

ATTACHMENT A
[PROPOSED]
STATE BAR POLICY REGARDING POSTING OF CONSUMER ALERTS

Upon the online posting of any public filing by the State Bar involving allegations of professional misconduct against a member or seeking court assumption of a member's law practice, the State Bar shall post a Consumer Alert above the respondent member's name. The Consumer Alert shall include informational text on the member's profile page which states what type of pleading has been filed against the member – notice of disciplinary charges (NDC), conviction transmittal, petition to enroll a member involuntarily inactive, application for court assumption of a law practice, or other initiating document – and a disclaimer stating that where any posted document contains allegations of professional misconduct, the attorney is presumed to be innocent of misconduct warranting disciplinary until the allegations have been proved.

Where the Consumer Alert is based upon a NDC filed, the State Bar will post a true and correct copy of the NDC and of any response. Upon the posting of a State Bar Court decision or order adjudicating the matter, the NDC and response will be removed from the website, along with the Consumer Alert's informational text and disclaimer. In the event of exoneration or dismissal of the proceeding, the decision or order will be posted but the NDC and response will also remain posted for a period of 60 days, after which all three items relating to the proceeding (NDC, response if any, and decision or order) will be removed from the member's page.

Where the Consumer Alert is based upon a petition filed pursuant to Business & Professions Code section 6007(c)[threat of harm] to enroll a member involuntarily inactive, the State Bar will post a true and correct copy of the petition and of any response. Upon the posting of a State Bar Court decision or order adjudicating the petition, assuming that the petition is granted, the petition and response will be removed from the website, along with the Consumer Alert's informational text and disclaimer. In the event of denial of petition or dismissal of the proceeding, the decision or order will be posted but the petition and response will also remain posted for a period of 60 days, after which all three items relating to the proceeding (petition, response if any, and decision or order) will be removed from the member's page.

Where the Consumer Alert is based upon an application filed pursuant to Business and Professions Code sections 6180 *et seq.* or 6190 *et seq.*, the State Bar will post a true and correct copy of the application and of any response. Upon the posting of a superior court decision or order adjudicating the application, assuming the application is granted, the application and response will be removed from the website, along with the Consumer Alert's informational text and disclaimer. In the event of denial of the application or dismissal of the proceeding, the decision or order will be posted but the application and response will also remain posted for a period of 60 days, after which all three items relating to the proceeding (application, response if any, and decision or order) will be removed from the member's page.

This policy is intended to replace any previous policy regarding the posting of consumer alerts on the State Bar's website.