

§853. Proceedings on default or hearing

If such attorney fails to file that attorney's denial, the facts set forth in the information must be taken as confessed. If the justice finds that the facts so confessed are sufficient to disqualify the respondent from holding the office of attorney and counselor at law, or if, in case of denial, the justice upon hearing finds that any of the charges specified are true and that the acts proved are sufficient to disqualify the respondent, the justice shall give judgment accordingly, and shall enter a decree that the respondent be removed from the office of attorney and counselor at law in all the courts of the State and that the respondent's name be struck from the roll of attorneys. [RR 2021, c. 1, Pt. B, §27 (COR).]

If the justice upon the facts so confessed, or, in the case of denial, upon hearing, finds that any of the charges specified are true but that the acts proved are not sufficient to disqualify the respondent permanently from holding the office of attorney and counselor at law, the justice shall give judgment accordingly and may suspend such respondent from the practice of law for such period as the justice may consider appropriate, or impose such other disciplinary measures as the justice considers appropriate. [RR 2021, c. 1, Pt. B, §27 (COR).]

SECTION HISTORY

PL 1965, c. 309, §2 (AMD). RR 2021, c. 1, Pt. B, §27 (COR).

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