Alabama Rules of Disciplinary Procedure

Rule 1.

Jurisdiction.

(a) *Jurisdiction.*

     (1) LAWYERS. Lawyers admitted to practice law in this state, including district attorneys; assistant district attorneys; United States attorneys; assistant United States attorneys; the attorney general; assistant attorneys general; and lawyers specially admitted by any court in this state for a particular proceeding, are subject to the exclusive disciplinary jurisdiction of the Disciplinary Commission and the Disciplinary Board of the Alabama State Bar, with review by the Supreme Court of Alabama. Lawyers are subject to jurisdiction under this rule even though the misconduct occurred outside the lawyer-client relationship.

     (2) INCUMBENT JUDGES. Incumbent judges are subject to the jurisdiction of the Disciplinary Commission and the Disciplinary Board of the Alabama State Bar during their terms of office for misconduct occurring before they became judges.

     (3) FORMER JUDGES. Former judges who have resumed their status as lawyers are subject to the jurisdiction of the Supreme Court of Alabama and the Disciplinary Commission and the Disciplinary Board of the Alabama State Bar for misconduct that occurred while they were judges, before they became judges, or after the resumption of the practice of law and that would have been grounds for lawyer discipline.

     (b) *Power of Courts.* Nothing contained in these rules shall be construed to deny to any court such powers as are necessary for that court to maintain control over proceedings conducted before it.

     (c) *Surrender of License.* A lawyer's surrendering his or her license does not divest the Disciplinary Commission or a local grievance committee from investigating and bringing charges for misconduct.

[Amended eff. 4-23-2008.]

Note from the reporter of decisions: The order amending Rule 1(a)(2), Alabama Rules of Disciplinary Procedure, effective April 23, 2008, is published in that volume of *Alabama Reporter* that contains Alabama cases from 978 So.2d.