0	1	0	1	0	0	0	0	3	25%
Nebraska	1	2	0	0	0	1	0	0	0	0	4	33%
Nevada	1	3	0	0	4 ⁶	2	0	0	0	0	10	N/A
New Hampshire	1	0	3	0	0	5	0	1	0	0	10	38%
New Jersey	1	9.5	1.5	22	1	21	0 ; 2	5	0	3	64 ; 2	33%
New Mexico	1	3 ; 1	0 ; 1	0	0	3	0	0	0	0	7 ; 2	33%
New York 1st Jud. Dept.	1	21	0	6	5	10	0 ; 1	1	N/A	2	46 ; 1	20%
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	1	9	0	1	1	4	0	1	0	0	17	20%
New York 2nd Jud. Dept. 9th Jud. Dist.	1	8	0	1	0	5 ; 2	0	0 ; 1	0	0	14 ; 2	20%
New York 2nd Jud. Dept. 10th Jud. Dist.	1	1 ; 1	9	2	0	7	N/A	0	0	0	20	0% ⁷

⁵Michigan: For Attorney Grievance Commission and Disciplinary Board.

⁶Nevada: Probation monitoring performed by one paralegal.

⁷New York 10th Judicial District: For formal hearings. Nonlawyers comprise 20% of Grievance Committee members.

CHART VIII

STATE-BY-STATE STAFFING OF DISCIPLINARY COUNSEL'S OFFICE

SOURCE: Survey on Lawyer Discipline Systems, 2004
ABA Center for Professional Responsibility

	<u>Chief Disciplinary Counsel</u>	<u>Other Disciplinary Counsel</u>	<u>Other Lawyers</u>	<u>Investigators</u>	<u>Legal Assistants/ Paralegals</u>	<u>Secretarial/ Clerical/ Admin.</u>	<u>Law Students/ Clerks</u>	<u>Auditors</u>	<u>Probation Monitors</u>	<u>Other Paid Staff</u>	<u>Total Paid Staff</u>	<u>% Nonlawyer Members on Hearing Bodies</u>
New York 3rd Jud. Dept.	1	5	0	2	0	7	0	0; 0.5	0	0	15; 5	14%
New York 4th Jud. Dept.	1	3	4; 1	6	0	7; 1	0; 1	0	0	0	21; 3	14%
North Carolina	1	6	0	7	2	6	0; 1	1	0	0	23; 1	40%
North Dakota	1	1	0	0	0	2	0	0	0	0	4	33%
Ohio: Discipline Counsel's Office	1	1	6	2; 1	2	9	0; 1	0	0	0	21; 2	14% ⁸
Oklahoma	1	0	4	4	0	4	0; 1	0	0	0	13; 1	32%
Oregon	1	7	0	1	1	5; 0.6	0	0	0	0	15; 0.6	33%
Pennsylvania	1	1	25	8	0	19	0; 3.5	3	0	0	57; 3.5	13%
Rhode Island	1	1	2	1	0	3; 1	0	0	0	0	8; 1	33%
South Carolina	1	1	5	1	0	5	0	0	0	0	13	0 ⁹
South Dakota	0; 1	0; 1	0	0	0	0	0	0	0	0	0; 2	14%
Tennessee	1	7	1 ¹⁰	0	1	8	0	0	0	0	18	N/A
Texas	1	19	0	21	12	33	0; 1	0	4	8	98; 1	N/A
Utah	1	5	0	0	3	1	0	0	0	0	10	23%
Vermont	1	0	1	0	0	1	0	0	0	0; 0.5	3; 0.5	33%
Virginia	1	10	5; 2	10	2	8	0	0	0	0	36; 2	33%
Washington	1	15	0	3	6	7	0	0	0	0	32	0%
West Virginia	1	2	0	0	3	1	0	0	0	0	7	33%
Wisconsin	1	2	2	11; 3	1	6; 1	0	0	0	0	23; 4	35%
Wyoming	0; 1	0	0	0	0; 1	0	0	0	0	0	0; 2	28%

⁸Ohio: Board of Commissioners on Grievances and Discipline.

⁹South Carolina: Two non-lawyers are on investigative panels.

¹⁰Tennessee: Consumer Assistance Program lawyer.