

2006 SURVEY ON LAWYER DISCIPLINE SYSTEMS
AMERICAN BAR ASSOCIATION
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DISCIPLINE

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2006 ABA Survey on Lawyer Discipline Systems (S.O.L.D.)

Introduction to 2006 S.O.L.D. Survey Results

The ABA Survey on Lawyer Discipline Systems questionnaire for 2006 was sent to 57 lawyer disciplinary agencies. Fifty-five agencies responded to the questionnaire. New Hampshire and South Carolina had not responded to the Survey at the time of publication. Medians and averages are shown where potentially meaningful. In most instances, averages have been rounded to the nearest whole number.

The 2006 Survey consists of nine charts arranged alphabetically by jurisdiction, with explanatory footnotes. These charts were compiled from statistics reported to the ABA by the jurisdictions. Where exact figures were not available estimated figures were provided and noted with an asterisk. The abbreviation "N/A" means that the data was not available or applicable.

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.

2006 S.O.L.D. Survey Results

The information contained in the 2006 Survey on Lawyer Discipline Systems is not intended to constitute a comprehensive overview of each jurisdiction's lawyer discipline system. Where possible, footnotes have been included to address variations in the manner in which jurisdictions function and maintain statistics. If you have any questions regarding a particular jurisdiction's responses to the Survey, please contact the chief disciplinary counsel for that agency. 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 \(MRD\)](#).

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**American Bar Association
Center for Professional Responsibility**

**SURVEY ON LAWYER DISCIPLINE SYSTEMS
2006 DATA**

Jurisdiction: _____

Person Reporting: _____

Title: _____

Telephone.# _____

E-Mail Address: _____

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. Your timely responses are especially appreciated. Prompt responses to the questionnaire allow us to publish the data in a manner that is most useful to disciplinary agencies and the public, and reduces the number of follow up inquiries that we have to make. If you have any questions regarding your response, please contact Ellyn S. Rosen, Associate Regulation Counsel at rosene@staff.abanet.org as soon as possible.

PLEASE RETURN THE COMPLETED QUESTIONNAIRE BY July 1, 2007, TO:

Kimley Grant

grantk@staff.abanet.org American Bar Association

Center for Professional Responsibility

321 North Clark Street, 15th Floor

Chicago, Illinois 60610-4714

PH: 312-988-5319

FAX: 312-988-5491 or 312-988-5280

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

We are no longer publishing print versions of the Survey. The Survey is published electronically on the Center for Professional Responsibility's web site at <http://www.abanet.org/cpr/discipline/sold/home.html> . We will start posting available data for the 2006 Survey on September 1, 2007. We will post the data of those jurisdictions that have responded to the Survey Questionnaire after September 1st as it is received.

Any suggestions for future modifications that would increase the usefulness of the Survey are welcome and appreciated. Thank you for completing the Survey.

In order for the Center to maintain accurate information for the **Directory of Lawyer Disciplinary Agencies** at <http://www.abanet.org/cpr/regulation/scpd/disciplinary.html>, 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: _____

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.

Adjudicative Office of the Disciplinary System:

The adjudicative office of the disciplinary system is comprised of the professional lawyer and non-lawyer staff, as defined below that supports the system's adjudicators in the performance of their duties, including administrative functions. For purposes of this survey, the actual adjudicators are excluded from this definition of the adjudicative office. The adjudicative office may operate from a different location than the investigative/prosecutorial branch of the disciplinary agency, or it may be located within the same office space but separated physically. For purposes of this survey, location of the adjudicative office is not relevant. Examples of names of the adjudicative office include the Lawyer/Attorney Disciplinary Board, Disciplinary Review Board, Board of Disciplinary Appeals, Board of Professional Responsibility or Commission.

Adjudicative Counsel:

Lawyers employed by the disciplinary agency to work for the adjudicative branch of the system (excluding counsel to the jurisdiction's highest court). These lawyers do not perform investigative or prosecutorial functions. They are responsible for assisting discipline system adjudicators, including Hearing Committee/Panel and Appellate Board members. Their duties include conducting legal research, assisting adjudicators with trial and oral argument preparation, and preparing draft reports and recommendations after hearings or appeals based upon charges (see definition below). The Chief Adjudicative Counsel may also be referred to as the Executive Director, Counsel or General Counsel of the disciplinary board.

Adjudicative Staff:

All non-lawyer staff in the adjudicative office of the disciplinary agency (excluding staff of the jurisdiction's highest court). In some jurisdictions the head of the adjudicative office is not a lawyer and may be referred to as the Executive Director or Administrator of the disciplinary board.

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, a telephone or 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.

Charges:

Any document, pleading or notice filed by the disciplinary agency, or appropriate authority, with the designated adjudicatory tribunal, wherein a lawyer is charged with specified acts of misconduct and a disciplinary sanction is sought, after a determination has been made that there is probable cause to believe that misconduct occurred.

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 I. CASE PROCESSING AND SANCTION STATISTICS

Please fill in the appropriate figures for calendar year 2006 or for your fiscal year 2006. 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 indicate estimates by adding an asterisk to that response.

The Survey questionnaire is intended to be as brief as possible, while still allowing us to gather essential, accurate and complete information. There is a need to provide standardized data for national comparisons. We understand that this can be complicated by the diversity of lawyer disciplinary systems and terminology utilized by the various agencies. As a result, where necessary, please provide footnotes to any responses where there is a **major** variation in procedures. We will attempt to include explanatory footnotes to the extent possible.

A. LAWYER POPULATION

1. Total number of lawyers, resident and nonresident, with **active** licenses to practice law in your jurisdiction in the **2006** calendar/fiscal year:

B. CASE PROCESSING STATISTICS

2. Total number of complaints (as defined in Terms and Phrases) received by the disciplinary agency regarding lawyer conduct during the **2006** calendar/fiscal year: _____
 - a. Does your jurisdiction have a central intake or other consumer assistance program?

 - b. If yes, does the number of complaints received by the agency include matters handled by such a program? _____
 - c. If the total number of complaints received by the agency **does not include** matters handled by central intake or other consumer assistance program, how many matters were handled separately by the program? _____
 - d. If the total number of complaints received by the agency **includes** matters handled by central intake or other consumer assistance program, how many matters were handled by the program? _____

3. Total number of complaints received by the disciplinary agency prior to the **2006** calendar/fiscal year that were still pending on the first day of the **2006** calendar/fiscal year:

4. Total number of complaints that were screened out or dismissed without investigation during the **2006** 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 **2006** calendar/fiscal year):

5. Total number of complaints that were investigated during the **2006** calendar/fiscal year. (This number should include complaints from previous years that were still pending as of the first day of the **2006** 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 **2006** calendar/fiscal year after a determination that there was not a sufficient basis to warrant charges(as defined in Terms and Phrases).

