

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **PROMULGATION No. 2014-001**
)
)
AMENDMENTS TO THE RULES)
GOVERNING ADMISSION TO THE)
VIRGIN ISLANDS BAR AND THE)
SCHEDULE OF FEES APPLICABLE TO)
ALL FILINGS BEFORE THE SUPREME)
COURT OF THE VIRGIN ISLANDS.)
_____)

ORDER OF THE COURT

This Court, pursuant to the authority granted to it by section 21(c) of the Revised Organic Act of 1954, as amended, and title 4, sections 32(e), 32(f)(2), and 34(a) of the Virgin Islands Code, as well as its inherent authority, hereby proposes the following amendments to the Rules Governing Admission to the Virgin Islands Bar, as well as this Court’s Schedule of Fees. Accordingly, it is hereby

ORDERED that Supreme Court Rule 201(b) is **HEREBY AMENDED** to add the following sentence at the conclusion of all existing language:

Each application for *pro hac vice* admission shall be accompanied by a fee of \$350.00, of which \$100.00 shall be retained by the clerk as a filing fee and the remaining \$250.00 remitted to the Committee of Bar Examiners to defray its costs in administering this Rule. Applicants shall submit two checks or money orders, one for \$100.00 payable to the Clerk of the Supreme Court and the other \$250.00 payable to the Committee of Bar Examiners.

It is further

ORDERED that Supreme Court Rule 202(a) is **HEREBY AMENDED** to add the following sentence at the conclusion of all existing language:

Each application for special admission shall be accompanied by a fee of \$350.00, of which \$100.00 shall be retained by the clerk as a filing fee and the remaining \$250.00 remitted to the Committee of Bar Examiners to defray its costs in administering this Rule. Applicants shall submit two checks or money orders,

one for \$100.00 payable to the Clerk of the Supreme Court and the other \$250.00 payable to the Committee of Bar Examiners.

It is further

ORDERED that Supreme Court Rule 202(c) is **HEREBY AMENDED** to add the following sentence at the conclusion of all existing language:

Attorneys specially admitted under this Rule must at all times remain an active member in good standing of the Bar of the highest court of a state, the District of Columbia or a commonwealth, territory or possession of the United States, failing which this Court may revoke their special admission without further notice.

It is further

ORDERED that Supreme Court Rule 204(c) is **HEREBY AMENDED** by striking the existing language in its entirety and designating the following language as the new Supreme Court Rule 204(c):

- (1) A timely application for regular admission to the Virgin Islands Bar shall be made electronically to the Supreme Court no later than December 1 for the February administration or May 1 for the July administration, and shall be accompanied by a fee of \$1,100.00, which shall not be refunded if the application is withdrawn, if the applicant loses or fails to submit the character questionnaire, or if the Bar Examination is not taken as scheduled, except for good cause shown. \$100.00 of the \$1,100.00 fee shall be retained by the clerk as a filing fee and the remaining \$1,000.00 shall be remitted to the Committee of Bar Examiners to defray the local costs of examinations, investigations and administration. Applicants shall submit two checks or money orders, one for \$100.00 payable to the Clerk of the Supreme Court and the other \$1,000.00 payable to the Committee of Bar Examiners.
- (2) The Court will entertain an untimely application if filed no later than January 2 for the February administration or June 1 for the July administration, provided that the application is accompanied by a \$250.00 late fee, which shall be retained by the Committee of Bar Examiners. No application for regular admission shall be accepted after these late filing deadlines.
- (3) In addition to the aforesaid fees, each applicant will be responsible for paying all ancillary fees, including the fees for sitting for the Multi-State Professional Responsibility Examination (MPRE) and for undergoing the character and fitness investigation by the National Conference of Bar Examiners (NCBE), directly to the pertinent agency.
- (4) The clerk shall open a bar admissions file for each application, assign a case number, and refer the application to the Director of Bar Admissions of the

- Supreme Court, who shall coordinate the processing of the application with the Committee of Bar Examiners.
- (5) No application to the V.I. Bar may be filed by anyone who has been disbarred, suspended or sanctioned, without reinstatement or exoneration, or who is under pending disciplinary action by the Bar of any State, District or Territory of the United States or any foreign jurisdiction, or any Federal Court.

It is further

ORDERED that Supreme Court Rule 204(h)(1) is **HEREBY AMENDED** by striking the phrase “two hundred dollars (\$200.00)” and replacing it with the phrase “five hundred dollars (\$500.00)”. It is further

ORDERED that Supreme Court Rule 206(b)(2) is **HEREBY AMENDED** by adding the following new language at the conclusion of all existing language:

Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Applicants shall submit one check or money order payable to the Clerk of the Supreme Court, as well as proof that the remaining \$100.00 had been paid directly to the Virgin Islands Bar Association.

It is further

ORDERED that Supreme Court Rules 206(b)(3) and (4) are **HEREBY STRICKEN** in their entirety. It is further

ORDERED that Supreme Court Rule 206(c) is **HEREBY AMENDED** by adding the following new language at the conclusion of all existing language:

An application to voluntarily resign from the Bar shall be electronically filed with the court, and be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Applicants shall submit one check or money order payable to the Clerk of the Supreme Court, as well as proof that the remaining \$100.00 had been paid directly to the Virgin Islands Bar Association.

It is further

ORDERED that Supreme Court Rule 206(d) is **HEREBY AMENDED** by inserting the phrase “become inactive or” between the words “has” and “voluntarily” and adding the following new language at the conclusion of all existing language:

Each application for reinstatement shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Applicants shall submit one check or money order payable to the Clerk of the Supreme Court, as well as proof that the remaining \$100.00 had been paid directly to the Virgin Islands Bar Association.

It is further

ORDERED that, upon the effective date of these proposed amendments, the Schedule of Fees Applicable to All Filings Before the Supreme Court **SHALL BE AMENDED** to reflect the new and updated filing fees set forth in the amended Rules 201, 202, 204, and 206. It is further

ORDERED that, pursuant to Supreme Court Rule 37, the public as well as members of the local Bench and bar **MAY SUBMIT WRITTEN COMMENTS** on these proposed amendments to the Clerk of the Court within thirty (30) days of entry of this order. It is further

ORDERED that the proposed amendments **SHALL TAKE EFFECT** on March 1, 2014, and **SHALL REMAIN IN EFFECT** unless modified as a result of comments from the public and the local Bench and bar. It is further

ORDERED that copies of this order be directed to the appropriate parties.

SO ORDERED this 15th day of January, 2014.

/s/ Ive Arlington Swan
IVE ARLINGTON SWAN
Associate Justice

/s/ Maria M. Cabret
MARIA M. CABRET
Associate Justice

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

ATTEST:
VERONICA J. HANDY, ESQ.
Clerk of the Court