

1 **Rule 11-584. Presumptive sanctions for violating duties owed to the public.**

2 (a) **Failing to maintain personal integrity.** The following sanctions are generally
3 appropriate when a Lawyer commits a criminal act that reflects adversely on the
4 Lawyer's honesty, trustworthiness, or fitness as a Lawyer in other respects in violation
5 of Rules 8.1, 8.4(b), or 8.4(c):

6 (1) Delicensure is generally appropriate when a Lawyer intentionally or
7 knowingly engages in criminal conduct that would be a felony under applicable
8 law and the conduct:

9 (A) involves dishonesty, fraud, deceit, or misrepresentation, including but
10 not limited to theft, fraud, extortion, bribery, obstruction of justice, and
11 false statements; or

12 (B) poses a serious danger to the safety of others, including but not limited
13 to assault, homicide, kidnapping, sexual offenses, and distribution of
14 controlled substances.

15 (2) Suspension is generally appropriate when a Lawyer intentionally or
16 knowingly engages in non-felony criminal conduct that seriously adversely
17 reflects on the Lawyer's honesty, trustworthiness, or fitness as a Lawyer in other
18 respects.

19 (3) Either reprimand or admonition is appropriate when a Lawyer engages in
20 any other non-felony criminal conduct that adversely reflects on the Lawyer's
21 fitness to practice law, depending on the potential or actual injury to the public
22 trust.

23 (b) **Failing to adhere to the special duties of a prosecutor.** The following sanctions are
24 generally appropriate in cases involving Lawyers who violate Rule 3.8:

25 (1) Delicensure is generally appropriate when a Lawyer violates the special
26 duties of a prosecutor with the intent to obtain a significant benefit or advantage

27 for the Lawyer or another, or with the intent to cause serious or potentially
28 serious injury to a party or to the integrity of the legal process.

29 (2) Suspension or reprimand is generally appropriate when a Lawyer knowingly
30 or negligently violates the special duties of a prosecutor. The appropriate
31 sanction will depend on the Lawyer's mental state and the seriousness of the
32 injury or potential injury to a party or to the integrity of the legal process.

33 (3) Admonition is generally appropriate when a Lawyer violates the special
34 duties of a prosecutor in an isolated instance of negligence, and causes little or no
35 actual or potential injury to a party or to the integrity of the legal process.

36 *Effective November 1, 2022*