

## NOBC Proactive Regulation FAQ, Appendix B (As of May 19, 2017)

### NOBC’s Listing of Current and Available Innovative Programs Used in U.S. and Canadian Jurisdictions

A Collaborative Effort (inspired by the work of Jim Coyle and Jon White, Colorado Supreme Court Office of Attorney Regulation Counsel)

#### I. REGULATION

Regulation Initiatives	Jurisdictions	Source for information
<p><b>Regulatory objectives</b>                      Regulatory objectives provide state supreme court directives on promoting the public interest. They may include protecting the public, promoting confidence in the rule of law and the administration of justice, improving lawyer competence, ensuring lawyer compliance with the RPC, and other priorities. References to well-being as part of an objectives statement sends a message that this, too, is a priority for regulators.</p>	<p>AB, ABA, CO, IL,                      MA, MT, NE, NS, TX,                      VA, WI, WA</p>	<p>AB – Law Soc. Strategic Plan:  <a href="http://www.lawsociety.ab.ca/docs/default-source/unknown/lsa-2017-2019-strategic-plan_dec7.pdf">http://www.lawsociety.ab.ca/docs/default-source/unknown/lsa-2017-2019-strategic-plan_dec7.pdf</a></p> <p>CO – <a href="#">Regulatory Objectives (Preamble to Chapters 18-20, Colorado Rules of Civil Procedure)</a></p> <p>IL – IARDC Mission Statement:  <a href="https://www.iardc.org/mission_statement.asp">https://www.iardc.org/mission_statement.asp</a></p> <p>MA –  <a href="https://www.massbbo.org/Who_We_Are_OBC_ACAP#OBC">https://www.massbbo.org/Who_We_Are_OBC_ACAP#OBC</a></p> <p>NE – <a href="#">(Preamble to Nebraska Rules of Professional Conduct)</a>  <a href="https://supremecourt.nebraska.gov/supreme-court-rules/1825/preamble-lawyer%E2%80%99s-responsibilities">https://supremecourt.nebraska.gov/supreme-court-rules/1825/preamble-lawyer%E2%80%99s-responsibilities</a></p> <p>NS – <a href="http://nsbs.org/nsbs-regulatory-objectives">http://nsbs.org/nsbs-regulatory-objectives</a></p>

		<p>TX – (Preamble to Texas Disciplinary Rules of Professional Conduct) <a href="#">TDRPC</a></p> <p>WA – <a href="#">General Rule (GR) 12.1</a> (regulatory objectives under consideration by Washington Supreme Court)<sup>1</sup></p>
<p><b>Mandatory insurance / mandatory disclosure of insurance programs</b> Professional liability insurance protects lawyers and clients in the event a client’s claims suffer harm from the lawyer’s representation.</p>	<p>AZ, CO, ID, MA, MN, NE, NM, PA, VA, all Canadian jurisdictions</p>	<p>AZ – Rule 32(c)(12), Ariz. R. Sup. Ct.</p> <p>NE – Rule § 3-803(B)(6), Mandatory Annual Insurance Disclosure</p> <p>MA—Supreme Judicial Court Rule 4:02, § 2A <a href="http://www.mass.gov/courts/case-legal-res/rules-of-court/sjc/sjc402.html">http://www.mass.gov/courts/case-legal-res/rules-of-court/sjc/sjc402.html</a></p> <p>NM – Rule 16-104, N.M.R.A.</p> <p>PA – PaRDE 219(d)(1)(viii)</p> <p>WA – <a href="#">Admission and Practice Rule (APR) 26</a> (mandatory insurance disclosure for lawyers); <a href="#">APR 12(f)(2)</a>, Regulation 7 (financial responsibility requirement for limited practice officers); <a href="#">APR 28E(4)</a>, Regulation 12 (financial responsibility requirement for limited license legal technicians)</p>

<sup>1</sup> Proposed amendments to General Rule 12.1 that would incorporate the ABA Model Regulatory Objectives are currently under consideration by the Washington Supreme Court.

