

Proposed Consolidated Rules of Disciplinary Procedure

In February 2000, former Virginia State Bar President W. Scott Street, III, appointed Frank B. Miller, III, to chair a Special Committee to Revise and Consolidate the Rules of Disciplinary Procedure. The other committee members are James R. Austin, James J. Burns, Robert L. Freed, Robert J. Merrick and Thomas E. Spahn. All the special committee members have experience with the attorney disciplinary process as volunteers and/or as respondents' counsel.

The special committee's assignment was to combine Part Six, Section IV, Paragraph 13 of the Rules of the Virginia Supreme Court, the Virginia State Bar Council Rules of Disciplinary Procedure and the Disciplinary Board Rules of Procedure into one well indexed, user-friendly set of rules. The consolidated rules will become a new version of Paragraph 13, if the Supreme Court of Virginia adopts them.

While proposing new rules was beyond the special committee's power, in some instances the committee made minor changes to existing rules in order to harmonize the rules or fill gaps. When needed changes were more than minor, the committee referred the issues to the Rules Subcommittee of the Standing Committee on Lawyer Discipline (COLD).

The special committee first met for six hours on March 27, 2000, and had lengthy meetings almost every month thereafter through August 2001. Stephen G. Test, chair of the COLD Rules subcommittee, and Rhysa G. South, a Rules subcommittee member, assisted the committee with its work. COLD approved a draft of the consolidated rules on September 4, 2001. When the Virginia State Bar Council met on October 19, 2001, Mr. Miller presented the draft rules for Council's consideration. The draft rules are available at www.vsb.org/profguides/proposed/consolid_intro.html and by mail in hard copy upon request. In addition, *Virginia Lawyers' Weekly* will publish the draft rules. Because the draft rules are exceedingly lengthy, they will not be published in the *Virginia Lawyer* or the *Virginia Lawyer Register*.

To request a hard copy of the draft rules, please contact Gwen Evans at (804) 775-0556. Comments or questions about the rules should be submitted in writing to Thomas A. Edmonds, Executive Director of the Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, VA 23219, no later than February 8, 2002. The Virginia State Bar Council will consider the draft rules when it meets on February 22, 2002, in Richmond.