7. Total number of lawyers against whom charges(as defined in Terms and Phrases) were brought/initiated after a determination of probable cause in calendar/fiscal year **2006**:

C. SANCTIONS

8. Does your jurisdiction have private/non-public disciplinary sanctions? _____

If yes, what is the total number of lawyers who received private, i.e., non-public, disciplinary sanctions during calendar/fiscal year **2006**:

9. Total number of lawyers who received public disciplinary sanctions in the calendar/fiscal year **2006**:

10. Of the total number of lawyers who received public disciplinary sanctions, what is the total number of lawyers:

a. Who received involuntary/adjudicated disbarments:

b. Who were disbarred on consent (including resignations as defined in the Terms & Phrases):

c. Who were suspended (**excluding** interim suspensions):

d. Who were interimly suspended (for risk of harm, criminal conviction or other reason):

e. Who were publicly admonished, reprimanded, and censured:

f. Who were placed on probation (including probation imposed with other sanctions):

D. REINSTATEMENT AND READMISSION

11. Total number of lawyers who sought reinstatement/readmission to the practice of law during calendar/fiscal year **2006**: _____
12. Total number of lawyers who were reinstated/readmitted in calendar/fiscal year **2006** after:
- a. Disbarment (any type as defined in the Terms & Phrases): _____
 - b. Suspension: _____
13. Total number of lawyers whose requests for reinstatement/readmission were denied and/or dismissed, voluntarily or involuntarily, during calendar/fiscal year **2006**:

PART II. CASE LOAD
A. DISCIPLINARY COUNSEL

14. What was the average caseload per staff lawyer in calendar/fiscal year **2006**? (Caseload or cases means the number of investigations and charges).

15. What was the average number of cases per staff lawyer carried over into calendar/fiscal year **2006** from previous years?

16. What was the average number of new cases assigned per staff lawyer in calendar/fiscal year **2006**?

17. What was the average number of cases closed per staff lawyer during calendar/fiscal year **2006**?

B. TIME GUIDELINES

18. In response to the **2006** 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 since adopted such formal time guidelines, please indicate below and provide a brief description or a copy of them:

C. CASE PROCESSING TIMES

Please indicate estimates by asterisks:

19. 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 I., B. -- Case Processing Statistics of this Survey?

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

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

22. 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: _____

23. 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 III. FEES, DUES, AND BUDGET

A. 2006 BUDGET

24. Total budget for the lawyer discipline system (disciplinary counsel's office and the adjudicative office of the disciplinary system) (see Terms and Phrases) in the **2006** calendar/fiscal year: \$_____
25. Of the amount in response to Question 24, the total budget for disciplinary counsel's office:
\$_____
26. Of the amount in response to Question 24, the total budget for the adjudicative office of the disciplinary system (see Terms and Phrases):
\$_____
27. 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

Please respond to the following for your calendar/fiscal year **2006**.

28. 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)	\$ _____
_____ (years in practice)	\$ _____
_____ (years in practice)	\$ _____
_____ (years in practice)	\$ _____

PART IV. STAFFING OF THE DISCIPLINARY AGENCY

Please report the total number of full-time equivalents for 2006 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.

A. Disciplinary Counsel's Office

	<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 counsel's office staff: (should be the sum of 1 through 10)	_____	_____

B. Adjudicative Office of the Disciplinary System

	<u>Full Time</u>	<u>Part Time</u>
1. Non-Lawyer Head of Office	_____	_____
2. Chief Adjudicative Counsel:	_____	_____
3. Other Adjudicative Counsel:	_____	_____
4. Other lawyers on staff:	_____	_____

5. Legal assistants/paralegals: _____
6. Secretarial/clerical/administrative personnel: _____
7. Law students/clerks: _____
8. Other staff not reflected above: _____
(please specify category of personnel)
8. **TOTAL** number of paid staff for Disciplinary Board
(should be the sum of 1 through 7): _____
9. What is the percentage of nonlawyers serving as adjudicators at the:
- a. Hearing Committee/trial level: _____
- b. Appellate/Board level: _____

CHART I

LAWYER POPULATION AND AGENCY CASELOAD VOLUME, 2006

Survey on Lawyer Discipline Systems, 2006
 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 Lawyers Charged After Probable Cause Determination</u>
Alabama	15,301	1,489	303	1,190	244	163	38
Alaska	2,879	190	61	147	46	31	11
Arizona	14,079	2,076 ¹	1,061	976	1,711	729	59
Arkansas	7,987	866	333 *	62	804	1,137	156 ²
California	157,546	15,494 ³	4,762	13,510	4,884	1,779	458
Colorado	21,842	4,570 ⁴	33	3,934	402	227	76
Connecticut	34,654	1,173	NA	121	1,052	798	111
Delaware	3,311	441	38	78	401	310	18
District of Columbia	60,860	1,330	375	845	860	485	35
Florida	72,695	9,063	3,196	1,483	10,470	6,342	557
Georgia	30,301	2,719 ⁵	N/A	2,351	384	153	252 ²
Hawaii	4,553	523	434	250	707	338	9
Idaho	3,837	448	32	248	260	20	4
Illinois	81,146	5,801 ⁶	1,841	1,319	5,746	4,076	215

* = Estimated.

¹Arizona: Includes 770 matters handled by central intake.

²Arkansas, Georgia: Represents number of cases, not lawyers.

³California: Includes matters handled by central intake. The State Bar of California defines a complaint as a communication concerning the conduct of a member received by the Office of the Chief Trial Counsel which is designated for evaluation to determine if any action is warranted.

⁴Colorado: Includes matters handled by central intake.

⁵Georgia: Excludes 38,029 inquiries received by consumer assistance program, of which 25.17% were returned to General Counsel's Office for grievance forms.

⁶Illinois: Includes 4,076 matters handled by central intake.

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Indiana	16,537	1,589	775	1,014	1,386	429	42
Iowa	8,400	936	292	75	787	626	62
Kansas	10,166	934	NA	380	457	261	48
Kentucky	15,316 *	1,297 ⁷	578	308	1,985	690	48
Louisiana	20,252	2,658	2,401	1,298	3,759	741	139
Maine	4,819	348	73	64	314	212	21
Maryland	32,390	1,844	412	1,444	812	441	140
Massachusetts	51,165	1,026 ⁸	1,046	46	2072	724	162
Michigan	38,000	3,575	NA	2,654	626	275	163
Minnesota	25,217	1,222	578	464	1,336	430	31
Mississippi	9,988	457	98	288	34	3	19
Missouri	28,711	2,394 ⁹	NA	1,355	1,419	526	34
Montana	3,287	371	184	145	455	224	34
Nebraska	5,939	522	77	176	346	275	33
Nevada	6,969	1,388	N/A	139	1,249 ¹⁰	68 ¹¹	18
New Jersey	77,434	7,145	1,171	5,612	1,553	N/A	241

* = Estimated.

⁷Kentucky: Includes 249 matters handled by central intake.

⁸Massachusetts: Excludes 5,470 matters handled by central intake, 5,024 of which did not become complaints. Complaints are then referred to bar counsel from central intake.

⁹Missouri: Includes matters handled by central intake.

¹⁰Nevada: 1,025 cases were investigated, but no grievance file opened, plus 224 grievance files opened for a combined total of 1,249.

¹¹Nevada: Of 224 grievance files opened, 68 were dismissed outright or dismissed with letters of caution, and an additional 16 were closed with private reprimands.

CHART I

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New Mexico	6,013	513	168	402	27	26	11
New York 1st Judicial Department	78,000	3,485	1,230	1,274	3,341	2,075	37
New York 2nd Judicial Department 2nd & 11th Districts	13,515	2,357	712	1,089	1,512	331	108
New York 2nd Judicial Department 9th District	13,439	1,935	834	729	817	713	83
New York 2nd Judicial Department 10th Judicial District	19,641	2,493 ¹²	1,442	1,072	731	681	39
New York 3rd Judicial Department	9,321	1,692	1,519	1,053	1,541	1,295	144
New York 4th Judicial Department 5th, 7th & 8th Districts	13,000	2,524	860	1,044	2,340	1,337	39
North Carolina	21,509	1,553 ¹³	806	1,199 ¹⁴	665	404	36
North Dakota	1,886	194	134	49	295	148	N/A

* = Estimated.