<p><b>Citizen participation</b>  Citizen participation in all committees and boards ensures that the office promotes the public interest</p>	<p>AZ, AR, CO, DC, IA, IL, FL, GA, HI, KY, LA, MA, MN, MT, NE, NH, NJ, OR, PA, TX, UT, VA, WI, WA, all Canadian jurisdictions</p>	<p>AZ – Rule 32(e)(4)(A), Ariz. R. Sup. Ct., Rule 50, Ariz. R. Sup. Ct., Rule 52, Ariz. R. Sup. Ct.</p> <p>AR – The Arkansas Supreme Court appoints two non-lawyers to each of the four panels</p> <p>FL – Citizen members are required to be on the Board of Governors and circuit Grievance Committees. Rules 1-4.1 and 3-3.4(c)</p> <p>HI – RSCH 2.4(a)(At least one-third of the members [of the Board] shall not be lawyers).</p> <p>IA – Court Rules 34.1, 34.6</p> <p>LA – Supreme Court Rule XIX</p> <p>MA—12 board members of which 4 are nonlawyers. Hearing committee are generally comprised of 3 people, 2 lawyers and 1 nonlawyer.</p> <p>NE – District Committees on Inquiry (COI) Supreme Court Rule §3-306; Disciplinary Review Board (DRB) Supreme Court Rule § 3-307</p> <p>PA – (Board ONLY) PaRDE 205(a)</p>
--------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		TX – TRDP 2.02
<p><b>International agency information sharing</b> Each office should have protocols/systems to facilitate information sharing with regulators from international jurisdictions.</p>	CO, DC, GA, IL	
<p><b>Risk Management</b></p>		
<p><b>Risk assessments for practitioners (proactive management-based programs)</b> Bar, disciplinary, or regulation counsel can provide practitioners with self-assessments designed to detect and resolve practice issues before misconduct arises. These assessments help identify, among other things, whether or not the practitioner has policies and procedures in place that address conflicts of interest, actions that must be taken in new and pending matters, proper accounting for client funds and property, and other common ethical issues. Such self-assessments may also provide resources that include template policies and procedures for current ethical issues. These programs may be voluntary or mandatory. They may involve incentives for those practitioners that complete the self-assessments, who institute policies and procedures in all identified deficient circumstances, and who successfully undergo a peer or regulator review of these new policies and procedures</p>	CO, DC (through Practice Management Advisory Service), FL, IL (2018), New South Wales (voluntary or if ordered), NS, TX, VA, WA, WY. The Canadian Bar Association has voluntary self-assessments.	<p>CO – <a href="#">Colorado Supreme Court Proactive Management-Based Program Subcommittee</a></p> <p>DC – <a href="http://www.dcbar.org/bar-resources/practice-management-advisory-service/assessments.cfm">http://www.dcbar.org/bar-resources/practice-management-advisory-service/assessments.cfm</a></p> <p>FL – Practice Resource Institute is an on-line resource for members to use in managing their practice. <a href="http://pri.floridabar.org/management/">http://pri.floridabar.org/management/</a></p> <p>IL – <a href="http://www.illinoiscourts.gov/Media/PressRel/2017/012417.pdf">http://www.illinoiscourts.gov/Media/PressRel/2017/012417.pdf</a></p> <p>TX – <a href="#">Self-Assessment Tool</a></p> <p>WA – <a href="#">Self-Audit Checklist</a> (for use by practitioners to assess their law office management systems)</p>
<p><b>Random trust account audit programs and bank trust account notification programs</b> These programs identify problems in specific law firm and lawyer trust accounts, thereby addressing those</p>	AZ, AR, BC, FL, GA (rules exist, not used), IL (by title companies, etc.), HI (random audit	AZ- Rule 43(f)(3)(D), Ariz. R. Sup. Ct.

