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**SUPREME JUDICIAL COURT APPROVES AMENDMENTS TO S.J.C. RULE 4:01
AND RULES OF THE BOARD OF BAR OVERSEERS**

The Supreme Judicial Court has approved amendments to S.J.C. Rule 4:01 and the Rules of the Board of Bar Overseers, effective September 1, 2009. The amendments are available on the Court's website at <http://www.mass.gov/courts/sjc> and the Board of Bar Overseer's website at <http://www.mass.gov/obcbbo>

The amendments stem from the American Bar Association Report on the Lawyer Regulation System of Massachusetts issued by the ABA Standing Committee on Professional Discipline. As part of a system-wide effort to improve the administration of justice, the Justices invited the ABA committee to assess the bar discipline system in the Commonwealth. The rule changes implement certain of the recommendations contained in the committee report. The Justices also acknowledge the helpful report of the Massachusetts Bar Association Task Force on Lawyer Discipline.

Most of the significant changes are described in the Notice soliciting comments on the proposed amendments, found on the Board's website, <http://www.mass.gov/obcbbo/comment.htm>. Subsequent to publication of the proposed amendments, and following review of comments received, the rules were revised to require bar counsel to inform a complainant in writing of the reasons for not investigating a complaint or for closing a file. An additional change subsequent to publication requires the Board Chair or the Chair's designee to consider the convenience of the complainant, witnesses, the respondent and hearing committee in selecting a hearing location.

In addition, since the publication of the Notice soliciting comments, the reinstatement questionnaire has been revised and reformatted. The new questionnaire is separated into two parts: Part I will become part of the record of the reinstatement proceeding; Part II contains financial and medical information and does not become part of the record in the proceeding unless all or part of it is admitted into evidence at the request of a party. The changes to the questionnaire required revisions in Board rules 3.62 and 3.63.

As part of its assessment of the bar discipline system, the Court earlier adopted a pilot program changing the procedure for appealing to the full court from decisions by a single justice in a bar discipline case. All bar discipline cases entered in the Supreme Judicial Court for Suffolk County after April 1, 2009 are subject to the new procedure, which can also found on the Court's website and on the Board's website, <http://www.mass.gov/obcbbo/highlit.htm#pilot>.