¹²New York 2nd Judicial Dept 10th Judicial District: Includes 589 matters handled by central intake.

¹³North Carolina: Excludes 3,632 complaints handled by central intake.

¹⁴North Carolina: 1,031 dismissed without requiring a formal response from the lawyer complained of; 186 cases no grievance file opened because the matter was not appropriate for the Grievance Committee.

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Ohio	42,120	5,451	N/A	2,895	2,556	N/A	97
Oklahoma	15,794	468	196	1,171	381	344	11
Oregon	13,111	2,247 ¹⁵	N/A	900	1,350	1,225	94 ¹⁶
Pennsylvania	58,917	4,767	1,001	131	5,637	4,132	211
Rhode Island	4,700	398	N/A	82	316	287	8
South Dakota	2,250	120	18	25	120	112	39
Tennessee	18,507	1,258 ¹⁷	N/A	267	1,409	674	90
Texas	77,000	7,494 ¹⁸	N/A	4,742	2,552	2,000*	665
Utah	6,584	1,017 ¹⁹	742	1,066	693	133	57
Vermont	2,000	275 ²⁰	84	83	264	189	22
Virginia	25,710	4,409 ²¹	910	2,454	2,030	865	N/A

* = Estimated.

¹⁵Oregon: Includes 2,155 matters handled by consumer assistance program.

¹⁶Oregon: Excludes 33 lawyers admonished.

¹⁷Tennessee: Excludes 4,661 matters handled by consumer assistance program.

¹⁸Texas: Excludes 1,131 cases handled by consumer assistance program.

¹⁹Utah: Excludes matters handled by central intake.

²⁰Vermont: Excludes 234 matters handled by consumer assistance program.

²¹Virginia: Includes 3,233 matters handled by consumer assistance program.

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Washington	25,761	2,534 ²²	1,002	1,234	1,916	742	77
West Virginia	4,500	653	421	64,937	1,074	615	13
Wisconsin	22,225	2,061 ²³	855	1,522	1,394	166	60
Wyoming	2,453	140	10	65	150	18	11
TOTAL*	1,363,537	123,927	33,098	131,461	79,672	41,025	5,186
AVERAGE*	25,251	2,295	770	2,434	1,475	789	100
MEDIAN*	15,309	1,439	578	938	839	430	5,186

²²Washington: Includes matters handled by central intake.

²³Wisconsin: Includes matters handled by central intake.

CHART II

SANCTIONS IMPOSED

Survey on Lawyer Discipline Systems, 2006
 ABA Center for Professional Responsibility

STATE	No. of Lawyers Privately Sanctioned	No. of Lawyers Publicly Sanctioned	Lawyers Publicly Sanctioned No. Involuntarily Disbarred	Lawyers Publicly Sanctioned No. Disbarred On Consent	Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)	Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)	Lawyers Publicly Sanctioned No. Reprimanded/ Censured	Lawyers Publicly Sanctioned No. on Probation
Alabama	41	40	5	0	10	4	19	2
Alaska	4	5	0	0	3	0	2	0
Arizona	N/A	133	10	4	29	8	63	49
Arkansas	53	68	2	7	12	1	59	0
California	43	404	57	79	218	101	50	164
Colorado	4	102	15	5	44	12	5	21
Connecticut	N/A	131 ¹	3	12	9	3	35	N/A
Delaware	12	6	2	1	3	0	0	0
District of Columbia	N/A	94	21	11	27	49	34 ²	7
Florida	N/A	364	68	13	124	16	135	62
Georgia	36	60	21	7	27	N/A	5	N/A
Hawaii	26	13	2	3	7	4	1	0
Idaho	35	14	5	1	3	1	5	5
Illinois	N/A	148	17	15	63	10	31 ³	24
Indiana	11	41	0	7	28	0	10	4
Iowa	62	52	3	3	13	11	22	0
Kansas	N/A	47	5	7	5	4	25	3
Kentucky	56	38	6	0	19	6	7	5

¹Connecticut: 43 by the Court; 88 by the Statewide Grievance Committee.

²District of Columbia: 5 court ordered public censures; 3 board reprimands; 26 informal admonitions.

³Illinois: Includes 6 reprimands by Hearing Board.

CHART II

SANCTIONS IMPOSED

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

STATE	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Lawyers Publicly Sanctioned No. Involuntarily Disbarred</u>	<u>Lawyers Publicly Sanctioned No. Disbarred On Consent</u>	<u>Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Lawyers Publicly Sanctioned No. Reprimanded/ Censured</u>	<u>Lawyers Publicly Sanctioned No. on Probation</u>
Louisiana	27	72	9	8	22	9	33	13
Maine	23 ⁴	26 ⁵	0	3	4	1	16	0
Maryland	N/A	74	10	12	21	2	26	0
Massachusetts	48	88 ⁶	19	10	27	15	32	1
Michigan	148	93	17	1	45	32	27	3
Minnesota	103	54	6	2	25	0	5	13
Mississippi	14	19	6	2	5	1	12	N/A
Missouri	N/A	58 ⁷	24	5	11	7	8	6
Montana	14	17	3	0	8	1	5	3
Nebraska	14	21	4	4	8	5	0	3
Nevada	38	22	3	3	3	3	8	3
New Jersey	N/A	143	16	13	39	20 ⁸	55 ⁹	0

⁴Maine: Does not have "non-public discipline." This number represents the non-public informal sanction of "Dismissals With Warning," which is not a form of discipline. M. Bar R. 7.1. (e)(3)(B).

⁵Maine: Includes 6 public non-disciplinary warnings. See M. Bar R. 7.1. (e)(3)(B).

⁶Massachusetts: Excludes interim suspensions.

⁷Missouri: Does not include 108 admonitions. Under Rule 5.31 (d) Admonitions are public only 3 years.

⁸New Jersey: Includes 16 temporary suspensions and 4 temporary disability inactive status.

⁹New Jersey: Includes 16 admonitions, 24 public reprimands, and 15 censures.

CHART II

SANCTIONS IMPOSED

Survey on Lawyer Discipline Systems, 2006
 ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Lawyers Publicly Sanctioned No. Involuntarily Disbarred</u>	<u>Lawyers Publicly Sanctioned No. Disbarred On Consent</u>	<u>Lawyers Publicly Sanctioned (Excluding Interim Suspensions)</u>	<u>Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Lawyers Publicly Sanctioned No. Reprimanded/ Censured</u>	<u>Lawyers Publicly Sanctioned No. on Probation</u>
New Mexico	12	11	3	0	6	0	2	2
New York 1st Judicial Department	75	64	24	4	17	15	4	N/A
New York 2nd Judicial Department 2nd & 11th Jud. Districts	149	34	10	6	10	4	0	N/A
New York 2nd Judicial Department 9th Judicial District	54	55	13	3	13	N/A	1	N/A
New York 2nd Judicial Department 10th Judicial District	41	26	7	2	6	5	6	N/A
New York 3rd Judicial Department	91	26	9	0	10	4	2	2
New York 4th Judicial Department 5th, 7th and 8th Jud. Dist.	28	32	5	3	4	8	10	N/A
North Carolina	130	89	8	9	8 ¹⁰	1	42	21 ¹¹
North Dakota	11	17	0	0	6	3	9	0
Ohio	N/A	135	17	12	74	14	16	N/A
Oklahoma	5	16	0	5	9	0	2	0

¹⁰North Carolina: Active Suspension.