<p>problems before significant trust fund mishandling occurs.</p>	<p>and overdraft notification), IA, KS, LA (overdraft notification), LSUC, MA, MN (overdraft notification), MT, NE, NH, NJ, NM, NS, WA. See ABA charts <a href="#">here</a> (random audits) and <a href="#">here</a> (notification).</p>	<p>FL – Lawyers and law firms must authorize banks to provide notice if an account is overdrawn. Rule 5-1.2(d)(4)</p> <p>IA – Court Rules Ch. 39</p> <p>MA—SJC Rule 3:07, Mass. R. Prof. C. 1.15 (h), dishonored check notification, <a href="https://www.massbbo.org/Rules">https://www.massbbo.org/Rules</a></p> <p>NE – Supreme Court Rule § 3-906</p> <p>NH – Supreme Court Rule 50</p> <p>NM – N.M.R.A. 17-204 (overdraft notification)</p> <p>WA – <a href="#">Title 15 of the Rules for Enforcement of Lawyer Conduct (ELC)</a> (trust account examinations and overdraft notification)</p>
<p><b>Working relationship with lawyer assistance programs (LAPs)</b> Confidential rules that allow regulators to provide early reporting to LAPs provide faster intervention for attorneys who have mental health or substance use issues that affect their ability to practice law.</p>	<p>AZ, AR, CO, HI, ID, IL, KS, MT, NE, NH, OK, OR, TN, TX, WI, WY</p>	
<p><b>Collaboration with educational institutions</b> Working with law schools, business analytics departments, etc., keeps regulators apprised of emerging and current issues in the profession. It also allows</p>	<p>AB, CO, ID, IL, KS, NM, TX, UT, WA</p>	

<p>regulators the opportunity to participate in public policy decisions on such issues</p>		
<p><b>Close relationship with the Client Protection Fund in the state</b> Working with the client protection fund ensures all potential claimants have access to such funds.</p>	<p>AZ, AR, CO, FL, GA, HI, ID, IL, KS, KY, LA, MA, MN, MT, NE, NH, NJ, OK, OR, PA, TN, TX (administered by the disciplinary counsel’s office), UT, VA, WA, WI, WY, all Canadian jurisdictions</p>	<p>CO – <a href="#">Attorneys’ Fund for Client Protection</a></p> <p>FL – Chapter 7, Client’s Security Fund Rules</p> <p>IL – <a href="https://www.iardc.org/clientprotection.html">https://www.iardc.org/clientprotection.html</a></p> <p>MA—Supreme Judicial Court Rules 4:04 through 4:06 (Clients’ Security Board rules)</p> <p>PA – PaRDE 205(a), 221(g), (h), (o), 402(c)(4)</p> <p>WA – <a href="#">Lawyers’ Fund for Client Protection</a>; <a href="#">APR 15</a> (Lawyers’ Fund for Client Protection); <a href="#">APR 15P</a> (Lawyers’ Fund for Client Protection procedural rules)</p>
<p><b>Automated emails to lawyers changing from government or large firm practice to small firm or solo practice</b> Automated emails from regulators alert these attorneys to be attentive to developing an ethical infrastructure as they transition practice. The larger volume of complaints against small firm and solo practitioners, and the challenges brought by law office and trust</p>	<p>CO, IL (2017), NM (letter, no email)</p>	

