

## Alabama Rules of Disciplinary Procedure

### Rule 29.

#### **Appointment of trustee or supervising lawyer to protect the interests of a lawyer and the lawyer's clients.**

(a) *Appointment of Trustee or Supervising Lawyer.* If a lawyer has been transferred to disability inactive status because of incapacity or disability, has disappeared or died, has been suspended or disbarred, or has surrendered his or her license, and there is evidence that the lawyer has not complied with Rule 26 of these Rules or that the lawyer probably will not comply, as demonstrated by his or her failure to respond or otherwise to cooperate or participate in disciplinary proceedings or that the lawyer has been suspended pursuant to Rule 20 of these Rules and there is evidence that the appointment of a trustee or supervising lawyer is necessary to protect the interests of the lawyer or the lawyer's clients, the presiding judge of the judicial circuit in which the lawyer maintained his or her practice, the Disciplinary Board, or the Disciplinary Commission, upon proper proof of that fact, shall appoint a member or members of the Bar to act as trustee or trustees or supervising lawyer or lawyers to inventory the files of the disabled, disappeared, deceased, suspended, or disbarred lawyer or the lawyer that has surrendered his or her license and to take such action as may be necessary and appropriate to protect the interests of the lawyer and the lawyer's clients. If a reasonable fee is approved by the court, the Disciplinary Commission, or the Disciplinary Board, the appointed member or members may apply to the Client Security Fund of the Alabama State Bar for the payment of the fee.

(b) *Confidentiality.* A member of the Bar appointed as trustee or supervising lawyer shall not be permitted to disclose any information contained in any file inventoried pursuant to the appointment without the consent of the client to whom the file relates, except as may be necessary to carry out the order of the court or Disciplinary Board or Disciplinary Commission to inventory the files and to take such action as may be necessary and appropriate to protect the interests of the lawyer and the lawyer's clients.

[Amended 2-14-95, eff. 4-1-95; 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.