¹¹North Carolina: With stayed suspensions.

CHART II

SANCTIONS IMPOSED

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Lawyers Privately Sanctioned</u>	<u>No. of Lawyers Publicly Sanctioned</u>	<u>Lawyers Publicly Sanctioned No. Involuntarily Disbarred</u>	<u>Lawyers Publicly Sanctioned No. Disbarred On Consent</u>	<u>Lawyers Publicly Sanctioned No. Suspended (Excluding Interim Suspensions)</u>	<u>Lawyers Publicly Sanctioned No. Interimly Suspended (for risk of harm or criminal conviction)</u>	<u>Lawyers Publicly Sanctioned No. Reprimanded/ Censured</u>	<u>Lawyers Publicly Sanctioned No. on Probation</u>
Oregon	N/A	95	3	6	36	3	47	0
Pennsylvania	82	132	18	21	65	12	5	11
Rhode Island	18	10	0	0	5	0	1	4
South Dakota	30	4	0	2	1	1	0	0
Tennessee	98	67	7	0	17	16 ¹²	43	N/A
Texas	108	580	30 ¹³	N/A	119	2	62	N/A
Utah	24	42	4	3	7	5	27	N/A
Vermont	6	6	1	4	0	1	1	1
Virginia	108	276	9	8	25	N/A	34	N/A
Washington	N/A	66 ¹⁴	13	10	26	12	19	6
West Virginia	N/A	N/A	6	1	2	3 ¹⁵	2	2
Wisconsin	16	62	5	3	28	15	22	0
Wyoming	5	17	0	2	5	1	9	4
TOTAL*	1,903	4,309	551	342	1,361	451	1,101	444
AVERAGE*	46	81	10	6	25	9	20	11
MEDIAN*	35	54	6	4	12	4	10	3

¹²Tennessee: Not a disciplinary sanction.

¹³Texas: Does not distinguish between types of disbarment. This number represents total disbarments.

¹⁴Washington: Includes Admonitions.

¹⁵West Virginia: Underlying charges still pending - not counted in 13 lawyers who have been sanctioned.

CHART III

REINSTATEMENT AND READMISSION

Survey on Lawyer Discipline Systems, 2006
 ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/Readmission Filed</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	9	0	5	0
Alaska	2	0	1	0
Arizona	15	0	10	0
Arkansas	12	0	11	1
California	10	1	N/A ¹	12
Colorado	12	0	4	3
Connecticut	3	0	3	0
Delaware	2	0	1	1
District of Columbia	1	2	0	0
Florida	N/A	3	10	N/A
Georgia	3	N/A ²	3	0
Hawaii	1	0	2	3
Idaho	3	0	2	0
Illinois	5	0	1	4
Indiana	8	0	0	3
Iowa	14	0	14	0
Kansas	0	N/A	1	1
Kentucky	6	0	5	1
Louisiana	12	0	3	7
Maine	1	0	0	0

¹California: Reinstatement proceedings are not conducted on suspended attorneys.

²Georgia: Disbarred lawyers must apply to Bar Admissions not General Counsel for reinstatement.

CHART III

REINSTATEMENT AND READMISSION

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>No. of Petitions, Motions or Requests for Reinstatement/Readmission Filed</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	1	N/A	4
Massachusetts	20 ³	0	18	2
Michigan	7	0	6	2
Minnesota	12	0	9	1
Mississippi	4	N/A	1	0
Missouri	36 ⁴	3	13	6
Montana	0	0	0	0
Nebraska	3	0	2	1
Nevada	2	0	0	2
New Jersey	N/A	0 ⁵	15	N/A
New Mexico	0	0	0	0
New York 1st Judicial Department	26	1	6	11
New York 2nd Judicial Department 2nd & 11th Judicial Districts	8	3	5	0
New York 2nd Judicial Department 9th Judicial District	2	0	1	1
New York 2nd Judicial Department 10th Judicial District	7	1	4	2

³Massachusetts: 11 were automatic reinstatements after short suspensions.

⁴Missouri: Includes petitions related to discipline, fees and restorations from inactive status.

⁵New Jersey: Disbarment is permanent.

CHART III

REINSTATEMENT AND READMISSION

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

	<u>No. of Petitions, Motions or Requests for Reinstatement/Readmission Filed</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>
<u>STATE</u>				
New York 3rd Judicial Department	10	0	9	1
New York 4th Judicial Department 5th, 7th & 8th Judicial District	6	0	4	3
North Carolina	6	0	4	2
North Dakota	2	0	2	0
Ohio	18	N/A ⁵	16 ⁶	2
Oklahoma	8	1	0	4
Oregon	180 ⁷	0	25	N/A
Pennsylvania	91	6	10	13
Rhode Island	1	1	0	0
South Dakota	1	0	1	0
Tennessee	8	N/A ⁸	N/A ⁸	2
Texas	8	N/A ⁹	N/A ⁹	N/A
Utah	0	0	0	0
Vermont	0	0	0	0
Virginia	3	1	N/A	1
Washington	13	0	13	0
West Virginia	4	1	0	3
Wisconsin	34	9 ¹⁰	28 ¹¹	2
Wyoming	0	0	0	0

* = Estimated.

⁵Ohio: Disbarment is permanent.

⁶Ohio: Includes "term" and "indefinite" suspensions.

⁷Oregon: Not all reinstatements are related to discipline.

⁸Tennessee: Total of 3 lawyers reinstated in 2006.

⁹Texas: Total of 8 reinstatements granted, but statistic does not distinguish between those granted after suspension or after disbarment.

¹⁰Wisconsin: 6 disciplinary and 3 with conditions.

¹¹Wisconsin: After administrative suspensions.

CHART IV

DISCIPLINARY AGENCY CASELOAD STATISTICS

Not all jurisdictions maintain this data.

Survey on Lawyer Discipline Systems, 2006
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	305	118	145	237
Arkansas	200*	50*	200*	350*
California	58 ¹	54	68	21
Colorado	114	35	80	104
Connecticut	67	64	114	110
Delaware	129	9	79	94
District of Columbia	86	37.5	48.5	48.5
Florida	405	105	300	286
Georgia	26	20	17	16
Hawaii	106	N/A	95	61
Idaho	134.5	104.5	64.5	34.5
Illinois	140	140	830	820
Kansas	250	N/A	250	N/A
Kentucky	112	122	173	174
Louisiana	460	285	175	162
Maine	105	24	116	107
Maryland	45	46	46	49
Massachusetts ²	138	70	68	78
Michigan	60	60	84	80
Minnesota	33	37	44	35
Mississippi	38	10	28	25
Montana	455	184	269	269
Nebraska	115	26	115	92

* = Estimated.

¹California: Only cases that are part of the attorney's official caseload. If supervised cases are included, the average is 93 per attorney.

²Massachusetts: Excludes central intake caseload.

CHART IV

DISCIPLINARY AGENCY CASELOAD STATISTICS

Not all jurisdictions maintain this data.

