

District of Columbia
Court of Appeals

MAR 21 2002

M-210-01

BEFORE: Wagner, Chief Judge; Terry, Steadman, Schwelb, Farrell, Ruiz, Reid, Glickman, and Washington, Associate Judges.

ORDER

On consideration of the proposed amendments to District of Columbia Bar Rule XI, §18, which proposed amendments were transmitted to the Court by the Board of Governors of the District of Columbia Bar, and the comments received thereto, it is

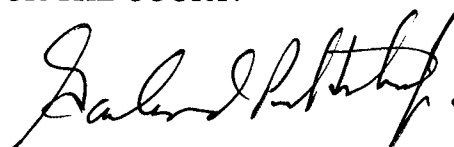
ORDERED that D.C. Bar Rule XI, § 18 is amended, effective April 1, 2002, to read as follows:

Rule XI, § 18

(e) Subpoena Pursuant to Law of Another Jurisdiction. Whenever a subpoena is sought in the District of Columbia pursuant to the law of another jurisdiction for use in lawyer discipline or disability investigations or proceedings in that jurisdiction, and where the application for issuance of the subpoena has been duly approved or authorized under the law of that jurisdiction, Bar Counsel (in a case where the request is by the disciplinary authority of the foreign jurisdiction) or an attorney admitted to practice in this jurisdiction (in a case where the request is by a respondent in a proceeding in the foreign jurisdiction), may issue a subpoena as provided in this Section to compel the attendance of witnesses and production of documents in the District of Columbia, or elsewhere as agreed by the witnesses, for use in such foreign investigations or proceedings or in defense thereof. Service, enforcement and challenges to such subpoenas shall be as provided in this Section and incorporated rules.

(f) Request for Foreign Subpoena in Aid of Proceeding in this Jurisdiction. In a lawyer discipline or disability investigation or proceeding pending in this jurisdiction, both Bar Counsel and a respondent may apply for the issuance of subpoenas in other jurisdictions, pursuant to the rules of those jurisdictions, where such application is in aid of such investigation or proceeding or in defense thereto, and to the extent that Bar Counsel or the respondent could issue compulsory process or obtain formal prehearing discovery under the provisions of this Rule or the rules issued by the Board on Professional Responsibility.

FOR THE COURT:



GARLAND PINKSTON, JR.
Clerk of the Court