

## Virgin Islands Supreme Court Rules

### **Rule 206. Membership status**

(a) **Active Status.** An active member of the Bar is an attorney who is admitted to practice in any of the three categories set forth in Rules 201, 202 and 204, who is in good standing, and who actually engages in the practice of law as authorized.

(b) **Inactive Status.**

(1) An inactive member of the Bar is an attorney who ceases to actively practice law in the Virgin Islands, provided, however, that no attorney shall be deemed to be an inactive member unless a petition for such status is filed with the Court setting forth the reasons therefor. Upon receipt of the petition, the Court, for good cause shown, may grant the petition. The pendency of disciplinary or other similar proceeding anywhere shall be a bar to the grant of inactive status. Prior to the grant of inactive status, all pending cases in which the member is attorney of record shall be disclosed to the Court and appropriate action taken to arrange for substitute counsel.

(2) An active member of the Bar who elects to become inactive shall file an application with the court requesting such status and setting forth the reasons therefor. Upon approval of the application, the Bar Association shall be notified and the member shall not engage in the practice of law in the territory except as provided herein. Any member who engages in the active practice of law in any form while on inactive status shall be subject to the contempt powers of the court and such other disciplinary action for misconduct as might be recommended by the Virgin Islands Bar Association. Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Applicants shall submit one check or money order payable to the Clerk of the Supreme Court, as well as proof that the remaining \$100.00 had been paid directly to the Virgin Islands Bar Association.

(c) **Voluntary Resignation or Withdrawal and Reinstatement.** Any member of the Bar may voluntarily resign therefrom, provided that:

(1) the resignation was not filed in lieu of disciplinary proceedings, suspension or disbarment;

(2) at least 60 days advance notice is given to his clients, to the bar, and to this court; and

(3) an application to voluntarily resign from the Bar shall be electronically filed with the court, and be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee

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(d) A member who has become inactive or voluntarily resigned or withdrawn from the Bar may petition the court at any time for reinstatement, provided that satisfactory proof by affidavit is submitted to the court certifying that since his resignation or withdrawal he was not subject to any disciplinary proceedings in any jurisdiction, and provided further that he is currently of good moral character, and that he has met all obligations to his former clients. Each application for reinstatement shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Each application for transfer to inactive status shall be accompanied by a fee of \$150.00, of which \$50.00 shall be retained by the clerk as a filing fee and the remaining \$100.00 remitted to Virgin Islands Bar Association to defray its costs in administering this Rule. Applicants shall submit one check or money order payable to the Clerk of the Supreme Court, as well as proof that the remaining \$100.00 had been paid directly to the Virgin Islands Bar Association. –Adopted November 27, 2007; amended January 15, 2014, eff. March 1, 2014.