THE ATTORNEY DISCIPLINARY **COMPLAINT PROCESS**

The State Bar of California

1. Filing a Complaint

- **Submit your complaint online** or by mail.
- If you have *new* and *necessary* documents to add, you may email them to **Intake@calbar.ca.gov**.
- No fee to file.
- Anyone can file—you don't need to be a U.S. citizen.

2. Intake Review (Up to 60 Days)

- The **Office of Chief Trial Counsel** (OCTC) reviews your complaint and determines if it should be investigated.
- OCTC may contact you for more information.
- If no investigation is warranted, OCTC will close the complaint and explain why.

3. Investigation

- If an investigation is opened, an OCTC investigator is assigned and may contact you and other witnesses.
- Investigations can take time depending on the alleged misconduct.
- The accused attorney is usually informed and can respond.

4. Possible Outcomes Before Charges

- In some instances, OCTC may determine that misconduct occurred but should be resolved with an alternative to disciplinary charges.
- If no misconduct is found in the investigation or an alternative is sufficient, OCTC will close the complaint and send you a letter explaining why.

5. Filing Charges

- If charges are warranted, OCTC notifies the attorney and may hold a **Prefiling Settlement Conference** before a State Bar Court judge to attempt to resolve the matter.
- If unresolved, a **Notice of Disciplinary Charges** is publicly filed.
- OCTC can still resolve the case by a stipulation to discipline or an alternative to discipline at any point before or after filing.
- If OCTC resolves the case with an alternative to discipline, you will receive a letter explaining why.

6. Trial

- If unresolved, the case goes to the **State Bar Court** for trial.
- You may be called as a witness.
- After a trial, the court decides if misconduct occurred and recommends discipline.
- The State Bar Court can impose a reproval (the lowest form of discipline), but more severe discipline like a suspension or disbarment must be approved by the California Supreme Court.

7. Review of OCTC Closure Decisions

- If OCTC closes your complaint (before public charges), you can request a review from the **Complaint Review Unit** (CRU).
- Follow instructions in OCTC's closure letter.
- Submit a CRU request: CRU Submission Portal

Additional Notes

- Criminal conduct may be referred by OCTC to law enforcement.
- If you lost money due to attorney dishonesty, apply for reimbursement through the **Client Security Fund.**
- For nonattorneys practicing law without a license, file an **Unauthorized Practice of Law Complaint**.