

1 **Rule ~~14-521~~11-566. Resignation with discipline pending.**

2 (a) A ~~Respondent~~ may resign by voluntarily relinquishing the
3 Respondent's license; ~~prior to before the adjudication of~~ a pending eComplaint is
4 adjudicated; only with the Supreme Court's consent ~~of the Supreme Court~~ and upon
5 such terms as the Supreme Court may impose for the public's protection ~~of the public~~.

6 (b) The ~~Respondent~~ shall must submit a ~~sworn~~ petition:

7 (1) admitting for purposes of the disciplinary proceedings the facts upon which
8 the allegations of misconduct are based;

9 (2) admitting that the facts constitute grounds for discipline;

10 (3) stating that the ~~Respondent's~~ resignation is freely and voluntarily tendered
11 and that it is submitted without coercion or duress;

12 (4) verifying that the ~~Respondent~~ is fully aware of the implications of submitting
13 the resignation;

14 (5) acknowledging that the discipline matter, the petition, and the sanction ~~shall~~
15 will be available to the public and that a notice of the resignation ~~shall will~~ be
16 published in the Utah Bar Journal;

17 (6) agreeing to comply with these rules, including Rule ~~14-526(b)~~11-570
18 regarding notice to clients and return of clients' property; and

19 (7) agreeing to comply with other Supreme Court orders ~~of the Supreme Court~~.

20 (c) A copy of the petition ~~shall must~~ be submitted to the OPC ~~counsel~~. The OPC ~~counsel~~
21 may, within ~~20~~1 days, object to the petition. If the OPC ~~counsel~~ consents to the petition,
22 the Supreme Court ~~shall will~~ review the petition and enter an appropriate order. If the
23 OPC ~~counsel~~ files a timely objection, the matter ~~shall will~~ be set for hearing in the district
24 court. Within ~~ten~~14 days after the hearing, the district court will transmit its's findings
25 of fact and conclusions of law ~~shall be transmitted~~ to the Supreme Court ~~for to~~ review
26 and ~~the entry of~~ enter an appropriate order.

27 (d) If the Supreme Court accepts the resignation, it ~~will~~shall enter an order specifying
28 the effective date of the resignation. The order may include additional or alternative
29 terms and conditions deemed appropriate, including conditions precedent to
30 ~~readmission~~relicensure.

31 (e) A ~~Respondent~~Respondent whose resignation is accepted must comply with Rule ~~14-525~~11-591
32 and may not apply for ~~readmission~~relicensure until five years after the effective date of
33 the resignation unless the Supreme Court orders otherwise in ~~the~~its order accepting the
34 resignation.

35 Effective December 15, 2020