

SUPREME COURT OF OKLAHOMA

**AMENDMENT TO RULES GOVERNING DISCIPLINARY
PROCEEDINGS**

2017 OK 1 · Decided January 9, 2017

SUMMARY

The Oklahoma Supreme Court amended Rule 1.1 of the Rules Governing Disciplinary Proceedings. The amendment concerns the Court's original and exclusive jurisdiction over attorney admission, attorney discipline, and unauthorized practice of law proceedings, and became effective immediately on January 9, 2017.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Chief Justice Combs; Vice Chief Justice Gurich; Justice Watt; Justice Winchester; Justice Edmondson; Justice Colbert; Justice Reif
JURISDICTION	Oklahoma
DECIDED	January 9, 2017
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Oklahoma acted on its own authority to amend Rule 1.1 of the Rules Governing Disciplinary Proceedings.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court rule-amendment order; the amended rule is binding as promulgated.

TOPICS

subject matter jurisdiction

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

court rulemaking

QUESTIONS PRESENTED

- Whether Rule 1.1 of the Rules Governing Disciplinary Proceedings should be amended to define the Oklahoma Supreme Court's jurisdiction over attorney admission, attorney discipline, and unauthorized practice of law proceedings.

HOLDINGS

1. Rule 1.1 of the Rules Governing Disciplinary Proceedings is amended as set forth in Exhibit A, with the amended rule effective immediately.

KEY QUOTATIONS

"This Court declares that it possesses original and exclusive jurisdiction in all matters involving admission of persons to practice law in this State, and to discipline for cause, any and all persons licensed to practice law in Oklahoma" (Exhibit A; Exhibit B)

FACTUAL BACKGROUND

The opinion concerns the Oklahoma Supreme Court's regulatory authority over admission to the practice of law, attorney discipline, and unauthorized practice of law proceedings. The court amended Rule 1.1 to restate its original and exclusive jurisdiction over those matters and to clarify its continuing disciplinary jurisdiction over attorneys whose names have been stricken from the roll for nonpayment of dues or failure to complete mandatory continuing legal education.

PROCEDURAL HISTORY

The court adopted an amendment to Rule 1.1 and ordered that the amended rule take effect immediately. The order was entered by the court in conference on January 9, 2017.

DISPOSITION

other

OPINION

PER CURIAM.

OSCN Found Document:AMENDMENT TO RULES GOVERNING DISCIPLINARY PROCEEDINGS OSCN navigation Home Courts Court Dockets Legal Research Calendar Help Previous Case Top Of Index This Point in Index Citationize Next Case Print Only AMENDMENT TO RULES GOVERNING DISCIPLINARY PROCEEDINGS2017 OK 1Decided: 01/09/2017THE SUPREME COURT OF THE STATE OF OKLAHOMA Cite as: 2017 OK 1, __ P.3d __ NOTICE: THIS OPINION HAS NOT BEEN RELEASED FOR PUBLICATION.

UNTIL RELEASED, IT IS SUBJECT TO REVISION OR WITHDRAWAL. Amendment to the Rules Governing Disciplinary Proceedings ORDER Rule 1.1 of the Rules Governing Disciplinary Proceedings, 5 O.S. 2011, ch. 1, app. 1-A, is hereby amended as shown on the attached Exhibit "A." Rule 1.1 with the amended language noted is attached as Exhibit "B."

The amended rule is effective immediately. DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE the 9th day of January, 2017. /S/CHIEF JUSTICE Combs, C.J., Gurich,

V.C.J., Watt, Winchester, Edmondson, Colbert and Reif, JJ., concur; Kauger, J., not participating. Exhibit "A" Rule 1.1. Declaration of Jurisdiction. This Court declares that it possesses original and exclusive jurisdiction in all matters involving admission of persons to practice law in this State, and to discipline for cause, any and all persons licensed to practice law in Oklahoma, hereinafter referred to as lawyers, and any other persons, corporations, partnerships, or any other entities (hereinafter collectively referred to as "persons") engaged in the unauthorized practice of law.

This Court retains jurisdiction to impose discipline for cause on a lawyer whose name has been stricken from the Roll of Attorneys for non-payment of dues or for failure to complete mandatory continuing legal education. This Court further declares that a member of the Bar of this State may not take unto himself any office or position or shroud himself in any official title which will place him beyond the power of this Court to keep its roster of attorneys clean.

Nothing in this declaration is intended to limit this Court's inherent power over anyone engaged in the practice of law. In the exercise of the foregoing jurisdiction, this Court adopts and promulgates the following rules which shall govern disciplinary and unauthorized practice of law proceedings. "Exhibit B" Rule 1.1. Declaration of Jurisdiction. This Court declares that it possesses original and exclusive jurisdiction in all matters involving admission of persons to practice law in this State, and to discipline for cause, any and all persons licensed to practice law in Oklahoma, hereinafter referred to as lawyers, and any other persons, corporations, partnerships, or any other entities (hereinafter collectively referred to as "persons") engaged in the unauthorized practice of law.

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