

# District of Columbia Court of Appeals

No. M-228-07

## NOTICE

The District of Columbia Court of Appeals proposes to amend D.C. Bar Rule XI, § 11 (a), which defines the term “disciplining court” for purposes of reciprocal attorney discipline, in the manner set forth below. The proposed amendment is in response to recent decisions of the court, chiefly *In re Greenspan*, 910 A.2d 324 (D.C. 2006), and *In re Weisbard*, 912 A.2d 1178 (D.C. 2006), which found significant ambiguity in the meaning of “disciplining court” as applied to disciplining bodies other than a court of the United States or the highest court of a state, territory, or possession of the United States. If amended as the court proposes, § 11 (a) would make clear that reciprocal discipline may extend to discipline levied by any entity of a state, territory, or possession of the United States, however the entity is denominated, authorized to impose discipline effective throughout the state, territory, or possession.

Specifically, as amended, Rule XI, § 11 would read in part:

“(a) *Definition.* As used in this section,

(1) ‘state’ shall mean any state, territory, or possession of the United States.

(2) ‘disciplining court’ shall mean (a) any court of the United States as defined in Title 28, Section 451 of the United States Code; (b) the highest court of any state; and (c) any other agency, commission, or tribunal, however denominated, that is authorized to impose discipline effective throughout a state.”

This notice is published to afford interested parties an opportunity to submit written comments concerning the proposed amendment to the District of Columbia Bar Rule XI, § 11. Ten copies of any comments should be submitted to the Clerk, D.C. Court of Appeals, 500 Indiana Avenue, N.W., Sixth Floor, Washington, D.C. 20001, no later than sixty (60) days from the issuance of this notice. All comments submitted pursuant to this notice will be available to the public.