

LICENSING OF ATTORNEYS

Pursuant to the Vermont Constitution, the Rules providing for the Licensing of Attorneys are amended to read as follows (new matter underlined, deleted matter overstruck):

§ 1. An attorney admitted to the Bar of the Supreme Court shall file on or before July first of every other year a licensing statement on a form prescribed by the Court Administrator and shall pay the sum of four hundred and ten dollars as a licensing fee to practice law for a two-year period unless at that time there is in effect a claim of exemption as provided in § 5, infra. Attorneys electing not to relicense online must pay an extra ten dollars to file the relicensing documents for a total of four hundred and twenty dollars as a licensing fee.

* * * * *

§ 5. Inactive status shall be claimed by submission on or before July first of every other year a fully completed licensing statement on a form prescribed by the Court Administrator and a licensing fee. The fee for being on inactive status for a two-year period shall be ~~\$150.00~~ \$160.00; those persons listed in subsections (b) and (e) below shall be exempt from the payment of the fee and the submission of the licensing statement. Attorneys electing not to relicense online must pay an extra ten dollars to file the relicensing documents for a total of \$170.00 as a licensing fee. The following persons admitted to the Bar of the Supreme Court shall be eligible for inactive status:

- (a) Any attorney not engaged in the practice of law who does not desire to assume active status;
- (b) Any justice or judge during active service in office who is prohibited from the practice of law;
- (c) Any attorney or judge whose permanent residence is outside the State of Vermont and who does not practice law within this state;
- (d) Any attorney while on extended active duty in the uniformed services of the United States, and for ninety days thereafter; and
- (e) Any justice or judge who is on state judicial retirement and does not practice law.

Board's Statement of Intent 2010 Amendment

The addition of ten dollars to the bi-annual licensing fees for those who use the online licensing service reflects the additional cost of processing attorney licensing electronically, which includes credit card and Automated Clearing House (ACH) processing fees as well as the internet portal service provider fee. The addition of twenty dollars to the bi-annual licensing fees for those who do not use the online licensing service reflects the additional cost of hiring a temporary employee during the relicensing period to process attorney licensing forms and payment through the postal service.

The online licensing service provides for the updated licensing and payment information to be electronically entered into the judiciary's database and deposits payments directly to the bank. Processing paper documents and payment necessitates the hiring of a temporary employee to manually enter the updated information into the computer database and extra steps involved in depositing the money into the bank.

The Chief Justice is authorized to report this amendment to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Pursuant to A.O. 11, § 9, the Court finds that this amendment must be promulgated without resort to the notice and comment procedures in order to implement the changes for the upcoming relicensing period beginning May 1 - July 1, 2010. The Court Administrator is directed to consider and report to the Court pursuant to Administrative Order No. 11 by September 30, 2010, on any comments that may be received on this emergency amendment.

This amendment shall become effective on May 1, 2010. The Board's Statement of Intent is advisory.

Done in Chambers at Montpelier, Vermont this 31st day of March, 2010.

Paul L. Reiber, Chief Justice

John A. Dooley, Associate Justice

Denise R. Johnson, Associate Justice

Marilyn S. Skoglund, Associate Justice

Brian L. Burgess, Associate Justice