

SUPREME COURT OF ARKANSAS

IN RE AMENDMENT TO RULES
GOVERNING ADMISSION TO THE
BAR, RULE VII(C)(17)

Opinion Delivered November 17, 2016

PER CURIAM

On June 18, 2015, we adopted as final the Arkansas Bar Association's recommendation concerning amendments to Rule VII(C) of the Rules Governing Admission to the Bar. *In re Amendments to Rules Governing Admission to the Bar, Rule VII*, 2015 Ark. 280 (per curiam). The rule as amended provides for the automatic suspension of attorneys who fail to pay the annual fee by the final deadline of April 15 following three pre-suspension notices. The rule also requires the court to identify attorneys so suspended in per curiam opinions following the final deadline each year and requires the clerk of this court to mail a copy of the per curiam opinions to each suspended attorney and to all judges in the state.

The list attached to the most recent Rule VII per curiam opinion is 29 pages in length and identifies 763 suspended attorneys, the vast majority of whom have failed to pay the annual fee for several years. *See In re Updated List of Attorneys Suspended for Failure to Pay 2016 Annual Attorney-License Fee*, 2016 Ark. 260 (per curiam). Additionally, it appears that many of those suspended attorneys have failed to keep current their contact information on file with the clerk as required by Rule VII(F) as many of the copies of the per curiam opinions sent to the suspended attorneys were returned as undeliverable. In other words,

many of these 763 attorneys appear to have abandoned their licenses to practice law, and further attempts to notify these attorneys is likely futile and a waste of court resources.

Today, we amend Rule VII(C)(17) as set out below to provide that attorney licenses that have been or that become suspended for more than three (3) consecutive years for failure to pay annual fees shall be deemed surrendered voluntarily, and the names of those attorneys shall be removed from the roster of licensed attorneys. This amendment is effective immediately.

RULES GOVERNING ADMISSION TO THE BAR

Rule VII. Application for license.

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C. SUSPENSION FOR FAILURE TO PAY FEE

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(17) If a suspension is for more than three (3) consecutive years, the attorney shall be deemed to have surrendered his or her license voluntarily, and the attorney's name shall be removed from the rolls of licensed attorneys. To be reinstated, application must be made to the Board of Law Examiners by the suspended attorney on a form supplied by the Executive Secretary of the Board and accompanied by a tender of all unpaid license fees and penalties and a Board reinstatement fee of \$100.