<p>account management, demonstrate the need for such communication.</p>		
<p><b>Succession planning</b>  Succession planning programs from regulators or the bar ensure client protection in the event of an attorney’s disability or death.</p>	<p>AB, AZ, AR (has convened a State Bar task force), BC, CO, GA, ID, IL, IA, ME, NM, OK, OR, SC, TX, WA, WI, WY, <a href="#">ABA resources</a></p>	<p>AZ – Rule 41(i), Ariz. R. Sup. Ct.</p> <p>CO – <a href="#">Planning Ahead, A Guide to Protecting Your Clients’ Interests in the Event of Your Disability or Death (One of Which is Inevitable)</a></p> <p>IL –  <a href="https://www.iardc.org/Succession%20Planning.htm">https://www.iardc.org/Succession%20Planning.htm</a>;  <a href="https://www.iardc.org/Closing_a_Law_Practice.pdf">https://www.iardc.org/Closing_a_Law_Practice.pdf</a></p> <p>IA – Court Rule 39.18 and Iowa State Bar Ass’n resources</p> <p>NM –  <a href="http://www.nmbar.org/SuccessionTransition">http://www.nmbar.org/SuccessionTransition</a>;</p> <p>TX – <a href="#">Succession Planning</a></p> <p>WA – <a href="#">Ending Your Practice; Succession Planning</a></p>
<p><b>Lawyers assistance programs (CoLAP)</b>  Lawyers assistance programs provide confidential help to attorneys, judges, and law students with mental health or substance abuse issues, as well as any other issues that may adversely impact their ability to practice or assist their preparation to enter the legal profession.</p>	<p>AZ, AR, CO, DC, FL, GA, HI (separate from regulation), ID, IL, IA, LA, KS, KY, MA, MT, NE, NH, NJ, NM, OK, OR (separate from</p>	<p>CO – <a href="http://coloradolap.org/">http://coloradolap.org/</a></p> <p>DC – <a href="http://www.dcbars.org/bar-resources/lawyer-assistance-program/">http://www.dcbars.org/bar-resources/lawyer-assistance-program/</a></p> <p>FL - <a href="http://fla-lap.org/">http://fla-lap.org/</a></p>

<p>LAPs also educate attorneys regarding substance abuse and mental health issues.</p>	<p>regulation), TN, TX, UT, VA, WA, WY</p>	<p>MA— <a href="http://www.lclma.org">www.lclma.org</a> ; Supreme Judicial Court Rule 4:07</p> <p>NE - <a href="http://www.nebar.com/page/NLAP">http://www.nebar.com/page/NLAP</a></p> <p>NM – <a href="http://www.nmbar.org/JLAP">http://www.nmbar.org/JLAP</a>;</p> <p>TX – <a href="#">TLAP</a></p> <p>WA – <a href="#">Lawyers’ Assistance Program; APR 19(b)</a> (establishes program)</p>
<p><b>Attorney mentoring programs</b></p> <ul style="list-style-type: none"> <li>Peer-to-peer mentoring programs instill core values of professionalism and healthy practice.</li> </ul>	<p>AB, AZ, CO, DC, FL, GA, ID, IL, LA (voluntary), LSUC, KS, NE, OK, NM, NS, OR, TX, WA</p>	<p>CO – <a href="#">Colorado Attorney Mentoring Program</a></p> <p>FL – Practice Resource Institute and Lawyers Advising Lawyers program</p> <p>IL – <a href="https://www.2civility.org/programs/mentoring/">https://www.2civility.org/programs/mentoring/</a></p> <p>NE – <a href="http://inns.innsocourt.org/formembers/inns/the-robert-van-pelt-american-inn-of-court.aspx">http://inns.innsocourt.org/formembers/inns/the-robert-van-pelt-american-inn-of-court.aspx</a></p> <p>TX – <a href="#">Attorney Mentoring Program</a></p> <p>WA – <a href="#">Mentor Link</a></p>
<p><b>Education towards ‘compliance’</b></p>		
<p><b>CLE outreach</b></p>	<p>AB, AZ, AR, CO, DC, GA, ID, IL, KS, LA,</p>	<p>DC – <a href="http://www.dcbare.org/cle/about-the-program.cfm">http://www.dcbare.org/cle/about-the-program.cfm</a></p>

