must also be identified at the time of the initial appearance.


§ 1103.5 Discipline.

(a) A member of the Board’s bar may be subject to suspension, disbarment, or other disciplinary action if it is shown that the practitioner:

(1) Has been suspended or disbarred from practice in any court of record;

(2) Violated any of the Board’s rules including the Canons of Ethics set out in §§1103.10 through 1103.35; or

(3) Engaged in conduct unbecoming a member of the bar of the Board.

(b) The practitioner will be afforded an opportunity to show why he should not be suspended, disbarred, or otherwise disciplined. Upon the practitioner’s timely response to the show cause order after any requested hearing, or upon failure to make a timely response to the show cause order, the Board shall issue an appropriate decision.

Subpart B—Canons of Ethics

§ 1103.10 Introduction.

The following canons of ethics are adopted as a general guide for those admitted to practice before the Surface Transportation Board. The practitioners before the Board include (a) lawyers, who have been regularly admitted to practice law and (b) others who have fulfilled the requirements set forth in §1103.3. The former are bound by a broad code of ethics and unwritten rules of professional conduct which apply to every activity of a lawyer. The canons do not release the lawyer from any of the duties or principles of professional conduct by which lawyers are bound. They apply similarly to all practitioners before the Board, but do not negate the applicability of other ethical codes. The canons are organized under three headings, The Practitioner’s Duties and Responsibilities to the Board, The Practitioner’s Duties and Responsibilities to the Client, The Practitioner’s Duties and Responsibilities to Other Litigants, Witnesses and the Public.

§ 1103.13 Attempts to exert political or personal influence on the Board are prohibited.

(a) It is unethical for a practitioner to attempt to influence the judgment of the Board by threats of political or personal reprisal.

(b) Marked attention and unusual hospitality on the part of a practitioner to a Board Member, administrative law judge, or other representative of the Board, which is unwarranted by the personal relationship of the parties, is subject to misconception of motive and should be avoided.