

[Proposed] Rule 5.41

(A) Initial Pleading. A notice of disciplinary charges is the initial pleading in a disciplinary proceeding, unless specified otherwise in the rules.

(B) Contents. The notice of disciplinary charges must:

(1) cite the statutes, rules or Court orders that the member allegedly violated or that warrant the proposed action;

((2) contain ~~a statement of facts~~, in concise and ordinary language, comprising the violations in sufficient detail to permit the preparation of a defense; no technical averments or any allegations of matters not essential to be proved are required;

(3) relate the stated facts to the statutes, rules or Court orders that the member allegedly violated or that warrant the proposed action;

(4) contain a notice that the member may be ordered to pay costs; and

(5) contain the following language in capital letters at or near the beginning of the notice:

“IF YOU FAIL TO FILE A WRITTEN ANSWER OT THIS NOTICE
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR
AT THE STATE BAR COURT TRIAL:...”