<p>CLE outreach by regulators can help practitioners understand common ethical dilemmas and how to prevent them, including programs on hanging your shingle and virtual law practice</p>	<p>MN, NJ, NM, TN, TX, UT, VA, WA, WI</p>	<p>IL – <a href="https://www.iardc.org/CLEseminars.html">https://www.iardc.org/CLEseminars.html</a></p> <p>TX – <a href="#">CLE Database</a></p> <p>WA – <a href="#">WSBA CLE</a> (searchable catalogue of recorded and upcoming live seminars)</p>
<p><b>Professionalism school for all new attorneys</b></p>	<p>AZ, AR, CO, DC, FL, GA, LA, MA, TX, UT, VA, WA</p>	<p>AZ – Rule 34(n), Ariz. R. Sup. Ct.</p> <p>CO – C.R.C.P. 203.2(6) and 203.4(6)</p> <p>DC – <a href="http://www.dcbbar.org/membership/mandatory-course.cfm">http://www.dcbbar.org/membership/mandatory-course.cfm</a></p> <p>FL – All new members must complete a Practicing with Professionalism program. Rule 6-12.3</p> <p>MA—Supreme Judicial Court Rule 3:16, <a href="https://www.massbbo.org/Rules">https://www.massbbo.org/Rules</a>, establishing Practicing with Professionalism course for new admittees</p> <p>TX – within one year of being licensed must take “A Guide to the Ethics of Law Practice”</p>

		WA – <a href="#">Preadmission Education Program (PREP)</a> (free program required for all new attorneys)
<b>Ethics school for all attorneys who need refresher instructions</b>	CO, IL, LA, MA, NM, OR, TN, TX, UT, WA	IL – <a href="http://www.iardc.org/ethics_profseminar.html">http://www.iardc.org/ethics_profseminar.html</a>  MA—full-day course, twice a year  OR – BR 6.4  TX – multiple ethics courses  WA – Washington Law and Practice Refresher 2 Day Course Series: <a href="#">Day 1</a> and <a href="#">Day 2</a> (also available for purchase as a recorded product)
<b>Trust account school/assessment for all attorneys who need specific help on trust account issues</b>	AB, AZ, CO, KS, LA, MA, NJ, NS (assessments), TX, VA (under development), WI	AZ – Trust Account Ethics Enhancement Program, Trust account Manual, Trust Account Hotline  CO – <a href="#">Trust Account Manual</a>  MA—trust account school, monthly from October through May  TX – <a href="#">Trust Account Manual</a>
<b>Practice monitor training</b> Training programs that encourage and assist peer review and monitoring as part of probation/diversion/reinstatement	CO, DC (through PMSC), KS, LA, NE, OK, TX (through grievance referral program), UT	TX – <a href="#">Grievance Referral Program</a>

<p><b>Automated emails to lawyers changing from government or large firm practice to small firm or solo practice</b></p> <p>Automated emails from regulators alert these attorneys to be attentive to developing an ethical infrastructure as they transition practice. The larger volume of complaints against small firm and solo practitioners, and the challenges brought by law office and trust account management, demonstrate the need for such communication.</p>	<p>CO, IL (2017), NM (letter, no email)</p>	
<p><b>Ethics counsel/hotline</b></p> <p>The state bar or regulatory counsel may offer an ethics counsel or hotline that attorneys can contact to seek assistance with ethical dilemmas.</p>	<p>AB, AZ, BC, CO, DC, FL, GA, HI, ID, IL, IA, KS, KY, MA, MN, NE, NJ, NM, NS, OK, OR, TN, TX, USPTO, UT, VA, WA</p>	<p>DC – <a href="http://www.dcbbar.org/bar-resources/legal-ethics/advice.cfm">http://www.dcbbar.org/bar-resources/legal-ethics/advice.cfm</a></p> <p>FL – Toll free Ethics Hotline for members.</p> <p>IL – <a href="https://www.iardc.org/ethics.html">https://www.iardc.org/ethics.html</a></p> <p>IA – State Bar Ethics Committee</p> <p>MA—helpline three afternoons a week</p> <p>TX - <a href="#">Attorney Ethics Hotline</a></p> <p>WA – <a href="#">Professional Responsibility; APR 19(e)(3)</a> (establishes program)</p>
<p><b>Law office management assistance programs</b></p> <p>These programs help attorneys, particularly solo and small firm practitioners, implement professional office practices and procedures.</p>	<p>AB, AZ, BC, CO, DC, FL, GA, IL, LA, LSUC, MA, NS, OK, OR, TX (via grievance referral program), WA, WI</p>	<p>CO – <a href="#">Practice Management Resources</a> (Colorado Supreme Court Office of Attorney Regulation Counsel)</p>

