

Supreme Court

In re Amendments to Article II of the :
Supreme Court Rules :
(Temporary Admission of Military Spouse :
Attorneys).

O R D E R

Article II of the Supreme Court Rules on Admission of Attorneys and Others to Practice Law are hereby amended as follows:

Rule 2. Attorney Admitted in Other States.

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(c) *Admission while on active duty with the armed services – Temporary admission of military spouse attorneys.* (1) Member of the Armed Services. 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 be admitted to practice law in this state upon electronically filing the Petition for Temporary/Limited Admission to the Rhode Island Bar available on the Rhode Island Supreme Court Attorney Portal and after satisfying this Court that the attorney is a member in good standing of said court. Admission under this subdivision is limited to representing civil or criminal causes, junior noncommissioned officers, and enlisted personnel of such service who might not otherwise be able to afford proper legal assistance. The petition shall be filed with a statement from the senior legal officer on active duty with the division of armed services in the district for the State of Rhode Island certifying the proposed placement of the attorney and that the proposed placement meets the requirements of this rule.

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

(2) Spouse of Member of the Armed Services. 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 graduated from a law school accredited and approved by the American Bar Association, who has been engaged in the full-time active practice of law for at least one (1) year, and whose spouse is on active duty with any one of the armed services and is stationed in the State of Rhode Island may be admitted to practice law in this state upon electronically filing the Petition for Temporary/ Limited Admission to the Rhode Island Bar available on the Rhode Island Supreme Court Attorney Portal. Attorneys who have previously failed the Rhode Island Bar Examination are not eligible for admission under this rule. Admission under this rule shall terminate and the attorney shall cease the practice of law in Rhode Island three (3) years from the date of admission. The three (3)

years shall be inclusive of any time admitted under Article II, Rules 2(b) - (e) and 9(b) of the Rhode Island Supreme Court Rules. Additionally, admission under this rule shall terminate sixty (60) days after any of the following events:

- (i) The spouse's separation or retirement from the armed services;
- (ii) The spouse's transfer to another jurisdiction, unless the spouse's assignment specifies that the Department of Defense does not allow the attorney to accompany the service member, in which case the attorney upon petition to the Supreme Court may continue to practice law in Rhode Island as provided in this rule;
- (iii) The marriage terminates due to death or divorce;
- (iv) The attorney fails to meet the annual licensing requirements for an active attorney licensed to practice law in Rhode Island, including any and all continuing legal education requirements;
- (v) Upon the attorney's written request;
- (vi) The attorney is admitted to practice law in Rhode Island under any other admission rule; or
- (vii) Upon notice by the Supreme Court at any time.

(3) The conduct of such attorneys admitted under these subdivisions shall conform to the conduct expected of members 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. Admission to practice under these subdivisions shall cease to be effective immediately upon the service member's separation from active duty in the armed services or transfer from Rhode Island. Time spent practicing law pursuant to the authority of these subdivisions shall not be used to satisfy the requirements of subdivision (a) herein.

Entered as an Order of this Court this *15th* date of *October 2020*.

/s/
Suttell, C. J.

/s/
Goldberg, J.

/s/
Flaherty, J.

/s/
Robinson, J.