

TITLE 3
ATTORNEYS AND COUNSELORS AT LAW

CHAPTER 3
DISBARMENT

3-301. GROUND. An attorney and counselor may be removed, suspended, or reprimanded by the Supreme Court and by the district court for either of the following causes arising after his admission to practice:

1. His conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction is conclusive evidence.

2. Wilful disobedience or violation of an order of the court, requiring him to do or forbear an act connected with or in course of his profession, and any violation of the oath taken by him or his duties as such attorney and counselor.

3. Corruptly and without authority appearing as attorney for a party to an action or proceeding.

4. Lending his name to be used as an attorney and counselor by any other person who is not an attorney and counselor.

5. Failure for ten (10) days after written demand, and payment or tender of the fees and expenses due him from his client to pay over or deliver any money or other property belonging to his client which he shall have received in his office of attorney or counselor in the course of collection or settlement of any claim or demand.

6. Habitual intemperance to such an extent that it disqualifies such attorney from faithfully discharging the duties devolving upon him; and in all cases where an attorney is removed or suspended by a district court the judgment or order of removal or suspension may be reviewed on appeal by the Supreme Court.

[(3-301) C.C.P. 1881, sec. 125; R.S., sec. 4002; am. 1897, p. 55, sec. 1; reen. 1889, p. 302, sec. 1; reen. R.C. & C.L., sec. 4002; C.S., sec. 6578; am. 1929, ch. 63, sec. 5, p. 92; I.C.A., sec. 3-301.]

3-302. CONVICTION OF CRIME -- TRANSMISSION OF RECORD TO SUPREME COURT. In case of the conviction of an attorney or counselor of a felony or misdemeanor involving moral turpitude, the clerk of the court in which a conviction is had, must, within thirty (30) days thereafter, transmit to the Supreme Court a certified copy of the record of conviction.

[(3-302) C.C.P. 1881, sec. 126; R.S., R.C., & C.L., sec. 4003; C.S., sec. 6579; I.C.A., sec. 3-302.]

3-303. PROCEEDINGS. The proceedings to remove, suspend or reprimand an attorney and counselor shall be such as the Supreme Court may by rule prescribe.

[(3-303) C.C.P. 1881, sec. 127; R.S., R.C., & C.L., sec. 4004; C.S., sec. 6580; am. 1929, ch. 63, sec. 6, p. 92; I.C.A., sec. 3-303.]