		<p>DC – <a href="http://www.dcbbar.org/bar-resources/practice-management-advisory-service/">http://www.dcbbar.org/bar-resources/practice-management-advisory-service/</a></p> <p>FL – Practice Resource Institute</p> <p>MA— <a href="http://masslomap.org/">http://masslomap.org/</a></p> <p>WA – <a href="#">Law Office Management Assistance Program</a>; <a href="#">APR 19(d)</a> (establishes program)</p>
<p><b>Bar journal / newsletters articles</b>  Bar journals and newsletters offer insight on the importance of an ethical infrastructure and RPC compliance. They serve as an important avenue to communicate with and interact with all lawyers licensed to practice law in the jurisdiction</p>	<p>AZ, CO, DC, FL, GA, IL, IA, KS, KY, MN, MT, NE, NM, OK, PA, TN, TX, VA, WA</p>	<p>DC – <a href="http://www.dcbbar.org/bar-resources/publications/washington-lawyer/">http://www.dcbbar.org/bar-resources/publications/washington-lawyer/</a></p> <p>FL – <i>The Florida Bar Journal</i> and <i>The Florida Bar News</i></p> <p>IA – Iowa State Bar Association</p> <p>NE - <a href="http://www.nebar.com/?TNLMagazine">http://www.nebar.com/?TNLMagazine</a></p> <p>PA – Pa D. Bd. Newsletter: <a href="http://www.padisciplinaryboard.org/attorneys/newsletter/">http://www.padisciplinaryboard.org/attorneys/newsletter/</a></p> <p>WA – <i>NW Lawyer</i>, <i>NW Sidebar</i>, WSBA Take Note, Social Media accounts: Facebook, Twitter, and YouTube</p>
<p><b>Incubator programs</b>  These programs have sprung up nationwide to help lawyers, particularly solo practitioners, learn how to</p>	<p>AB, CO, DC (PMSC), GA, IL (Chicago Bar Foundation), NM</p>	<p>AZ – New Lawyer Boot Camp</p>

<p>practice law and operate a business. Regulators should consider educator outreach to these programs to nurture and ensure RPC compliance</p>		<p>DC – <a href="http://www.dcbbar.org/bar-resources/practice-management-advisory-service/basic-training.cfm">http://www.dcbbar.org/bar-resources/practice-management-advisory-service/basic-training.cfm</a></p>
<p><b>Complaints and Investigations</b></p>		
<p><b>Diversion/alternatives to discipline programs with conditions and monitoring</b>          Diversion agreements and probation conditions protect the public while allowing otherwise competent attorneys to continue practicing. The goal of such agreements is to correct minor instances of misconduct through training, monitoring, and/or mentoring in order to rehabilitate the attorney and ensure he or she can safely continue to practice.</p>	<p>AB, AZ, CO, DC, FL, IL, IA, KS, LA, LSUC, MA, NH, NJ, NS, OK, OR, PA, TN, TX, USPTO, UT, VA, WA, WI, WY</p>	<p>AZ – Rule 56, Ariz. R. Sup. Ct.</p> <p>CO – C.R.C.P. 251.13 (Alternatives to Discipline)</p> <p>FL – Diversion to Practice and Professionalism Enhancement Programs. Rule 3-5.4. Proposed new rule 3-5.5, Diversion to Evaluation and Treatment Program For Disruptive Lawyers.</p> <p>IA – Court Rule 35.14 (infrequently used)</p> <p>MA –Supreme Judicial Court Rule 4:01, § 8(1)(b), <a href="https://www.massbbo.org/Rules">https://www.massbbo.org/Rules</a></p> <p>PA – Probation, but only as part of discipline, Public or private: PaRDE 204(a)(4), (5) and (6)</p> <p>WA – <a href="#">ELC Title 6</a> (Diversion)</p>
<p><b>Centralized telephone intake</b>          A centralized telephone intake system expedites receipt of a complaint, investigation of the matter, and ultimately</p>	<p>AB, AZ, CO, FL, MA, NE, TX, UT, VA</p>	<p>FL – Attorney Consumer Assistance and Central Intake Programs</p>

