

83.6 ATTORNEY DISCIPLINE

(g) Reinstatement.

1. **After Disbarment or Suspension.** An attorney suspended for three months or less shall be automatically reinstated at the end of the period of suspension upon the filing with the Chief Judge of the Court an affidavit of compliance with the provisions of the order of suspension. An attorney suspended for more than three months or disbarred may not resume practice until reinstated by order of the Court.
2. **Time of Application Following Disbarment.** An attorney who has been disbarred, ~~after hearing or by consent~~, may not apply for reinstatement, without leave of Court, until the expiration of at least five years from the effective date of the disbarment.
3. **Deposit of Costs of Proceeding.** Petitions for reinstatement under this Rule shall be accompanied by an advance deposit, in an amount to be set from time to time by the Court, towards payment of anticipated costs of the reinstatement proceeding. The actual amount of the cost of the reinstatement proceeding shall be fixed by the Court at the conclusion of the proceeding.

4. **Petitions for Reinstatement.** Petitions for reinstatement by a disbarred attorney or an attorney suspended for more than three months under this Rule shall be filed with the Chief Judge of this Court. Upon receipt of the petition, the Chief Judge shall assign the petition to one or more judges of this Court to conduct appropriate proceedings and to recommend to the Court appropriate disposition. If the original disbarment or suspension resulted from the complaint of a judge of this Court, the petition for reinstatement shall be assigned to a judge or judges other than the complaining judge. In addition, the Court, after consulting with the judge or judges to whom the petition was assigned, may appoint counsel to investigate the petition on behalf of the Court.

If counsel is appointed under this Rule, the counsel appointed shall submit, within 45 days, a report and recommendation to the judge or judges to whom the petition has been assigned. After receipt of the report and recommendation of appointed counsel, the judge or judges to whom the petition has been assigned may schedule a hearing on the petition. If a hearing is scheduled, appointed counsel shall assure that all pertinent information bearing on the relief requested in the petition is presented to the Court. At the hearing, the disciplined attorney shall have the burden of demonstrating by clear and convincing evidence that the disciplined attorney has the necessary integrity, moral qualifications, and competency for readmission to practice before this Court. The judge or judges to whom the petition is assigned shall submit suggested findings and conclusions to the Court.