Survey on Lawyer Discipline Systems, 2006
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	72	8	72	73
New York 1st Judicial Department	45	52	112	119
New York 2nd Judicial Department 9th Judicial District	70	70	121	211
New York; 2nd Judicial Department 10th Judicial District	73	144	249	239
New York 3rd Judicial Department	535	253	282	258
New York 4th Judicial Department 5th, 7th and 8th Judicial District	451	115	336	338
North Carolina	177	67	124	133
Ohio ³	137	86	222	178
Oklahoma	14	9	5	7
Oregon ⁴	45*	N/A	60*	55*
Pennsylvania	217	39	183	189
Rhode Island	80	N/A	80	71
Tennessee	91	N/A	N/A	130
Texas	39	N/A	N/A	N/A
Utah	295	295	171	220
Vermont	132	42	90	136
Virginia	185	83	102	109
West Virginia	268	105	163	165
Wisconsin	51	53	128	137

* = Estimated.

³Ohio: For Office of Disciplinary Counsel (ODC) only; does not include the staff at the Board of Commissioners on Grievances and Discipline (BoC) or at the 35 Certified Grievance Committees.

⁴Oregon: Excludes caseload for central intake.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain this data.

Survey on Lawyer Discipline Systems, 2006

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 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	62 Days	674 Days	N/A	999 Days for Reprimand 736 Days for Admonition	1,601 Days for Suspension 158 Days for Reprimand	2 Days
Arizona	Yes	53 Days	199 Days	351 Days	N/A	567 Days	645 Days*
California	Yes	49 Days	187 Days	392 Days	582 Days	580 Days*	420 Days
Colorado	N/A	1.5 Weeks	29.1 Weeks	32.3 Weeks	48.6 Weeks	56.4 Weeks	20.2 Weeks
Connecticut	Yes	14 Days	88 Days	89 Days	N/A	232 Days	N/A
Delaware	N/A	7-14 Days	60 Days	120 Days	120 Days	210 Days	180 Days
Florida	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Georgia	N/A	3 Days	60 Days	6 Months	10 Months	14 Months	2 Months
Hawaii	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Idaho	N/A	2 Weeks*	9 Months*	9 Months*	9 Months*	2 Years*	3 Months*
Iowa	N/A	3 Days	6 Months	18 Months	6 Months	15 Months	3 Months
Kansas	N/A	1 Week	N/A	9 Months - 1 Yr.	N/A	1 Yr. - 1 1/2 Yrs.	1 Yr. - 1 1/2 Yrs.
Kentucky	N/A	22 Days	72 Days	158 Days	373 Days	747 Days	279 Days
Louisiana	Yes	3 Days	334 Days	325 Days	660 Days	1,239 Days	504 Days
Maine	N/A	3-5 Days	3-4 Months	6-8 Months	3-4 Months	6-8 Months	4-6 Months
Maryland	Yes	20 Days	120 Days	10 Months	N/A	12-13 Months	30 Days

* = Estimated.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain this data.

Survey on Lawyer Discipline Systems, 2006

ABA Center for Professional Responsibility

STATE	<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 for Reinstatement/Readmission from Filing to Final Disposition</u>
Massachusetts	N/A	11 Days	216 Days	616 Days	507 Days	970 Days	196 Days ¹
Michigan	N/A	4 Weeks*	6 Months*	8 Months*	8 Months*	14 Months*	3 Months*
Minnesota	N/A	1 Month	6 Month	N/A	Admonition - 12 Months Probation - 17 Months	24.5 Months	7 Months
Mississippi	N/A	90 Days	90 Days	180 Days	90 Days	90 Days	270 Days
Montana	N/A	1-2 Days	120 Days	6 Months	8 Months	18 Months	1 Yr.
Nebraska	Yes	1-2 Days	30-60 Days	3-6 Months	4-7 Months	1-2 Yrs	2 Months
Nevada	Yes	1-4 Weeks*	30-60 Days* 45-90 Days	60-120 Days*	60-90 Days*	Uncontested 4-9 Months* Contested 9-12 Months*	60-90 Days
New Mexico	N/A	1 Month	6 Months - 1 Yr.	6 Months - 1 Yr.	1 Year*	1 Year*	6 Months - 1 Yr.
New York 1st Jud. Dept.	N/A	14 Days	5 Months	23 Months	23 Months	N/A	3 Months
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	N/A	2 Weeks	6 Months	6 Months - 1 Yr.	6 Months	12 - 18 Months	12 - 18 Months
New York 2nd Jud. Dept. 9th Jud. Dist.	N/A	1 Week	9 Months - 1 Yr.	Varies	9 Months - 1 Yr.	Varies	Varies
New York 2nd Jud. Dept. 10th Jud. Dist.	N/A	3 Weeks	6 Months	1 Year	Varies	Varies	Varies
New York 3rd Jud. Dept.	N/A	90 Days*	120 Days*	180 Days*	120 Days*	6 Months - 1 Yr.	45 Days

* = Estimated.

¹Massachusetts: Excludes Central Intake processing times.

²Massachusetts: Excludes automatic reinstatements.

³Nevada: Dismissed at correspondent level with no grievance file opened, but some investigation: 30-60 days. Dismissed after grievance file is opened and reviewed by a screening panel: 45-90 days.

CHART V

CASE PROCESSING TIMES

Not all jurisdictions maintain this data.

Survey on Lawyer Discipline Systems, 2006

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 for Reinstatement/Readmission from Filing to Final Disposition</u>
New York 4th Jud. Dept. 5th, 7th & 8th Jud. Dist.	N/A	14 Days	90 Days	9 Months	2-6 Months	1 Yr.	3 Months
North Carolina	NA	58 Days	253 Days	523 Days	297 Days	1,751 Days	74 Days
North Dakota	Yes	3 Months	3 Months	3 Months	3 Months	6 Months	6 Months
Ohio	Yes	4 Weeks	60-150 Days	150+ Days	N/A	24 Months	6 Months if hearing required.
Oklahoma	N/A	15-20 Days*	120 Days*	150 Days*	130 Days*	12 Months	9 Months*
Oregon	Yes	7 Days	150 Days	250 Days	N/A	19 Months	60 Days-6 Months ⁵
Pennsylvania	Yes	7 Days	44 Days	7 Months*	13.1 Months	24.4 Months	6.5 Months
Rhode Island	N/A	2 Days	90 Days	6 Months	8 Months	10 Months	4 Months
South Dakota	N/A	3-7 Days	80 Days	120-180 Days	150 Days	240 Days	90 Days
Tennessee	N/A	1-5 Days*	365 Days*	180 Days*	365 Days*	1-2 Years*	365 Days*
Texas	Yes	N/A	N/A	N/A	N/A	N/A	N/A
Vermont	N/A	<30 Days	1-3 Months	4-6 Months	12 Months	12 Months	4 Months
Washington	N/A	5 Days*	72 Days*	426 Days*	N/A	N/A	N/A
West Virginia	N/A	3 Days*	1 Year*	1 1/2 Years*	N/A	2 Years*	2 Years*
Wisconsin	Yes	62 Days	359 Days	N/A	569 Days	799 Days	171 Days
Wyoming	N/A	2 Weeks*	1 Month*	2 Months	2 Months*	3 Months*	N/A

* = Estimated.