<p>its resolution by eliminating/reducing a written reporting system. This promotes public confidence in the profession, stems further misconduct, and by reducing the amount of time an attorney must await a final action on the matter, shortens the period of uncertainty and anxiety that accompanies receipt of a complaint.</p>	<p>(requests a written follow-up), WA, WI</p>	<p>MA –Attorney and Consumer Assistance Program,  <a href="https://www.massbbo.org/Who_We_Are_OBC_ACAP#OBC">https://www.massbbo.org/Who_We_Are_OBC_ACAP#OBC</a></p>
<p><b>Improved timing for investigation</b>  Expedited investigations benefit the public and attorneys. The public benefits from having a grievance resolved in a timely manner, preventing further harm. Attorneys benefit because quicker timing identifies and hopefully resolves problems before further client harm occurs, thereby improving the chances the attorney can continue to practice law.</p>	<p>AZ, CO, FL, IL, LA, MN, NE, TX, VA, WA</p>	<p>FL – Standing Board Policy 15.56 sets out specific case processing goals</p>
<p><b>Mediation programs</b>  Mediation programs that address minor misconduct issues help disciplinary counsel focus on cases involving more serious misconduct.</p>	<p>AB, CO, FL, IL (through IARDC intake), KS, TN, TX (via Client-Attorney Assistance Program), UT, WA</p>	<p>CO – C.R.C.P. 251.13 (Alternatives to Discipline)   FL – Chapter 14, Grievance Mediation and Fee Arbitration   WA – <a href="#">Request for Assistance Form</a> (Consumer Affairs staff informally resolve disputes)</p>
<p><b>Pro bono/low cost respondent representation programs</b>  These programs ensure all lawyers have an opportunity for competent representation in disciplinary and disability proceedings. Such programs also assist in the administration of justice</p>	<p>CO, DC, IL, KS, MA, UT, WA</p>	<p>AZ –the Arizona Association of Defense Counsel offers a one-time consultation with a lawyer who received a bar charge. Regulation advises respondent lawyers and promote use of the program.</p>

		<p>MA—The board’s general counsel assists lawyers facing disciplinary complaints in obtaining counsel, often pro bono or low cost.</p> <p>WA – <a href="#">ELC 8.10 (Appointment of counsel in disability proceedings)</a></p>
<p><b>Community outreach</b> In order to build public trust, regulators should engage in community outreach. This not only enhances the public’s faith in regulators to address misconduct, but it also promotes the rule of law and confidence in the administration of justice.</p>	CO, IL, TX, WA	

