

## Alabama Rules of Disciplinary Procedure

### Rule 22.

#### Mandatory suspension or disbarment.

(a) The Disciplinary Commission shall disbar or suspend a lawyer:

(1) When a judgment is rendered against the lawyer for money collected by him or her as a lawyer upon which judgment and execution has been issued and returned “no property found.” The record of the judgment, execution, and return, or a copy thereof certified and authenticated in the manner authorized by law, is conclusive evidence thereof, unless such judgment has been set aside, reversed, or annulled.

(2) If the lawyer's conviction for a “serious crime,” as defined in Rule 8 of these Rules, has become final, regardless of the plea, in any court of record of this state or any other state, or of the United States, or of a territory of the United States. The record of his or her conviction or a copy thereof certified and authenticated in the manner authorized by law is conclusive evidence of such conviction. Whether a lawyer's conviction involves a serious crime as defined in Rule 8(c)(2)(B), (C), and (D) shall be made by the Disciplinary Board upon petition by the General Counsel. The Disciplinary Board may conduct a hearing to assist it in making this determination. If the Disciplinary Board determines that the conviction involved a serious crime, then the Disciplinary Commission will determine the discipline, upon further petition by the General Counsel. When the conviction is not final, the General Counsel may file a petition with the Disciplinary Commission, make a showing of good cause, and request that the lawyer be suspended immediately, pursuant to Rule 20 of these Rules, irrespective of the lawyer's right to appeal the conviction.

(b) If the crime for which the lawyer is convicted does not constitute a “serious crime,” as defined in Rule 8 of these Rules, it may nevertheless constitute grounds for discipline under Rule 2(b) of these Rules.

[Amended eff. 7-1-94; Amended 9-12-2008, eff. 10-6-2008.]

**Note from the reporter of decisions:** The order amending Rule 4, Rule 4.1, Rule 4.2, Rule 5, Rule 8, Rule 12, Rule 15, Rule 20, Rule 21, Rule 22, Rule 23, Rule 27, Rule 28, Rule 29, Rule 32, Rule 33, and Rule 35, and adopting Rule 12.1, effective October 6, 2008, is published in that volume of *Alabama Reporter* that contains Alabama cases from 994 So.2d.