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# SUPREME COURT OF VIRGINIA



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May 29, 2009

Karen A. Gould, Esq.  
Executive Director and Chief  
Operating Officer  
Virginia State Bar  
Eighth and Main Building  
707 East Main Street, Suite 1500  
Richmond, Virginia 23219-2803

Professor Kent Sinclair  
Reporter of Decisions  
Supreme Court of Virginia  
1928 Arlington Boulevard  
Suite 104  
Charlottesville, Virginia 22903-1561

Ms. Betsy Groeschel  
Legal Analyst  
Michie Company  
P. O. Box 7587  
Charlottesville, Virginia 22905-7587

Dear Ms. Gould, Professor Sinclair and Ms. Groeschel:

Enclosed herewith for each of you is a copy of the following:

Amendment to Paragraph 19, Section IV of the Rules for Integration of the Virginia State Bar, Part Six of the Rules of Court. (August 1, 2009).

Amendment to Paragraph 13, Section IV of the Rules for Integration of the Virginia State Bar, Part Six of the Rules of Court. (August 1, 2009).

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Patricia L. Harrington'.

Patricia L. Harrington  
Clerk

PLH:srd

Enclosure

cc: Edward L. Davis, Esq.

## VIRGINIA:

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on* Friday *the* 29th *day of* May, 2009.

On March 23, 2009 came the Virginia State Bar, by Manuel A. Capsalis, its President, and Karen A. Gould, its Executive Director and Chief Operating Officer, and presented to the Court a petition, approved by the Council of the Virginia State Bar, praying that Paragraph 19, Section IV, of the Rules for Integration of the Virginia State Bar, Part Six of the Rules of Court, be amended to read as follows:

**19. Procedure for the Administrative Suspension of a Member.**

Whenever it appears that a member of the Virginia State Bar has failed to comply with any of the Rules of Court relating to such person's membership in the bar, the Secretary-Treasurer shall mail a notice to the member advising of the member's noncompliance and demanding (1) compliance within sixty (60) days of the date of such notice and (2) payment of a delinquency fee of \$50, for each Rule violated, provided, however, that the delinquency fee for an attorney who does not comply with the timely completion requirements of Paragraphs 13.2 and 17(C) of these rules shall be \$100, and the delinquency fee for an attorney who does not comply with the certification requirements of Paragraphs 13.2 and 17(D) of these rules shall be \$100, and shall increase by \$100 on February 1 for noncompliance with the certification requirements. The notice shall be mailed to the member at his last address on file at the Virginia State Bar.

In the event the member fails to comply with the directive of the Secretary-Treasurer within the time allowed, the Secretary-Treasurer will then mail a notice to the member by certified mail

to advise (1) that the attorney's membership in the bar has been suspended and (2) that the attorney may no longer practice law in the Commonwealth of Virginia or in any way hold himself or herself out as a member of the Virginia State Bar. Thereafter the attorney's membership in the Virginia State Bar may be reinstated only upon showing to the Secretary-Treasurer (1) that the attorney has complied with all the Court's rules relating to his or her membership in the bar and (2) upon payment of a reinstatement fee of \$150 for each Rule violated, provided, however, that the reinstatement fee for an attorney who was suspended for noncompliance with Paragraphs 13.2 and 17 of these rules shall be \$250, and shall increase by \$50 for each subsequent such suspension, not to exceed a maximum of \$500.

Whenever the Secretary-Treasurer notifies a member that his or her membership in the bar has been administratively suspended, the Secretary-Treasurer shall also (1) advise the Chief Judges of the circuit and district in which the attorney has his or her office, as well as the clerks of those courts and the Clerk of the Supreme Court of Virginia, of such suspension and (2) publish notice of the suspension in the next issue of the *Virginia Lawyer Register*.

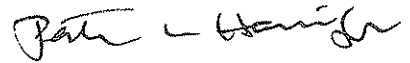
An administrative suspension shall not relieve the delinquent member of his or her annual responsibility to attend continuing legal education programs or to pay his or her dues to the Virginia State Bar.

Upon consideration whereof, it is ordered that the Rules for Integration of the Virginia State Bar, Part Six of the Rules of

Court, be and the same hereby are amended in accordance with the prayer of the petition aforesaid, effective August 1, 2009.

A Copy,

Teste:

A handwritten signature in cursive script, appearing to read "Patricia L. Hanigan".

Clerk