

**KENTUCKY BAR ASSOCIATION  
RULES OF THE SUPREME COURT OF KENTUCKY**

**PRACTICE OF LAW**

**SCR 3.285 Motion to reconsider or dismiss a charge**

(1) Either party may file a motion with the Inquiry Commission to reconsider or dismiss a charge prior to the case being submitted to the Trial Commissioner for determination of factual issues, or to the Board if it presents only a legal issue. However, the filing of such motion shall not delay the evidentiary hearing or the Board's consideration of the case.

(2) The motion shall be verified and shall state specifically the reasons why the matter should be reconsidered or dismissed and may be accompanied by supporting affidavits and exhibits. The motion shall be filed in the office of the Disciplinary Clerk no later than 30 days prior to the evidentiary hearing or the Board's consideration of the case. Any response shall be filed within 20 days of service of the motion. After a hearing of which the Respondent is given at least 5 days notice and an opportunity to be heard, the Commission shall rule on the motion at the next meeting of the issuing panel. No other motion to reconsider or dismiss shall be permitted in regard to the reconsideration of a charge by the Inquiry Commission, unless good cause is shown.

(3) Upon such reconsideration, the Inquiry Commission may dismiss a charge, issue a private admonition under SCR 3.185, or deny the motion and direct the Trial Commissioner to proceed with the hearing or refer the matter to the Board for action.

HISTORY: Amended by Order 2017-18, eff. 1-1-2018; prior amendments eff. 1-1-06 (Order 2005-10), 10-1-98 (Order 98-1), adopted by Order 87-1, eff. 1-1-88