⁵Oregon: For uncontested matters (reinstatements after inactive status, or after short-term suspension), 60 days. For uncontested matters when applicant has been away from law practice for an extended period or has more extensive disciplinary history, 6 months. For contested matters that are litigated and appealed, average is similar to other discipline cases.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2006

Survey on Lawyer Discipline Systems, 2006
 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	15,301	919,734	Same	Included	100% Legislative appropriation.
Alaska	2,879	646,385	Same	N/A	100% Bar Association earmarked dues.
Arkansas	7,987	643,324	615,824	27,500	100% Supreme Court assessed fees.
California	157,546	43,454,000	32,090,000	7,725,000	100% Bar Association earmarked dues.
Colorado	21,842	4,406,441	3,987,829	418,611	100% Supreme Court assessed fees.
Connecticut	34,654	N/A	N/A	N/A	100% Legislative appropriation.
Delaware	3,311	N/A	N/A	N/A	100% Supreme Court assessed fees.
District of Columbia	60,860	5,354,338 ¹	N/A	N/A	100% Bar Association earmarked dues.
Florida	72,695	9,462,926	Same	N/A	100% Bar Association earmarked dues.
Georgia	30,301	1,941,361	Same	0	100% Bar Association earmarked dues.
Hawaii	4,553	1,350,020	Included	Included	100% Supreme Court assessed fees.
Idaho	3,837	488,300	456,055	32,253	100% Bar Association earmarked dues.
Illinois	81,146	13,966,200	11,231,600	N/A	94.29% Supreme Court assessed fees; .06% costs recovered and 5.65% interest earned.
Indiana	16,537	1,802,227	1,766,748 ²	35,479	100% Supreme Court assessed fees.
Iowa	8,400	1,027,977	933,236	94,742	100% Supreme Court assessed fees.
Kansas	10,166	1,500,000	N/A	N/A	100% Supreme Court assessed fees.
Kentucky	15,316	975,354	Same	0	100% Bar Association General Fund.
Louisiana	20,252	3,334,012	2,051,260	1,282,752	100% Supreme Court assessed fees.
Maine	4,819	867,875	Same	N/A	96% Supreme Court assessed fees, 2% MCLE and 2% other funding sources.
Maryland	32,390	3,898,996	Same	0	100% Supreme Court assessed fees.

¹District of Columbia: \$280,000 represents donated space.

²Indiana: \$198,660 gets transferred to fund Judges and Lawyers Assistance Fund.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2006

Survey on Lawyer Discipline Systems, 2006
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>
Massachusetts	51,165	11,917,068	4,904,997	3,832,252	100% Supreme Court assessed fees.
Michigan	38,000	4,208,621	3,279,447	929,174	100% Bar Association earmarked dues.
Minnesota	25,217	2,604,205	Same	0	95% Supreme Court assessed fees; 5% professional firm income, and judgments, client security board income.
Mississippi	9,988	450,988	Same	0	100% Bar Association earmarked dues.
Missouri	28,711	2,184,081	1,894,081	290,000	100% Supreme Court assessed fees.
Montana	3,287	381,826	283,000	98,826	91% Bar Association earmarked dues; 9% Supreme Court general budget.
Nebraska	5,939	480,500	N/A	N/A	100% Supreme Court assessed fees.
Nevada	5,847	1,167,038	1,167,038	N/A	100% Bar Association earmarked dues.
New Jersey	77,434	9,445,295	5,664,064	1,859,327	100% Supreme Court assessed fees.
New Mexico	6,013	788,201	Same	N/A	100% Bar Association earmarked dues.
New York 1st Jud. Dept.	78,000	3,986,639	Same	N/A	100% Bar Association earmarked dues. ³
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	13,515	1,200,000	N/A	N/A	100% Legislative appropriation.
New York 2nd Jud. Dept. 9th Jud. Dist.	13,439	N/A	1,910,988	N/A	100% Legislative appropriation.
New York 2nd Jud. Dept. 10th Jud. Dist.	19,641	N/A	2,161,826	N/A	Office is part of the Appellate Division, Second Department operating budget.
New York 3rd Jud. Dept.	9,321	N/A	1,084,858	N/A	100% Attorney Licensing Fund.

³New York 1st. Jud. Dept.: In New York there is no unified bar. Attorneys register with the Office of Court Administration and pay a \$350 registration fee every two years.

CHART VI

STATE BY STATE BUDGET FOR DISCIPLINE, 2006

Survey on Lawyer Discipline Systems, 2006
 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
New York 4th Jud. Dept. 5th, 7th & 8th Jud. Dist.	13,000	1,979,499	N/A	N/A	100% Legislative appropriation.
North Carolina	21,509	1,116,628	328,062	788,566	100% Bar earmarked dues.
North Dakota	1,886	303,765 ⁴	N/A	N/A	51% Legislative Appropriation; 49% Bar Association earmarked dues.
Ohio	42,120	4,352,231	2,042,808	752,615	100% Supreme Court assessed fees.
Oklahoma	15,794	926,700	Same	N/A	100% Bar Association earmarked dues
Oregon	13,111	2,340,000	1,800,000	40,000	100% Bar Association earmarked dues.
Pennsylvania	58,917	7,465,050	Intergrated ⁵	Intergrated ⁵	92% Supreme Court assessed fees plus assessment of recoup cost of disciplinary sanctions, late payment fees, investments, interest, fees for letters regarding status/disciplinary history
Rhode Island	4,700	948,760	Same	N/A	100% Supreme Court assessed fees.
South Dakota	2,250	62,000	25,000	N/A	85% budget from non-earmarked dues as needed; 15% comes from state government on contract basis.
Tennessee	18,507	2,110,000	Intergrated ⁵	Intergrated ⁵	95% Supreme Court assessed fees; 5% interest earnings and reimbursement of expenses by disciplined lawyers.
Texas	77,000	8,100,000	6,192,000	91,579	100% Bar Association earmarked dues.
Utah	6,584	825,401	Same	N/A	100% Bar Association earmarked dues.
Virginia	25,710	4,308,025	Same	N/A	100% Mandatory Bar dues.
Washington	25,761	3,543,857	3,330,873	181,872	100% Bar Association earmarked dues.
West Virginia	4,500	702,067	Same	Same	100% Bar Association earmarked dues.
Wisconsin	22,225	2,413,000	N/A	N/A	100% Bar Association earmarked dues.
Wyoming	2,453	120,478	Same	N/A	100% Bar Association dues.

⁴North Dakota: July 1, 2005 through June 30, 2007. Includes Judicial Conduct Commission.

⁵Pennsylvania, Tennessee: Budget of Disciplinary Board and Office of Disciplinary Counsel budget are intergrated.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

Survey on Lawyer Discipline Systems, 2006

ABA Center for Professional Responsibility

<u>STATE</u>	<u>Annual Dues/Fees (\$)</u>
Alabama	300
Alaska	540 ¹
Arkansas	100 / 175 ²
Arizona	315 / 460 ³
California	395 ⁴
Colorado	95 / 180 / 225 ⁵
Connecticut	560
Delaware	145 / 165 / 225 / 335 ⁶
District of Columbia	180
Florida	265
Georgia	218 ⁷
Hawaii	100 / 160 ⁸
Idaho	55 / 90 / 140 / 255 / 340 ⁹
Illinois	0 / 90 / 229 ¹⁰
Indiana	105

¹Alaska: Plus \$10 for Lawyers Fund for Client Protection.

²Arkansas: Less than 3 years in practice/more than 3 years in practice.

³Arizona: Less than 2 years in practice/more than 2 years in practice.

⁴California: Reduction of dues based on income available upon request.

⁵Colorado: Inactive/0-3 years in practice/more than 3 years in practice.

⁶Delaware: Government or corporate employee/0-5 years in practice/5-10 years in practice/more than

⁷Georgia: \$109 for inactive attorneys.

