

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on September 28, 2023, the following order was made and entered:

SCA EFiled: Sep 28 2023

04:22 PM EDT

Transaction ID 70982527

RE: Request for Public Comment on Proposed Amendment to Rule 4.2(c) of the Rules for Admission to the Practice of Law, No. 23-524

On September 5, 2023, the West Virginia Board of Law Examiners (BLE), by Ashton Bias Harrell, Bar Admissions Administrator, filed a proposed amendment to Rule 4.2 of the Rules for Admission to the Practice of Law. The BLE recommended the abrogation of Rule 4.2(c) regarding “Affidavits of Good Character.”

The Court has jurisdiction under Article VIII, §§ 1 and 3 of the West Virginia Constitution. Upon consideration and review, the Court is of the opinion to and does publish the proposed amendment, as modified, for a thirty-day period of public comment. Comments must be filed in writing with the Clerk of Court through File & ServeXpress, on or before October 30, 2023.

The proposed amendment is indicated by strike-through and underscoring as follows:

Rules for Admission to the Practice of Law

Rule 4.2. Requirement of good moral character.

(a) *Certificate of good standing.* — In order to be admitted to practice law in West Virginia, the applicant must be in good standing in every state in which he or she has been admitted to practice and maintains an active status and must submit evidence of that standing.

(b) *Proof of good moral character.* — In order to be eligible for admission, the applicant must show that he or she is possessed of good moral character and is mentally and emotionally stable.

(c) *Affidavits of good character.* — Each applicant shall present the affidavit of at least two attorneys at law ~~practicing in the courts in which the applicant last engaged in practice and the authenticated certificate of a judge of a court of record where the applicant is admitted to practice,~~ evidencing the applicant's good character and compliance with the Code Rules of Professional Responsibility Conduct.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

