

## Supreme Court

In re Amendment to Article IV, Rule 1 :  
(Periodic Registration of Attorneys – :  
Conversion to RISCAP – Reinstatement to :  
the Master Roll of Attorneys) :

### ORDER

**Section 1.** In 2014, this Court launched the first online portal for annual attorney registration. By Order dated April 27, 2015, use of the online attorney portal for submitting annual attorney registrations became mandatory. Since its launch, the online attorney portal has proven to be an easy, safe, and efficient way for attorneys to file their annual attorney registrations and to keep the Supreme Court and the lower courts updated as to changes in attorney registration information.

Since 2015, the Rhode Island Supreme Court Clerk’s Office and the Judicial Technology Center have been developing a new enhanced Rhode Island Supreme Court Attorney Portal (RISCAP) to replace the existing online attorney portal for attorney-licensing needs. On March 27, 2017, RISCAP, which is available at <https://rhodeisland.tylerhost.net/TylerFamis/UserAccount/Register>, was launched successfully for the filing of electronic bar applications. The RISCAP will replace the existing attorney portal for attorney registration<sup>1</sup> and will also offer new online services such as requesting certificates of good standing, applying for reinstatement, and petitioning to resign from the bar.

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<sup>1</sup> Attorneys seeking payment for indigent defense services and to submit Mandatory Continuing Legal Education credits will continue to use the existing Supreme Court Attorney Portal, which has been renamed as the *Mandatory Continuing Legal Education (MCLE) and Payment for Indigent Defense Services Portal*, not RISCAP.

As of the date of this Order, use of RISCAP for the attorney services it offers is mandatory.

**Section 2.** Article IV, Rule 1 of the Supreme Court Rules on Periodic Registration of Attorneys is hereby amended to read as follows:

**“Rule 1. Periodic registration of attorneys.** - (a) Every person who has been admitted to the bar of Rhode Island and who maintains active status in this State shall ~~on or before July first of every year~~ between April first and July first, or within three (3) months of ~~his or her becoming subject to these rules by admission taking the oath of attorney~~, pay a registration fee of ~~two hundred dollars (\$200.00)~~ and file a completed annual attorney registration statement prescribed by the Clerk of the Supreme Court.

(b) The annual attorney registration statement will contain a provision whereby the attorneys must certify that they have read and are complying with Article V, Rule 1.15 of the Rules of Professional Conduct (Safekeeping property) and whether they are currently covered by professional liability insurance. Each attorney ~~It shall be the responsibility of each attorney~~ to notify the Clerk of the Supreme Court of any change in the information previously submitted on the annual attorney registration statement within thirty (30) days of such change.

(c) Any attorney who discontinues the practice of law in this State may elect to change the attorney's ~~his or her~~ status to inactive. Inactive attorneys shall pay an annual registration fee of ~~fifty dollars (\$50.00)~~. Inactive attorneys will no longer be eligible to practice law in this State but shall continue to register annually with the Court for as long as the attorney ~~he or she~~ remains inactive.

Upon assuming inactive status, an attorney shall be removed from the rolls of those classified as active until and unless the attorney ~~he or she~~ is granted ~~requests~~ reinstatement to the active rolls and pays ~~for the year of reinstatement the fee imposed for active attorneys~~ required by these rules and complies with any outstanding continuing legal education requirements.

(d) The name of any person who has not on or before July first filed the current annual registration statement and paid the annual attorney registration fee shall be assessed a ~~one hundred and twenty five dollar (\$125.00)~~ late fee and shall be removed from the Master Roll of Attorneys. Any person whose name is not on the Master Roll and who practices law or who holds himself or herself out in any manner to the public or to another person as being competent, qualified, authorized, or entitled to practice law in this State is engaged in the unauthorized practice of law and may be subject to the disciplinary procedures of this Court.

(e) ~~An attorney whose name has been removed from the Master Roll for failure to comply with this rule may be reinstated upon filing the registration statement in addition to payment of the appropriate annual registration fees, including the late fee, plus reimbursement of the costs of collection, except as hereinafter provided.~~

Any attorney whose name has been removed from the Master Roll for

failure to comply with this rule, and/or who has been suspended from the practice of law for non-payment of Bar Association dues, has been removed from the Master Roll for failure to comply with Rule 3 (Mandatory Continuing Legal Education), or who has been on inactive status and wants to return to active status, for a period in excess of six (6) months, shall file an application with this Court seeking reinstatement and provide a copy to this Court's Disciplinary Counsel.