## II. ADMISSIONS PROGRAMS

Admissions Programs	Jurisdictions	
<p><b>Reciprocal admission</b> On motion UBE score transfer and practice pending admission programs facilitate consumer choice and lawyer mobility.</p>	AZ, CO, DC, ID, IL, KS, MT, NJ, NM, TX, UT, VA, WA, WY	<p>AZ- Rule 34(f) and (h), Ariz. R. Sup. Ct.</p> <p>CO – C.R.C.P. 203.3</p> <p>TX – Admission without examination <a href="#">AWOX</a></p> <p>WA – <a href="#">Admission by Motion</a>; <a href="#">APR 3(c)</a></p>
<p><b>Conditional admissions</b> Conditional admissions allow talented future lawyers with a sustained period of recovery to enter practice healthy and ready to serve the public. The ABA Model Rule on Conditional Admission states: “[a]n applicant who currently satisfies eligibility requirements for</p>	AZ, AR, CO, FL, ID, IL, KY, LA, MN, MT, NE, NM, NJ, OR, TN, TX, WY	<p>AZ – Rule 36(g), Ariz. R. Sup. Ct.</p> <p>FL – Rule 1-3.2(b) Conditionally Admitted Members</p> <p>NE – Supreme Court Rule § 3-120</p>

<p>admission to practice law, including fitness requirements, and who possesses the requisite good moral character required for admission, may be conditionally admitted to the practice of law if the applicant demonstrates recent successful rehabilitation from chemical dependency or successful treatment for mental or other illness, or from any other condition this Court deems appropriate, that has caused conduct that would otherwise have rendered the applicant currently unfit to practice law. The [Admissions Authority] shall recommend appropriate conditions that the applicant to the bar must comply with during the period of conditional admission.”</p>		
<p><b>Automatic referrals to lawyer assistance programs for applicants</b> Does your admissions office work with law schools and prospective applicants to identify individuals who need to be connected with a lawyer assistance program or attorney mentoring program?</p>	<p>AR, CO, ID, KS, KY, LA, NE, TN, WY</p>	
<p><b>Counseling law students regarding admissions / RPC enforcement</b> Regulators and bar association leadership visiting law schools and engaging first and second year students in conversations on enforcement of the RPC and the admissions process educates students as to character and fitness issues. It also encourages them to think before acting when confronted with an ethical issue.</p>	<p>AB, CO, DC, ID, IL, KS, NE, OK, UT, WA, WY</p>	

### III. OTHER SUPREME COURT / BAR PROGRAMS

Programs	Jurisdictions	
----------	---------------	--

<p><b>Well-being task force programs</b></p> <p>Certain state bar associations have created task forces or committees to promote attorney well-being. For example, the Georgia State Bar created a task force called “Lawyers Living Well.” The Maryland State Bar Association’s Wellness Committee hosts a “Be Fit to Practice” website. Additionally, NOBC is working closely with members of CoLAP and APRL on a national task force on lawyer well-being. This is a coalition comprised of representatives from CoLAP, NOBC, APRL, the ABA Center for Professional Responsibility, the ABA Standing Committee on Professionalism, the ABA Young Lawyers Division, the ABA Law Practice Division, the Conference of Chief Justices, and the authors of the ABA CoLAP/Hazelden Betty Ford Foundation study on <i>The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys</i> as well as the authors of the 2014 Survey on Student Well-Being, with findings published in the autumn 2016 edition of the Association of American Law Schools’ Journal of Legal Education, <i>Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns</i>.</p>	<p>AL, CO, GA, IL (Chicago Bar Ass’n and LAP), MD, IN, MN, NC, SC, TN, TX (through TLAP)</p>	
<p><b>Inventory counsel/receivership programs</b></p>	<p>AZ, CO, DC, FL, IL, IA, MN, NE, NM, PA, VA, WA</p>	<p>AZ – Rules 66-69, Ariz. R. Sup. Ct.</p> <p>CO – C.R.C.P. 251.32(h) (Protective Appointment of Counsel)</p> <p>FL – Rule 1-3.8, Right to Inventory</p>

		<p>NE – Supreme Court Rule § 3-328 (Appointment of a Trustee)</p> <p>PA – “Appointment of Conservator for Interest of Clients, PaRDE 321, <i>et seq.</i></p> <p>WA – <a href="#">ELC 7.7</a> (Appointment of custodian to protect client interests)</p>
--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------