

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE: ORDER ADOPTING)
RULE FOR SPECIAL ADMISSION)
TO THE VIRGIN ISLANDS BAR)
_____)

PROMULGATION ORDER
NO. 07-00 9

ORDER

Pursuant to the provisions of Section 21(c) of the Revised Organic Act of 1954, as amended, (48 U.S.C. § 1611(c)) and 4 V.I. Code Ann. §§ 32(e) and 34, regarding the Rules governing admission of persons to the practice of law in the Virgin Islands, it is hereby

ORDERED that a new Rule of the Supreme Court of the Virgin Islands to be titled "Rule 202. Special Admission" governing attorneys specially admitted to represent governmental agencies is hereby adopted which shall read as follows:

"Rule 202. Special Admission

(a) Any person employed or about to be employed as an attorney by the Government of the Virgin Islands, its branches, departments, agencies and instrumentalities, the United States, Legal Services of the Virgin Islands, Disability Rights Center of the Virgin Islands or VIVA for Children, Inc., may be admitted specially without written examination and only for the purposes of such employment if, upon application, the Supreme Court determines that the person meets the qualifications of regular active admission except for having passed the Virgin Islands Bar examination; and is (1) admitted to practice in the highest court of a state, the District of Columbia or a commonwealth, territory or possession of the United States and (2) is otherwise professionally, morally and ethically qualified for admission to the Bar of the Virgin Islands and the admission of such person would be in the best interest of the Territory.

(b) In every case, the burden shall be upon the person seeking admission pursuant to this rule to establish to the satisfaction of the court his or her qualifications for admission. An application must be made upon a motion by the hiring authority, supported by the applicant's declaration demonstrating his or her qualifications for admission. Additionally, the applicant must provide the court current certificates of good standing bearing the original seal of the highest court from each jurisdiction to which he or she is admitted. A certificate of good standing from a bar association in and of itself is not sufficient for a Special Admission. An applicant for special

admission must satisfy the same education and fitness requirements as any other applicant seeking permanent regular active admission to the Virgin Islands Bar. The court may require the submission of such other information as might be deemed necessary to satisfy itself as to the attorney's fitness to practice specially before the courts of the Virgin Islands.

(c) An admission issued pursuant to this rule shall state its special nature and it shall terminate automatically when the person ceases to be employed by the petitioning agency or instrumentality of the Government of the Virgin Islands, Legal Services of the Virgin Islands, the Disability Rights Center of the Virgin Islands, VIVA for Children, Inc., or the United States, fails to remain in good standing in each jurisdiction of admission, or as provided herein. While admitted under this rule, a person shall be classified as an active member of the Bar of the Virgin Islands with all the responsibilities and privileges thereof but shall not be considered a regular member of the Virgin Islands Bar or hold himself out as such. An attorney admitted under this rule shall, upon receipt of the order of admission by the Court, register with the Virgin Islands Bar Association and pay all appropriate membership dues and licensing fees prior to engaging in the active practice of law in the Virgin Islands. Failure to immediately register and pay as required may result in the revocation of the special admission, the filing of an ethics violation in the jurisdictions to which the attorney is admitted, and any other appropriate action. An attorney specially admitted under this rule shall at all times be subject to the direction and control of the moving instrumentality, department or agency, which shall immediately notify the court of the termination of the attorney's employment.

(d) The special admission provided by this rule shall expire after two (2) years unless the special admittee takes the required portions of the Virgin Islands Bar examination within that time and will, in any event, expire no later than three (3) years after the date of such special admission.

(e) An attorney serving as a specially admitted attorney on the effective date of this rule, who was specially admitted under prior versions of this rule, or under any previous provision of Virgin Islands law allowing the special admission of government attorneys, shall:

(1) be permitted to practice as a special admittee for a period not exceeding four (4) years after the effective date of this rule;

(2) if specially admitted for not less than five years as of the effective date of this rule, be permitted to take and pass only the essay portion of the Virgin Islands Bar Examination in satisfaction of the bar examination requirement for regular admission to the Virgin Islands Bar. The special admittee must also satisfy all other regular admission requirements including character fitness and the Multistate Professional Responsibility Examination (MPRE);

(3) if specially admitted for not less than five years as of the effective date of this rule and such attorney would not be eligible to sit for the Virgin Islands Bar Examination as a result of not having graduated from an ABA approved law school, be permitted to sit for the Virgin Islands Bar Examination or portion thereof despite such requirement;

(4) if specially admitted for not less than ten years as of the effective date of this rule, be permitted to practice as a special admittee indefinitely, provided that the employment continues with the moving department or agency or a substitute department or agency if accomplished within ninety days of termination of employment with the prior moving department or agency.

(f) For purposes of the time limits established in subsections (d) and (e), the effective date of this rule shall be September 1, 2007.”

DONE AND SO ORDERED this 9 day of August, 2007.

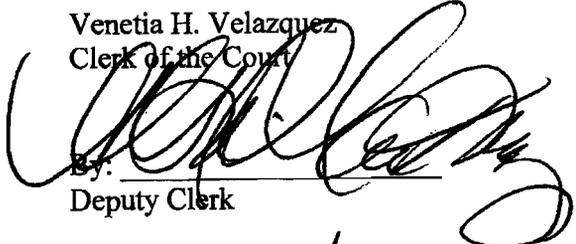

IVE ARLINGTON SWAN
Associate Justice


MARIA M. CABRET
Associate Justice


RHYS S. HODGE
Chief Justice

ATTEST:

Venetia H. Velazquez
Clerk of the Court


By: _____
Deputy Clerk

Dated: 8/9/07