

Alabama Standards for Imposing Lawyer Discipline

Preface

These standards are based, in large measure, upon similar standards adopted by the American Bar Association in February 1986. The ABA Standards For Imposing Lawyer Sanctions were developed by the Joint Committee on Professional Sanctions after examination of all reported lawyer discipline cases involving public discipline from 1980 to June 1984, and after study of a variety of disciplinary systems.

The standards that follow are in three sections. Section I contains an explanation of the theoretical framework of the standards. Section II contains the numbered standards. Section III contains the American Bar Association standards expressed in black letter rules plus the ABA commentary on each rule. An appendix cross-references the Alabama Rules of Professional Conduct and these standards.

The Board of Bar Commissioners of the Alabama State Bar approves and the Supreme Court of Alabama adopts Sections I and II as the Alabama Standards For Imposing Lawyer Discipline. The commentary in Section III is not specifically approved by the Alabama State Bar or adopted by the Supreme Court of Alabama, but may be referred to for background information.

To the extent that these standards are in conflict with the Alabama Rules of Professional Conduct and the Alabama Rules of Disciplinary Procedure (Interim), the Rules will take precedence.

The Alabama State Bar is grateful to the American Bar Association for its having granted permission for our use of those portions of the ABA Standards For Imposing Lawyer Sanctions which appear herein.

[Adopted June 7, 1990.]