

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:ORDER PERMITTING LIMITED : NO. 837
PRACTICE BY PERSONS UNABLE TO :
SIT FOR JULY 2020 PENNSYLVANIA : SUPREME COURT
BAR EXAMINATION BECAUSE OF :
COVID-19 : DOCKET

ORDER¹

PER CURIAM

AND NOW, this 28th day of April, 2020, upon the recommendation of the Pennsylvania Board of Law Examiners,

IT IS ORDERED pursuant to Article V, Section 10 of the Constitution of Pennsylvania, and Rule 1952(A) of the Rules of Judicial Administration, that persons unable to sit for the July 2020 Pennsylvania bar examination because of COVID-19 shall be permitted to temporarily engage in the limited practice of law as follows:

(a) Limited practice permitted. The requirements for the limited practice of law by a person who is unable to sit for the July 2020 Pennsylvania Bar Examination because the administration of the bar examination has been postponed or cancelled because of the COVID-19 pandemic (a “2020 limited licensee”) include the following:

- (1) The 2020 limited licensee is a graduate from a law school that was ABA accredited at the time the 2020 limited licensee matriculated or graduated who (i) received without exception a *juris doctor* degree and (ii) has never failed the Pennsylvania bar examination.

¹ This Order, as certified on April 28, 2020, replaces a previous version that was sent to the Prothonotary on April 27, 2020 and docketed, but was withdrawn prior to publication.

(2) The Pennsylvania Board of Law Examiners (the “Board”) has not determined that the 2020 limited licensee lacks the current character and fitness required to be a member of the bar of this Court.

(3) The 2020 limited licensee has filed an application to sit for the July 2020 Pennsylvania bar examination.

(4) The 2020 limited licensee shall be supervised by a member of the bar of this Court as described in this order and as certified as prescribed in Subdivision (c) of this order.

(5) The 2020 limited licensee shall agree to adhere to the Pennsylvania Rules of Professional Conduct and to submit to any applicable disciplinary authorities to the same extent as a generally licensed attorney.

(6) The 2020 limited licensee shall have submitted to the Board a declaration executed subject to a charge of perjury for false statements confirming that all of the foregoing requirements have been met and asking for certification as a 2020 limited licensee. The Board shall offer a form on which such a declaration may be submitted.

(b) Bar Examination Application. In order to be eligible for the benefits of this order, an applicant must have filed an application to sit for the Pennsylvania bar examination, and the Board must have received an affirmative certification from the law school from which the applicant was graduated certifying that (1) the applicant has been awarded without exception a *juris doctor* degree from that law school and (2) to the best of the law school’s knowledge, the applicant has the character and fitness required to be a member of the bar of this Court.

(c) Supervising Attorney. The attorney under whose supervision a 2020 limited licensee engages in the limited practice permitted by this order—

(1) Shall have been an actively practicing member of the bar of the Supreme Court of Pennsylvania for at least five years.

(2) Shall assume personal professional responsibility for ensuring that the 2020 limited licensee’s legal work is competent and compliant with the Pennsylvania Rules of Professional Conduct.

(3) Shall submit a certification to the Board naming the 2020 limited licensee and confirming that the supervising attorney agrees to comply with his or her obligations pursuant to this order with respect to the designated 2020 limited licensee.

(4) Shall not supervise more than two 2020 limited licensees under the provisions of this order.

(d) Limited Practice Permitted. Subject to the restrictions of this subdivision, a 2020 limited licensee may engage in the following activities:

(1) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may counsel a client with respect to legal issues.

(2) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may prepare documents on behalf of a client, including documents that will be filed in a court, administrative tribunal or agency of the Commonwealth. The supervising attorney's signature must appear on any documents that will be filed in a court, administrative tribunal or agency of the Commonwealth.

(3) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may appear for any activity subsumed within the practice of law. The supervising attorney or another attorney who meets the qualifications of Subdivisions (c)(1) and (2) of this order must be present for any such proceeding.

A 2020 limited licensee shall disclose in any legally related communications that he or she is a "2020 Limited Licensee," and the 2020 limited licensee may not hold himself or herself out as an attorney generally admitted to the bar of this Court.

(e) Duration. Permission to engage in the limited practice of law pursuant to this order shall commence upon receipt by the applicant of a written certification from the Board that the Board has received (1) the applicant's declaration described in (a)(6) confirming satisfaction of the requirements of this order; (2) the supervising attorney's certification described in (c)(3); and (3) the law school's confirmation described in (b) that it has conferred a law degree on the applicant and that, to the best of the law school's knowledge, the applicant has the character and fitness required to be a member of the bar of this Court.

Permission to engage in the limited practice of law pursuant to this order shall terminate no later than (1) the date of the next Pennsylvania bar examination to be administered after the effective date of this order if the 2020 limited licensee does not sit for that examination or (2) the date on which the Board announces the results of the next Pennsylvania bar examination to be administered after the effective date of this order if the limited licensee does sit for that examination.

However, a person permitted to engage in the limited practice of law under this order who passes that next administration of the bar examination may continue to practice under this order until that person is formally admitted to the general practice of law.

In no event may any person engage in the limited practice of law under this order after the date that is six months after release of the results of the next Pennsylvania bar examination to be administered after the effective date of this order.

(f) Additional limitation. Time spent in the limited practice of law permitted by this order may not be counted for purposes of any Bar Admission Rule that permits general admission to the bar of the Supreme Court of Pennsylvania without examination, including but not limited to Rule 204.

A True Copy Patricia Nicola
As Of 04/28/2020


Attest:
Chief Clerk
Supreme Court of Pennsylvania