

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on October 21, 2024, the following order was made and entered:

RE: REQUEST FOR PUBLIC COMMENT ON PROPOSED AMENDMENTS TO THE RULES FOR ADMISSION TO THE PRACTICE OF LAW

On October 16, 2024, the Court considered proposed amendments to add Rule 4.9 to the West Virginia Rules For Admission to the Practice of Law. The Court has jurisdiction of court rules under Article VIII, §§ 1 and 3 of the West Virginia Constitution.

Upon consideration and review, the Court is of the opinion that the following amendments to Rule 4.9 to the West Virginia Rules For Admission to the Practice of Law should be published for a period of public comment for 30 days. Comments may be filed in writing with the office of the clerk on or before November 20, 2024. The additions are indicated by underscoring:

Rules for Admission to the Practice of Law

* * *

Rule 4.9 Resident lawyers engaged in public service

A bona fide resident of this State who currently holds a position as a full-time employee of the State of West Virginia, a county, municipality, political subdivision, public defender corporation, or a non-profit entity providing legal services to indigents may be permitted to practice before the courts of this State without examination provided that the applicant has been admitted to the practice before the court of last resort of another state except that if such applicant has not, within twenty-five months next preceding his or her application, previously passed the Multistate Professional Responsibility Examination with a score satisfactory to the Board of Law Examiners, the applicant shall be required to pass such examination. The admission shall be on a temporary basis for a period of five years. The lawyer shall file for admission on a form prescribed by the Board of Law Examiners who shall also approve his or her character in accordance with Rule 5.2, and the lawyer shall pay an application fee as set forth in the fee schedule and shall pay such fees as are required by the National Conference of Bar Examiners. After satisfactory completion of the five-year period, the lawyer may be granted admission without limitation of time. This rule does not apply to elected officials that must be licensed to practice law as a condition of eligibility for office.

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A True Copy

Attest: /s/ C. Casey Forbes
Clerk of Court

