

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 11 - 0015**

The full Court met in executive session on Thursday, May 19, 2011 and approved an amendment to Local Rule 83.25 regarding Disciplinary Proceedings Generally. The proposed amendment was published with comments due on March 28, 2011. No comments were received from the Public.

The Court's Rules Advisory Committee reviewed the rule at its meeting on May 3, 2011 and approved the amendment as published.

The Court's Rules Committee discussed the rule at its meeting on May 12, 2011. It recommended that the full Court adopt the proposal as published.

The full Court considered the recommendation of the Rules Committee at its meeting on May 19, 2011 and agreed to modify Local Rule 83.25. Therefore,

By direction of the full Court, which met in executive session on Thursday, May 19, 2011,

IT IS HEREBY ORDERED that Local Rule 83.25 Disciplinary Proceedings Generally be amended as follows (additions shown thus, deletions shown ~~thus~~):

LR83.25. Disciplinary Proceedings Generally

(a) **DEFINITIONS.** The following definitions shall apply to the disciplinary rules:

(1) The term "another court" shall mean any other court of the United States or of the District of Columbia, or of any state, territory, commonwealth, or possession of the United States.

(2) The term "complaint of misconduct" shall mean any document in which it is alleged that an attorney practicing before this Court is guilty of misconduct.

(3) The term "discipline" shall include disbarment, suspension from practice before this Court, reprimand or censure, and such other disciplinary action as the circumstances may warrant, including, but not limited to, restitution of funds, satisfactory completion of educational programs, compliance with treatment programs, and community service. The term discipline is not intended to include sanctions or contempt.

(4) The term "misconduct" shall mean any act or omission by an attorney admitted to practice before this Court that violates ~~LR83.50.1 through LR83.58.9~~ the applicable Code of Conduct. ~~Such act or omission shall constitute misconduct regardless of (A) whether the attorney performed the act or omission individually or in concert with any other person or persons or (B) whether or not the act or omission occurred in the course of an attorney-client relationship.~~

~~(5) The term "serious crime" shall mean any crime, whether a felony or a lesser crime, a necessary element of which involves one or more of the following:~~

~~(A) false swearing;~~

~~(B) misrepresentation;~~

~~(C) fraud;~~

~~(D) willful failure to file income tax returns or to pay the tax;~~

~~(E) deceit;~~

~~(F) bribery;~~

~~(G) extortion;~~

~~(H) misappropriation;~~

~~(I) theft; or~~

~~(J) an attempt or a conspiracy or solicitation of another to commit a serious crime.~~

~~Whether one or more of the crimes listed in (A) through (J) was a necessary element of the crime of which the attorney was convicted shall be determined by the statutory or common law definition of that crime in the jurisdiction in which the judgment was entered.~~

(b) EXECUTIVE COMMITTEE. The Executive Committee shall serve as the disciplinary committee of the Court.

(c) JURISDICTION. Nothing contained in these rules shall be construed to deny such powers as are necessary for a judge, magistrate judge or bankruptcy judge of this Court to maintain control over proceedings conducted before that judge, magistrate judge or bankruptcy judge, such as proceedings for contempt under LR37.1, Fed.R.Crim.P. 42 or, 18 U.S.C. §§401 and 402.

(d) ATTORNEYS ADMITTED UNDER LR83.14. An attorney who is not a member of the bar of this Court who, pursuant to LR83.14, petitions to appear or is permitted to appear in this Court for purposes of a particular proceeding (pro hac vice), shall be deemed thereby to have conferred disciplinary jurisdiction upon this Court for any alleged misconduct of that attorney arising in the course of or in the preparation for such proceeding.

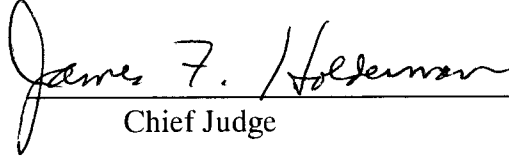
(e) CONFIDENTIALITY. Proceedings before the Executive Committee shall be confidential, except that the Committee may in the interests of justice and on such terms it deems appropriate authorize the clerk to produce, disclose, release, inform, report, or testify to any information, reports, investigations, documents, evidence or transcripts in the clerk's possession. Where a disciplinary proceeding is assigned to a judge of this Court pursuant to these rules, the record and hearings in the proceeding before that judge shall be public, unless for good cause that judge shall in writing order otherwise.

Final orders in disciplinary matters shall be a matter of public record and may be published at the direction of the Executive Committee or the assigned judge.

(f) FILING. An answer to a rule to show cause, a statement of charges, and any other document filed in connection with a disciplinary proceeding before the Executive Committee shall be filed with the attorney admissions coordinator or such other deputy clerk as

the clerk may in writing designate.

ENTER:
FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 31st day of May, 2011