

Rule 10. Conduct of Counsel

The conduct of counsel appearing before the Court shall be in accordance with rules of conduct prescribed pursuant to R.C.M. 109 by the Judge Advocate General of the service concerned. The Court, however, retains its authority to regulate counsel appearing before it, including the power to remove counsel from a particular case for misconduct in relation to that case or to punish counsel for contempt in accordance with Article 48, UCMJ, and Rule 28. Conduct deemed by the Court to warrant consideration of suspension from practice or other professional discipline shall be reported by the Court to the Judge Advocate General concerned.

Rule 10.1 Conduct of Counsel.

In addition to rules applicable in the respective jurisdictions of counsel appearing before the Court, the professional conduct of such counsel is governed by the current Manual for Courts-Martial, Rule 10 of this Court's rules, the United States Air Force Rules of Professional Conduct (AFRPC), the Air Force Standards for Civility in Professional Conduct, Air Force Standards for Criminal Justice, and the Model Rules of Professional Conduct of the American Bar Association to the extent they are consistent with the aforementioned Air Force rules and standards.

Rule 10.2 Reporting Requirements.

Any member of the Bar of this Court who is subjected to discipline that results in disbarment, suspension, or other loss of good standing in the Bar of any court of the United States or the District of Columbia, or by a court of any state, territory, commonwealth, or possession of the United States, shall notify the Clerk of the Court not later than 10 business days after the notification of such action. Likewise, any member of the Bar who is suspended from practice in courts-martial or another service court of criminal appeals or whose certification pursuant to Article 27(b), UCMJ, is withdrawn for cause shall notify the Clerk of the Court not later than 10 business days after such action.

Rule 10.3 Professional Misconduct.

(a) In addition to other actions that may be taken by the Court, allegations of professional misconduct, as defined by Rule 8.4 of the AFRPC, shall be referred to the appropriate professional authority in accordance with Rule 8.3 of the AFRPC and Department of the Air Force Instruction 51-110, *Professional Responsibility Program*, or its successor publication.

(b) If it appears that an attorney admitted to practice before this Court has engaged in conduct unbecoming a member of the Bar, has persistently or deliberately failed to comply with these rules or any other rule or order of the Court, or has engaged in misconduct as defined by Rule 8.4 of the AFRPC, the Court may enter an order affording the attorney an opportunity to show cause why the attorney should not be suspended from practice

before this court or why the matter should not be referred to the appropriate professional authority.