

IN THE SUPREME COURT OF ALABAMA
October 12, 2017

ORDER

IT IS ORDERED that this Court's order of August 16, 2017, amending Rule 33(a) and Rule 33(d), Alabama Rules of Disciplinary Procedure, effective January 1, 2018, is hereby rescinded;

IT IS FURTHER ORDERED that Rule 33(a) and Rule 33(d), Alabama Rules of Disciplinary Procedure, be amended to read in accordance with Appendices A and B, respectively, to this order;

IT IS FURTHER ORDERED that these amendments are effective January 1, 2018;


IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 33:

"Note from the reporter of decisions: The order amending Rule 33(a) and Rule 33(d), Ala. R. Disc. P., effective January 1, 2018, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 3d."

Stuart, C.J., and Bolin, Parker, Murdock, Shaw, Main, Wise, Bryan, and Sellers, JJ., concur.

I, Julia Jordan Weller, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 12th day of October, 2017


Clerk, Supreme Court of Alabama

APPENDIX A

Rule 33(a), Alabama Rules of Disciplinary Procedure

(a) Lawyer to Bear Costs of Publication. In a case involving the imposition of discipline consisting of disbarment, suspension, public probation, or public reprimand with general publication, or the transfer of a lawyer to disability inactive status, notice shall be published in the official Bar publication, on the official Alabama State Bar Web site, and in a newspaper of general circulation in each judicial circuit of the State of Alabama in which the disciplined or disabled lawyer maintained an office for the practice of law. The costs of publishing the newspaper notice shall be assessed against the disciplined or disabled lawyer. In a case involving the imposition of a reprimand, without general publication, notice of such reprimand will be published only in the official Bar publication.

APPENDIX B

Rule 33(d), Alabama Rules of Disciplinary Procedure

(d) Taxable Costs. Taxable costs of the proceeding shall include:

(1) Investigative costs, including travel and out-of-pocket expenses;

(2) Court reporter's fees;

(3) Copy costs;

(4) Telephone charges;

(5) Fees for translation services;

(6) Witness expenses, including mileage, per diem, and actual and necessary expenses; provided, however, that witnesses may be compensated for travel to and attendance at hearings only, and shall be compensated in the same manner and at the then prevailing rate of compensation as provided for in-state travel for state employees and for mileage for state employees or as otherwise directed by the Board of Bar Commissioners of the Alabama State Bar;

(7) Expenses of a Disciplinary Hearing Officer, members of the Disciplinary Board, and members of the Disciplinary Commission;

(8) Expenses incurred by the Office of General Counsel in the proceedings; and

(9) An administrative fee in the amount of \$1,000.00 when costs are assessed in favor of the Bar.