

Priority	Criteria
Priority One P1	<p><u>Significant, Ongoing, or Serious Potential Harm to the Public</u></p> <ol style="list-style-type: none"> Respondent has prior discipline that includes an actual suspension and the current alleged misconduct has caused either significant or continuing harm, or the misconduct will cause future harm. Respondent has been disbarred, has been reinstated, and has committed new disciplinable misconduct (i.e., the current alleged misconduct is more than a low level ethical violation that is not likely to recur or is unlikely to result in discipline). Respondent, whether from a Client Trust Account or any other source, has: a) intentionally misappropriated funds, regardless of the amount, b) misappropriated \$25,000 or more, or c) misappropriated funds and has not paid restitution. This criterion does not include mishandling through mere inadvertence (i.e., conduct that does not demonstrate intentional or grossly negligent appropriation). Respondent has committed misconduct against a vulnerable victim, including but not limited to aged, incapacitated, infirm, disabled, incarcerated, immigrant persons, or minors, and the misconduct has adversely affected the victim or the outcome of the matter (e.g., loss of rights or remedies), resulted in serious harm, or the misconduct was committed against three or more vulnerable victims. Respondent has entered into a business transaction with a client or acquired a pecuniary interest that is adverse to the client, and the client was significantly harmed (e.g., money, equity, or rights belonging to the client improperly came under, and remains under, the control of the respondent, the conflict has led to the abandonment of the client or a failure to abide by the client's lawful direction, etc.). <p><u>Abandonment</u></p> <ol style="list-style-type: none"> Respondent has abandoned three or more unrelated clients and either: a) is not cooperating with State Bar investigations, b) has not refunded unearned fees, or c) has not returned a client file. Respondent has failed to return a client file following a request from the State Bar to return the file and the matter is one where time is of the essence, for example, claims may become time-barred by a statute of limitations, the case is currently pending, or there are pending appeal rights. Respondent has abandoned his or her law practice. <p><u>Abusive and/or Frivolous Litigants</u></p> <ol style="list-style-type: none"> Respondent has been judicially sanctioned for engaging in abusive or frivolous litigation and either: (a) respondent has engaged in a pattern of misconduct or (b) respondent is continuing to engage in abusive or frivolous litigation. <p><u>Unauthorized Practice of Law</u></p> <ol style="list-style-type: none"> Respondent has engaged in the unauthorized practice of law and either: (a) has caused harm to two or more unrelated victims, (b) has not returned illegal or unearned fees to two or more unrelated victims, or (c) has caused harm to a vulnerable victim, including but not limited to aged, incapacitated, infirm, disabled, incarcerated, immigrant persons, or minors. Respondent has aided and abetted the unauthorized practice of law by abdicating control of his law practice to non-lawyers, resulting in client harm. <p><u>Management Discretion</u></p> <ol style="list-style-type: none"> Other cases wherein management and/or a Supervising Attorney, in his or her discretion, concludes that respondent has caused serious harm; concludes that respondent has engaged in intentional ethical violations; or otherwise concludes the matter is appropriate for Priority One treatment. <p>Except for criterion 10, regarding the unauthorized practice of law, above, we will not designate a case Priority One unless the respondent is on active status or will be able to return to active status within one year.</p>

Expedited P2	<p>Matters included:</p> <ol style="list-style-type: none"> 1. All matters wherein an Expeditor or Intake Unit attorney, based on his or her experience, determines will likely close with a response from the respondent attorney. 2. All files that an Expeditor or Intake Unit attorney, based on his or her experience, believes contain insufficient information to determine whether a colorable charge exists and therefore requires further work, such as calling a complaining witness to obtain certain documents, before a trial counsel can make an informed decision about the need for further investigation. 3. All matters wherein a colorable charge exists but an Expeditor or Intake Unit attorney, based on his or her experience, determines that the matter will likely result in non-disciplinary actions, such as the issuance of warning letters or resource letters. 4. All non-Priority One matters wherein an Expeditor or Intake Unit attorney, based on his or her experience, determines that the matter can be resolved within 60 days of assignment. 5. All matters wherein the respondent has three or more open grievances or a current grievance and a history that includes five or more closed grievances within the past two years involving similar allegations, but those grievances do not rise to the level of the Priority One category. 6. Other matters wherein management and/or a Supervising Attorney, in his or her discretion, concludes the matter is appropriate for expedited treatment.
Standard P3	<p>All matters that do not fall into a different priority code.</p>