

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2015

In the Matter of Amendments to Rule 6 of the)
Wyoming Rules of Disciplinary Procedure)

**ORDER AMENDING RULE 6 OF THE WYOMING RULES OF
DISCIPLINARY PROCEDURE**

This matter came before the Court following notification that the recently-adopted Wyoming Rules of Disciplinary Procedure include typographical errors in Rule 6. It is, therefore,

ORDERED that the amendments to Rule 6 of the Wyoming Rules of Disciplinary Procedure, attached hereto, be, and hereby are, adopted by the Court to be effective July 1, 2015; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and this order and the attached amendments be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall also be recorded in the journal of this Court.

DATED this 8th day of June, 2015.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice

Wyoming Rules of Disciplinary Procedure

Rule 6. Board of Professional Responsibility.

(a) *Appointment.* The Court shall appoint, upon the advice of the president of the Wyoming State Bar, a Board of Professional Responsibility (BPR), consisting of seven members, five of whom shall be members of the Wyoming State Bar and two of whom shall be non-attorneys. Consideration shall be given to the appointment of members who reside in different parts of the state and who have differing degrees of experience and types of expertise in the practice of law.

(b) *Terms; governance; temporary members.* One member shall be designated by a majority vote of the BPR as Chair, a second as vice-Chair to act in the absence or disability of the Chair, and a third as second vice-Chair to act in the absence or disability of the Chair and vice-Chair.

(1) Each member of the BPR shall serve a three year term. If a member does not complete a term, the Court shall appoint another person to complete that term.

(2) Attorneys must succeed attorneys and non-attorneys must succeed non-attorneys on the BPR.

(3) No member shall serve for more than two consecutive terms, although a former member may be appointed to serve again after having been off the BPR for at least three (3) years.

(4) The BPR shall act only upon concurrence of a majority of a quorum. A quorum shall be no fewer than five (5) members.

(5) For good cause shown, the Court may appoint a temporary replacement member or members in situations in which one or more of the regularly-appointed BPR members are not available to serve.

(c) *Powers and duties of the BPR.* The BPR shall:

(1) Hold all necessary hearings upon formal charges and petitions filed pursuant to these rules;

(2) Assign a Disciplinary Judge to preside over such matters as may be appropriate under these rules;

(3) With regard to any matter for which a Disciplinary Judge has not been assigned, appoint a member of the BPR designated by the BPR Chair who shall have and exercise all of the powers of a Disciplinary Judge as provided in Rule 7;

(4) When misconduct has been proved by clear and convincing evidence at a hearing, or misconduct has been established by default, issue a private reprimand or recommend an appropriate public discipline to the Court;

- (5) When the disability of an attorney to continue the practice of law by reason of mental infirmity, illness or substance abuse has been proved by clear and convincing evidence at a hearing, recommend to the Court the placing of the attorney on disability inactive status;
- (6) Approve or disapprove all stipulations relating to public discipline or transfer to disability inactive status and make its recommendations on such stipulations to the Court;
- (7) Rule upon all dispositive motions;
- (8) Make recommendations to the Court regarding the reinstatement of a person to practice law; and
- (9) Take any other action authorized by the Court.

~~(e-)~~ d) *Abstention*. A member of the BPR shall refrain from taking part in any proceedings in which a judge, similarly situated, would be required to abstain.

~~(d-)~~ e) *Reimbursement of expenses*. Members of the BPR shall be entitled to reimbursement for reasonable travel, meals, lodging and other expenses incurred in the course of their official duties.
