

**Supreme Court**

In re Amendment to Article II, Rule 2 of the :  
Supreme Court Rules of Admission to :  
Practice Law :  
(Attorney admitted in other states). :

**ORDER**

Article II, Rule 2 of the Supreme Court rules is hereby amended to read as follows:

**“Attorney admitted in other states.** - A person who has been admitted as an attorney of the highest court of any state, district or territory of the United States for at least five (5) years who applies for admission in this State shall only be required to take the essay portion of the Rhode Island Bar Examination upon the applicant's compliance with the following conditions:

(a) He/She shall file a written application, under oath, with the Clerk's Office and shall satisfy the board that he or she meets the requirements of subdivisions (a), (b), and (c) of Rule 1;

(b) He/She has been engaged in the active practice of law ~~therein~~, for at least five (5) years of the last ten (10) years immediately preceding filing of this application;

(c) He/She has been engaged in the teaching of law for at least five (5) years of the last ten (10) years immediately preceding the filing of his or her application;

(d) Said applicant shall provide the court with a certificate of admission from the highest judicial court of such state, district or territory; of which he/she is admitted.

(e) Any attorney who is a member of the bar of the highest judicial court of a state, district or territory of the United States who seeks to be admitted to practice before the courts of this state in cases in which he/she is associated with an organized and Supreme Court approved program providing legal services to indigents may be admitted to practice upon filing with this court a written application, under oath, in the clerk's office and after satisfying the Board of Bar Examiners that he/she is a member in good standing of said court and he/she is or will be associated with such a program. Approval by this court may be granted to programs providing legal services to indigents which programs are either (1) funded in whole or in part by the federal government or by the Rhode Island Bar Foundation or (2) sponsored by a law school accredited and approved by the American Bar Association or (3) sponsored by the office of the Rhode Island Public Defender.

Any attorney who is a member of the bar of the highest judicial court of a state, district or territory of the United States who seeks to be admitted to practice before the courts of this state in cases in which he/she is associated

with the Department of Attorney General may be admitted upon petition of the Attorney General to this court to serve as special counsel for good cause shown and after satisfying the Board of Bar Examiners that he/she is a member in good standing of said court and he/she is or will be associated with the Department of Attorney General.

Admission to practice under this subdivision shall cease to be effective whenever the attorney is no longer associated with the Attorney General or with such a program and in no event shall permission to practice under this subdivision remain in effect longer than two (2) years for any individual invoking its provisions.

Permission to practice with such approved programs which has been previously given by this court to certain individuals shall remain in effect no longer than two (2) years from the date of the issuance of this order.

Time spent practicing law pursuant to the authority of this subdivision shall not be used to satisfy the requirement of subdivision (b) herein.”

(f) Any attorney who is a member of the bar of the highest judicial court of a state, district, or territory of the United States, who is on active duty with any one of the armed services in the state of Rhode Island, ~~may appear in any court of the State of Rhode Island with the written authorization of~~ be admitted to practice before the courts of this state upon petition of the senior legal officer of such service on active duty within the service district which includes the State of Rhode Island, to represent in civil or criminal causes junior non-commissioned officers and enlisted personnel of such service who might not otherwise be able to afford proper legal assistance. Such an attorney shall conduct himself/herself as a member of the bar of this Court, with all of its obligations, including Articles III (Disciplinary Procedures), IV (Periodic Registration of Attorneys and Mandatory Continuing Legal Education Regulations) and V (Rules of Professional Conduct) of these rules.

~~A copy of each such written authorization, which may be general and not confined to a particular case, shall be filed by the senior legal officer with the Clerk of the Supreme Court of the State of Rhode Island and shall be updated annually by such officer or his or her successor.~~

Admission to practice under this subdivision shall cease to be effective immediately upon separation from active duty in the armed services or transfer from Rhode Island.

Time spent practicing law pursuant to the authority of this subdivision shall not be used to satisfy the requirements of subdivision (b) herein.

(g) Any attorney who is a member in good standing of the bar of the highest judicial court of a state, district or territory of the United States, who is on extended active duty with the Rhode Island National Guard or who is on duty as a member of the Rhode Island National Guard and assigned to a Judge Advocate General position, may provide legal services pursuant to a legal assistance program established under 10 U.S.C. § 1044 and may appear before any court, tribunal, commission, board, department, or agency of the State of Rhode Island ~~with the written~~

authorization upon petition of the State Judge Advocate of the Rhode Island National Guard, to represent the Rhode Island National Guard, its officers, members, and employees acting in their official capacities. Such an attorney shall be considered to be a member of the bar of this Court during such service.

~~A copy of each written authorization, which may be general and not confined to a particular case, shall be filed by the senior legal officer with the Clerk of the Supreme Court of the State of Rhode Island and shall be updated annually by such officer or his or her successor.~~

Admission to practice under this subdivision shall cease to be effective immediately upon separation from the Rhode Island National Guard.

Time spent practicing law pursuant to the authority of this subdivision shall not be used to satisfy the requirements of subdivision (b) herein.”

Entered as an Order of this Court this 5<sup>th</sup> day of *November 2012*.

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/s/  
Suttell, C. J.

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/s/  
Goldberg, J.

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/s/  
Flaherty, J.

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/s/  
Robinson, J.

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/s/  
Indeglia, J.