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

⁹Idaho: 72 years or older/less than 1 year in practice and admitted before 7-1-06 /less than 1 year in practice and admitted after 7-1-06/1-3 years in practice/more than 3 years in practice.

¹⁰Illinois: Less than 1 year in practice/more than 1 but less than 3 years in practice or inactive/more than 3 years in practice.

CHART VI

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Annual Dues/Fees (\$)</u>
Iowa	65 / 140 ¹¹
Kansas	150
Kentucky	220 / 270 ¹²
Louisiana	100 / 165 ¹³
Maine	87 / 192 ¹⁴
Maryland	130
Massachusetts	20/ 165 / 220 ¹⁵
Michigan	315
Minnesota	97 / 218 ¹⁶
Mississippi	70 / 130 / 270 ¹⁷
Missouri	133 / 143 / 198 ¹⁸
Montana	285
Nebraska	220 / 320 ¹⁹
Nevada	100 / 250 / 450 ²⁰

¹¹Iowa: 1-5 years in practice/5+ years in practice.

¹²Kentucky: 1-5 years in practice/more than 5 years in practice.

¹³Louisiana: Less than 3 years in practice/more than 3 years in practice.

¹⁴Maine: Less than 2 years in practice/more than 2 years in practice.

¹⁵Massachusetts: More than 50 years in practice/less than 5 years in practice/5-50 years in practice.

¹⁶Minnesota: Less than 3 years in practice/more than 3 years in practice.

¹⁷Mississippi: Less than 1 year in practice/less than 3 years in practice/4 or more years in practice.

¹⁸Missouri: Non-resident/less than 3 years in practice/more than 3 years in practice.

¹⁹Nebraska: Less than 5 years in practice/more than 5 years in practice.

²⁰Nevada: Federal Judiciary members/1-5 years in practice/more than 5 years in practice. For a multijurisdiction law practice firm add \$500.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Annual Dues/Fees (\$)</u>
New Jersey	28 / 157 / 182 ²¹
New Mexico	315 / 365 ²²
New York 1st. Jud. Dept.	350 biennially
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	350 biennially
New York 2nd Jud. Dept. 9th Jud. Dist.	350 biennially
New York 2nd Jud. Dept. 10th Jud. Dist.	350 biennially
New York 3rd Jud. Dept.	350 biennially
New York 4th Jud. Dept.	350 biennially
North Carolina	235
North Dakota	325 / 350 / 380 ²³
Ohio	150

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

²²New Mexico: 1-3 years in practice/more than 3 years in practice.

²³North Dakota: Less than one year in practice/1-5 years in practice/more than 5 years in practice.

CHART VII

ALLOCATION OF DUES AND FEES IN STATE DISCIPLINARY SYSTEMS

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Annual Dues/Fees (\$)</u>
Oklahoma	137.50 / 275 ²⁴
Oregon	0 / 115 / 403 / 482 ²⁵
Pennsylvania	175
Rhode Island	425 ²⁶
South Dakota	0 / 190 / 315 ²⁷
Tennessee	105
Texas	68 / 148 / 235 ²⁸
Utah	190 / 350 ²⁹
Vermont	150
Virginia	250
Washington	199 / 324 / 399 ³⁰
West Virginia	100 / 200 / 250 ³¹
Wisconsin	129
Wyoming	142.50 / 255 ³²

²⁴Oklahoma: Less than 3 years in practice/more than 3 years in practice.

²⁵Oregon: More than 50 years in practice/15-50 years in practice/less than 2 years in practice/more than 2 years in practice.

²⁶Rhode Island: \$225 mandatory bar dues and \$200 annual court registration.

²⁷South Dakota: Less than one year in practice/1-4 years in practice/more than 5 years in practice.

²⁸Texas: 0-3 years in practice/3-5 years in practice/more than 5 years in practice.

²⁹Utah: Less than 3 years in practice/more than 3 years in practice.

³⁰Washington: 1-2 years in practice/3-4 years in practice/more than 5 years in practice.

³¹West Virginia: Inactive/0-3 years in practice/more than 3 years in practice.

³²Wyoming: 1-5 years in practice/more than 5 years in practice.

CHART VIII

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

Survey on Lawyer Discipline Systems, 2006
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 Staff</u>	<u>Total Paid Staff</u>
Alabama	1	3	0	0	3	4	0	0	0	0	11
Alaska	1	2	0	1	1	2	0	0	0	0	7
Arizona	1	9	1	2	3.5	6	0	1.5	0	0	24
Arkansas	1	3	0	1	0	2	0	0	0	0	7
California	1	8	59	48	32	60	0;15 ¹	0	3	2	228
Colorado	1	2	12	4	0	13	0	0	1	3	36
Connecticut	1	2;1	0	1	1	0;1	0;1	0	0	0	4;3
Delaware	1	3 ²	0	0	0	1;1	0	0;2 ³	0	0	4;3
District of Columbia	1	9	1	2	0	8;1	8	0	0	1 ⁴	30;2
Florida	1	32	0	0	10	44;3	0	5	0	0	92;3
Georgia	1	7	2	1	7	0	0	0	0	1 ⁵	19
Hawaii	1	4;2	0	1	2	4	0	0	N/A	0	12;2
Illinois	1	36.9	2;1	11.2	13.6	15	0;4	0	0.5	2.6	81.8;5
Idaho	1	1	0	2	0	2	0;1	0	0	0	6;1
Indiana	1	0	9;1	1	0	3	0;3	0	0	0	14;4
Iowa	1	3;8	0	1	0.6	2	0	0	0	0	7.6; 8
Kansas	1	3	1	2	0	3	1	1	0	0	12
Kentucky	1	7	0	0	4	8	0	0	0	0	20
Louisiana	1	9	0	6	0	11;1	0	0	0	0	27;1

¹California: Seasonal -- 20 hours weekly.

²Delaware: Three full-time until June 2006; two full-time until December 2006.

³Delaware: Paid by Lawyers Fund for Client Protection.

⁴District of Columbia: Case Manager.

⁵Georgia: Clerk of State Disciplinary Board.

CHART VIII

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

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

STATE	Chief Disciplinary Counsel	Other Disciplinary Counsel	Other Lawyers	Investigators	Legal Assistants/ Paralegals	Secretarial/ Clerical/ Admin.	Law Students/ Clerks	Auditors	Probation Monitors	Other Staff	Total Paid Staff
Maine	1	2	0	0	0	6	1	0	0	0	10
Maryland	1	1	8	6	2	11	0	0	0	0	29
Massachusetts	1	19	0	17	0	11;2	N/A	0	0	1	49;2
Michigan	1	13	0	3	2	9	0;2	0	0	0	28;2
Minnesota	1	1	7	0	4;1	9;1	0	0	0	0	22;2
Mississippi	1	2	0	0	1;1	0	0	0	0	0	4;1
Missouri	1	7	0;11	0	2	6;1	0	0	0	0;2	16;14
Montana	1	0	0	1	1	1;2	0;1	0	0	0	4;3
Nebraska	1	2	0	0	0	1	0	0	0	0	4
Nevada	1	3	0	0	4	2	0	0	0	0	10
New Jersey	1	9.5	1.5	22	1	20	0	5	0	3 ⁶	63
New Mexico	1	3;1	0	0	2	1	0	0	0	0;3 ⁷	7;4
New York 1st Jud. Dept.	1	21	0	7	5	11	0	1	N/A	2 ⁸	48
New York 2nd Jud. Dept. 2nd & 11th Jud. Dist.	1	8;2	0	1	1	5	0	1	0	0	17;2
New York 2nd Jud. Dept. 9th Jud. Dist.	1	9	0	1	0	4;4	0	1	0	0	16;4
New York 2nd Jud. Dept. 10th Jud. Dist.	1	0	10	3	0	6;1	Varies	0	0	0	20;1

⁶New Jersey: 2 Information Technology and 1 Law Office Administrator.

