

Policy Prohibiting Board Members from Providing Expert or Opinion Testimony

No Board member shall provide, in any proceeding, expert or opinion testimony with respect to the appropriate standard of care or conduct expected of an attorney in representing a client. Character testimony is not prohibited by this policy.

For purposes of this policy, the term “testimony” shall include oral and written statements made at any stage of the proceedings, and the term “Board member” shall include all members of the Commission, Review Board, Hearing Board, Inquiry Board, Oversight Committee, Client Protection Review Panel, and Special Counsel. The term “proceeding” shall include any judicial or alternative dispute resolution proceeding regardless of the form of the venue.

The rule shall apply during the Board member’s tenure on any of the bodies listed in the immediately preceding paragraph and for a period of six months following such Board member ceasing to serve on such body. This rule does not apply to any engagement entered into prior to the effective date of this amended policy.

(Adopted, June 17, 2005, amended December 9, 2022, effective July 1, 2023).