

Part Six of the Rules of the Supreme Court of Virginia

10. Promulgation of Legal Ethics and Unauthorized Practice of Law Opinions and Rules of Court

Informal Staff Opinions of Ethics Counsel; and Complaints of Unauthorized Practice of Law. —

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10-2. ADVISORY OPINIONS OR RULES.

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C. Notice and Comments. The Committee shall provide Notice and opportunity for public comment on proposed Advisory Opinions or proposed Rules. Public comments shall be directed to the Executive Director of the Virginia State Bar. For proposed Advisory Opinions, the Committee will consider any comments received and either ~~publish~~ adopt, modify or withdraw the opinion as an Advisory Opinion. If the Advisory Opinion is adopted or modified, the Committee shall ~~or~~ ask for Council review in accordance with section 10-3. Advisory Opinions express the judgment of the Committee and are not binding on any judicial or administrative tribunal. In the case of a Rule, the Committee will consider any comments received and then submit the Rule to Council for consideration in accordance with section 10-3.

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10-3. ADVISORY OPINION OR RULE CONSIDERATION BY COUNCIL.

A. Review. After considering all materials and written comments, Council may approve, modify, or disapprove any Advisory Opinion or Rule by a majority vote of those present and voting. If Council approves or modifies an Advisory Opinion or Rule, it shall ~~may~~ be ~~published~~ as an ~~Advisory Opinion of the Bar and have the same legal effect as a Committee issued opinion.~~ Council may determine to submit the Advisory Opinion or Rule ~~sent~~ to the Court for review along with copies of all public comments.

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Amended October 30, 2015, effective immediately.