



Raising the Bar on the Discipline System

THE OTHER DAY a fellow attorney remarked, "Every time a client contacts the State Bar, the Bar opens an investigation and the attorney is dragged through a tedious bureaucratic process." I imagine that there are some of you reading this who believe the same thing, so let me set the record straight. That statement is far from the truth.

Of the 6,138 telephonic and written inquiries concerning the conduct of Arizona lawyers in the year 2000, only 20 percent of those matters were investigated as allegations of ethical misconduct. Put another way, 80 percent of the contacts did not turn into a Bar investigation. That's a sign that our central intake system is working well by resolving minor attorney/client conflicts rather than instantly opening a file and by properly disposing of complaints that don't belong in our system in the first place.

Some other facts to consider:

- For the first time in years, we have experienced a reduction in written complaints—evidence of our efforts to resolve minor matters over the phone while also working to restore the attorney/client relationship.
- Our efforts to improve efficiency and speed case processing have resulted in a 75 percent decrease in the number of matters awaiting formal proceedings.

As part of our ongoing efforts to improve, we continue to look for ways to better educate offenders about their unethical behavior instead of just punishing them for it. Our Ethics Enhancement, Trust Account and Law Office Management programs are

designed to provide tools and information so that the offending conduct can be avoided with future clients. We believe they are much more effective than simply receiving a low-level reprimand.

Of course, we are still tough on serious violators. As a matter of fact, our more efficient system allows us to focus more closely on the few lawyers whose conduct causes great harm to clients and our profession.

Attorney regulation is a core function of our Bar. A strong discipline system is vital to better protecting the public, deterring future misconduct and instilling confidence in the legal profession.

So the next time you hear anecdotal stories about the bar discipline system, know that we are working harder than ever before to serve the public and members by resolving minor conflicts before they become formal complaints and moving more quickly on those cases that truly need our attention.

For a full report on our discipline system, you can request a copy of the State Bar's 2000 Annual Report on Lawyer Regulation. Please call (602) 340-7353.

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