⁷New Mexico: 2 Contract Computer Specialists and 1 Contract Lawyer.

⁸New York, 1st Judicial Department: 1 Computer Intake and 1 Computer Programmer.

CHART VIII

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

Survey on Lawyer Discipline Systems, 2006
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 Staff</u>	<u>Total Paid Staff</u>
New York 3rd Jud. Dept.	1	5	0	2	0	7	0.5	0	0	0	15.5
New York 4th Jud. Dept. 5th, 7th & 8th Jud. Dist.	1 ⁹	3	4;1	6	0	6;3	0;1	0	0	0	20;5
North Carolina	1	8;1	0	10	3	2	0	1	0	6	31;1
North Dakota	1	1	0	0	0	2	0	0	0	0	4
Ohio: Disciplinary Counsel's Office	1	1	6	2 ¹⁰ ;33	2	8	0;67	0	0	0	20;1
Oklahoma	1	4	0	4	0	4	0;1	0	0	0	13;1
Oregon	1	6; .75	0	1	1	6	0	0	0	0	15; .75
Pennsylvania	1	1	26	6;1	0	17;1	0	4	0	0	55;2
Rhode Island	1	1	2	1	0	3;1	0	0	0	0	8;1
South Dakota	0;1	0;1	0;1	0	0	0;0.5	0	0	0	0	0;3.5
Tennessee	1	7	1 ¹¹	0	1	8;1 ¹¹	0	0	0	0	18;1
Texas	1	26	0	11	11	17	2	0	1	0	69
Utah	1	5	0	0	2	2;1	0	0	0	0	10;1
Vermont	1	0	1	0	0	1	0	0	0	0	3
Virginia	1	11	7	10	3	6	0	0	0	0	38
Washington	1	15;3	0	4	5	8	0	0	0	0	33;3
West Virginia	1	3	0	0	3	1	0	0	0	0	8
Wisconsin	1	3	2	11;3	2	5;3	2	0	0	0	26;6
Wyoming	0;1	0	0	0	0;1	0	0	0	0	0	0;2

⁹New York, 4th Judicial Department: Chief Disciplinary Counsel position vacant second half of 2006.

¹⁰Ohio: Office of Disciplinary Counsel also hires the services of 2 private, part-time investigators as paid independent contractors. They are not included in this chart.

¹¹Tennessee: The Consumer Assistance Program has 1 lawyer and 1 legal assistant for a total of 2 full-time and 1 part-time.

CHART IX

STATE-BY-STATE STAFFING OF ADJUDICATIVE OFFICE

Not all jurisdictions maintain this data

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

<u>STATE</u>	<u>Nonlawyer Head of Office</u>	<u>Chief Adjudicative Counsel</u>	<u>Other Adjudicative Counsel</u>	<u>Other Lawyers on Staff</u>	<u>Legal Assistants/ Paralegals</u>	<u>Secretarial/ Clerical/ Admin.</u>	<u>Law Students/ Clerks</u>	<u>Other Staff</u>	<u>Total Paid Staff</u>	<u>% Nonlawyer Members at Hearing Cte./ Trial Level</u>	<u>% Nonlawyer Members at Appellate/ Board Level</u>
Alaska	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12.0%	25.0%
Arizona	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.0%
Arkansas	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	28.0%	N/A
California	N/A	1	1	7	12	7	0	7 ¹	35	N/A	N/A
Colorado	0	1	0	1	0	0	0	0	3	33.0%	N/A
Connecticut	N/A	1	1	1;3	1	4;2	0	0	8;5	33.0%	N/A
Delaware	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.0%	33.0%
District of Columbia	N/A	1	1	0	0	2	0;2	2 ²	6;2	33.0%	33.0%
Hawaii	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2.0%	33.0%
Illinois	1	0;1	2	0	0	6	0	0;4	9;5	30.0%	0.0%
Idaho	0	0	0	0	0	0;1	0	0	0;1	33.3%	N/A
Iowa	0	0;.25	0	0	0	0;.65	0	0	0;.9	20.0%	N/A
Kentucky	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	19.0%
Louisiana	1	0	3	0	0	13;1	0	0	17;1	33.0%	33.0%
Massachusetts	1	1	3.4	1.6	0	7	0	8	22	33.3%	33.0%
Michigan	N/A	1	1	0	1	4	0	0	7	0.0%	33.0%
Minnesota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	39.0%	N/A
Missouri	0	0	0	1;1	0	1	0	0	2;1	33.0%	N/A
Montana	0	0	0	0	0	0;2	0	0	0;2	36.0%	N/A
Nebraska	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.3%	33.3%

¹California: 2 Management and 5 State Bar Court Judges.

²District of Columbia: Case Manager and Assistant Case Manager.

CHART IX

STATE-BY-STATE STAFFING OF ADJUDICATIVE OFFICE

Not all jurisdictions maintain this data

Survey on Lawyer Discipline Systems, 2006
ABA Center for Professional Responsibility

STATE	Nonlawyer Head of Office	Chief Adjudicative Counsel	Other Adjudicative Counsel	Other Lawyers on Staff	Legal Assistants/ Paralegals	Secretarial/ Clerical/ Admin.	Law Students/ Clerks	Other Staff	Total Paid Staff	% Nonlawyer Members at Hearing Ctc./ Trial Level	% Nonlawyer Members at Appellate/ Board Level
New Jersey	0	1	1	5	3	6	0	1 ³	17	33.33%	33.3%
New Mexico	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.0%	16.0%
New York 2nd Jud. Dept. 10th Jud. Dist.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20.0%	N/A
New York 3rd Jud. Dept.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14.0%	N/A
New York 4th Jud. Dept. 5th, 7th & 8th Jud. Dist.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14.0%	0.0%
North Carolina	1	0	0	0	0	0	0	0	1	33.0%	N/A
North Dakota	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	30.0%	N/A
Ohio: Board of Commissioners	0	1	1	0	0	3	0	0	5	10-20%	14% ⁴
Oregon	0	0	0	0;.05 ⁵	0	0;.25	0	0	0;.30	33.0%	0.0%
Pennsylvania	1	0	0	1	0	9	0	0	11	0.0%	12.5%
Rhode Island	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.0%	33.0%
Texas	N/A	N/A	N/A	0	0	2	0	0	4	33% ⁶	0.0%
Vermont	N/A	N/A	N/A	0.75	N/A	0.25	N/A	N/A	1	33.0%	N/A
Virginia	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	51.0%	4.0%
Washington	0	0.5	0	0	0.15	1	0	0	1.65	0.0%	28.0%
West Virginia	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	33.0%	N/A
Wyoming	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	28.6%	N/A

³New Jersey: IT Analyst

⁴Ohio: The Office of Disciplinary Counsel forwards cases for formal hearings to another agency within the Supreme Court of Ohio, the Board of Commissioners on Grievances and Discipline (BoC). Their percentage of non-lawyers is 14%. (4 of 28).

⁵Oregon: Normal assistance provided by Bar's general counsel.

⁶Hearing Committee not under Texas Board of Disciplinary Appeals.