If an applicant seeking reinstatement was removed from the Master Roll for failure to register or comply with Rule 3 (Mandatory Continuing Legal Education), suspended for non-payment of Bar Association dues, or inactive, for a period of six (6) months or more, the applicant for reinstatement shall submit an affidavit attesting that the applicant has not been disciplined in this or any other jurisdiction, that the applicant is not the subject of any pending disciplinary charges, and that the applicant is not aware of any reason why the application should not be granted.

Disciplinary Counsel and the Mandatory Continuing Legal Education Office shall provide this Court with a Report and Recommendation on the application within thirty (30) days.

Reinstatement to active status from inactive status requires payment of a \$200 fee.

Applications for reinstatement to the Master Roll after having been removed from active status for failing to register for a period of less than six (6) months requires payment of a \$325 fee; and, applications for reinstatement to the Master Roll after having been removed from inactive status for failing to register for a period of less than six (6) months requires payment of a \$175 fee.

Applications for reinstatement to active or inactive status after having been removed from the Master Roll for failing to register or comply with Rule 3 (Mandatory Continuing Legal Education) or suspended for non-payment of Rhode Island Bar Association dues for a period of six (6) months to three (3) years requires payment of a \$375 fee; and, applications for reinstatement to active or inactive status after having been removed from the Master Roll for failing to register or comply with Rule 3 (Mandatory Continuing Legal Education) or suspended for non-payment of Bar Association dues for a period in excess of three (3) years requires payment of a \$525 fee.

Applications for reinstatement within six (6) months of suspension for non-payment of bar dues, taking inactive status, or removal may be granted by rule of court. All other applications for reinstatement shall be forwarded to the Court for consideration.

(f) An attorney who wishes to resign from the practice of law in this State shall follow the procedures set forth in Article III, Rule 23 (Resignation). An attorney who resigns or who has been subject to disciplinary action shall continue to file annual attorney registration statements update the attorney's registration information with the Court for five (5) years thereafter in order that the attorney can be located in the event complaints are made about the attorney's ~~his or her~~ conduct while the attorney ~~he or she~~ was engaged in practice in this State. Any attorney who has been subject to disciplinary action who seeks reinstatement shall proceed under Article III, Rule 16 (Reinstatement).

(g) An attorney in the practice of law in another jurisdiction and who is removed from the Master Roll for a period in excess of six (6) months shall, in addition to any other prerequisite contained in these rules before being returned to the Master Roll, first provide to this court a certificate from the appropriate disciplinary tribunal of the jurisdiction in which the attorney~~he or she~~ has been practicing law that (a) the attorney~~he or she~~ is a member in good standing of the bar in such jurisdiction, and (b) that no disciplinary action is pending against the attorney~~him or her~~ in the other~~said~~ jurisdiction.

(h) Members of the State and Federal judiciary are exempt from compliance with this rule.

(i) The annual attorney registration statements, registration fees, and changes to attorney registration information that must be submitted to the Court pursuant to this rule shall be submitted via the Rhode Island Supreme Court Attorney Portal, except that a single payment from an employer for five (5) attorneys or more may be submitted manually to the Court with confirmation, on the form prescribed by the Clerk of the Supreme Court, that each attorney for which payment is being submitted has updated the attorney's~~his/her~~ registration information on the Attorney Portal.

(j) Any attorney who is unable to comply with these requirements due to illness, financial, or personal difficulties, may petition the Court, with proper documentation, for an exemption to this rule. For an exemption to the electronic filing requirements in subsection (i) of this rule, an attorney may petition the Court in accordance with the waiver process as set forth in Article X, Rule 3(c).

(k) All funds collected pursuant to this rule and Rule 1A shall be deposited in a separate account entitled "Supreme Court Disciplinary Account" and shall be disbursed by the State Court Administrator upon the order of the Chief Justice."

Entered as an Order of this Court this *9th* day of *October 2018*.

\_\_\_\_\_/s/  
Suttell, C. J.

\_\_\_\_\_/s/  
Goldberg, J.

\_\_\_\_\_/s/  
Flaherty, J.

\_\_\_\_\_/s/  
Robinson, J.

/s/

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Indeglia, J.