



Targamh
Art Of Translation

English ↔ Arabic ↔ French

Glossary of Lawyer Discipline and Complaint Terms

معتمص الحارث الضوي

Admonition

A written non-disciplinary reprimand issued by the Office of the Chief Trial Counsel or the State Bar Court pursuant to [Rule 264](#), Rules of Procedure of the State Bar.

Agreement in Lieu of Discipline

An agreement between the respondent and the Office of the Chief Trial Counsel in lieu of disciplinary prosecution, pursuant to Business and Professions Code Section [6068\(1\)](#) and [6092](#).

Backlogged Complaints

Complaints that have been pending in investigation longer than six full months from the date of receipt (12 months for complex cases) without dismissal, [admonition](#) of the attorney involved, or the forwarding of a completed investigation for prosecution.

Complaint

A communication which is found by the Office of the Chief Trial Counsel to warrant an investigation of alleged misconduct of a State Bar member which, if the allegations are proven, may result in discipline of the member.

Complaint held

A complaint for which a Statement of the Case (see below) has been completed, reviewed and approved and which is being held pending receipt of remaining Statements of the Case on the same respondent.

Complaint in abeyance

A complaint temporarily not being worked on for a specific reason, such as pending acceptance of an attorney's resignation by the Supreme Court.

Complaint open

A complaint being worked on.

Conviction Referral

A formal disciplinary proceeding following an attorney's criminal conviction commenced by a referral order of the State Bar Court Review Department directing the Hearing Department to hold a hearing, file a decision and recommend the discipline to be imposed, if any, or take other action on the issue or issues stated in the order.

Directional Letter

A Directional Letter may be issued when there is the potential for violation of the Rules of Professional Conduct or the State Bar Act if the conduct is not corrected.

Disbarment

A disciplinary action that prohibits an attorney from practicing law in the state. The attorney's name is stricken from the Roll of California Attorneys.

Dismissal

A proceeding closed by the Office of the Chief Trial Counsel or the State Bar Court for a specific reason, such as no merit or insufficient evidence.

Finality Rules

California Supreme Court rules that empower the State Bar Court to handle a number of matters including placing convicted attorneys on interim suspension in appropriate instances that formerly were Supreme Court responsibilities. The Rules also provide that, when a respondent does not request Supreme Court review after pursuing a State Bar Court appeal, the State Bar Court's recommendations are adopted by the Supreme Court as its final order unless the high court decides on its own to review the case.

Inquiry

A communication concerning the conduct of a member of the State Bar received by the Office of the Chief Trial Counsel which is designated for evaluation to determine if additional action is warranted by the State Bar.

Involuntary Inactive Enrollment

The transfer of an attorney to inactive status (1) after the attorney is judged to present a substantial threat of harm to clients or the public, or (2) after the attorney is judged to be unable to practice without danger to clients or the public because of a disability, or (3) for other reasons allowed by state law. An attorney on inactive status cannot practice law.

Notice of Discipline Charges

A document filed in State Bar Court containing formal charges against a responder

Private Reproval

A censure or reprimand issued by the Supreme Court or the State Bar Court which is not a matter of public record unless imposed after the initiation of formal disciplinary proceedings. The reproval may be imposed with duties or conditions.

Pro Tempore Hearing Judges

A panel of specially trained lawyers or retired judges who serve as judges of the State Bar Court Hearing Department on a temporary, as-needed basis.

Probation

A status whereby an attorney retains the legal ability to practice law subject to terms, conditions and duties for a specified period of time.

Public Reproval

A censure or reprimand issued by the Supreme Court or the State Bar Court which is a matter of public record. The reproval may be imposed with duties or conditions.

Reinstatement

Readmission by the Supreme Court to the practice of law and to membership in the State Bar of a former member who resigned or was disbarred. The former member must demonstrate rehabilitation and present moral qualifications as well as ability and learning in the law.

Request for Further Proceedings

A request from a complaining witness after being advised that the inquiry or complaint has been dismissed or the respondent has been admonished.

Resignation Tendered with Charges Pending

A written relinquishment of the right to practice law and resignation as a member of the State Bar by a member against whom disciplinary charges are pending. Supreme Court acceptance of a resignation is required to make it effective, but as soon as a member submits a resignation in proper form, the member is transferred to inactive status and cannot practice law.

Resource Letter

A Resource Letter may be issued where there is a probable violation or a potential for a future violation of the Rules of Professional Conduct and/or the State Bar Act which is minimal in nature and would not lead to the discipline of the member. The member is referred to various resources which may assist him or her in avoiding future problems and/or the filing of complaints against the member in the future.

Statement of the Case

An investigator's written report of information and evidence submitted to an Office of the Chief Trial Counsel attorney for further action.

Stipulation

An agreement between the respondent and the Office of the Chief Trial Counsel regarding a statement of facts and/or disposition filed by the Office of the Chief Trial Counsel in the State Bar Court.

Suspension

A disciplinary action that prohibits an attorney from practicing law or from holding himself or herself out as a lawyer for a period of time set by the California Supreme Court.

Termination

A proceeding closed due to an external cause, such as death of respondent, disbarment in a separate matter or resignation with charges pending.

Warning Letter

A Warning Letter may be issued when there is a probable violation of the Rules of Professional Conduct or the State Bar Act which is minimal in nature, does not involve significant harm to the client or the public and does not involve a misappropriation of client funds.