

1 Rule ~~14-518~~11-563. Interim ~~suspension-discipline~~ for threat of harm.

2 (a) ~~Transmittal of evidence~~Petition for interim discipline. ~~Upon receipt of~~Upon
3 receiving sufficient evidence ~~demonstrating~~ that a ~~lawyer~~ subject to the ~~disciplinary~~
4 ~~jurisdiction of the~~ Supreme Court's disciplinary jurisdiction poses a ~~substantial~~ threat of
5 ~~irreparable-serious~~ harm to the public and has either committed a violation of the Rules
6 of Professional Conduct or Licensed Paralegal Practitioner Rules of Professional
7 Conduct or is under a disability as herein defined, the OPC ~~counsel shall~~ must file a
8 petition for interim ~~suspension-discipline~~ in the district court, requesting a hearing and
9 giving notice in accordance with Utah Rule of Civil Procedure 65A.

10 (1) The petition for interim discipline must be filed with the district court and
11 served on the Respondent in accordance with Rule 4 of the Utah Rules of Civil
12 Procedure.

13 (2) The district court will set a hearing within 14 days of filing the return of
14 service showing that Respondent has been served.

15 ~~An action is commenced under this rule when the petition for interim suspension is~~
16 ~~filed.~~

17 (b) **Immediate interim ~~suspension-discipline~~**. After conducting a hearing on the
18 petition, the district court may enter an order immediately suspending the respondent,
19 limiting the Respondent's practice area, or requiring supervision of the Respondent
20 pending final disposition of a disciplinary proceeding ~~predicated upon the conduct~~
21 ~~causing the harm~~, or may order such other action as deemed appropriate.

22 (1) If an order is entered:

23 ~~(b)(1)(A)~~ the district court may appoint a trustee, ~~pursuant to~~ under Rule
24 ~~14-527~~11-538, to protect the interests of the ~~R~~espondent's clients; and

25 ~~(b)(2)(B)~~ the OPC may file ~~a formal complaint~~ an Action ~~in the district~~
26 ~~court~~ without presenting the matter to a screening panel.

27 (2) If an order for interim discipline is not obtained, the OPC must dismiss the
28 interim Action and will process the matter as it does any other information
29 coming to the OPC's attention.

30 (c) **Notice to clients.** A ~~Respondent~~ ~~suspended~~ subject to interim discipline pursuant to
31 paragraph (b) ~~shall~~ must comply with the notice requirements in Rule ~~14-526~~ 11-570 as
32 ordered by the district court.

33 (d) **Motion** ~~for dissolution of~~ to dissolve or modify interim ~~suspension~~ discipline. On
34 ~~two 48 hours' days~~ notice to the OPC ~~counsel~~, a ~~Respondent~~ suspended pursuant to
35 paragraph (b) may appear and move ~~for dissolution or modification of the~~ to dissolve
36 or modify the order of ~~suspension~~ discipline, and ~~in that event, the~~ such motion ~~shall~~
37 will be heard and determined as expeditiously as ~~the ends of~~ justice requires.

38 Effective December 15, 2020