

SUPREME COURT OF LOUISIANA

O R D E R

Acting under the authority of Article V, Section 1 of Constitution of 1974, and the inherent power of this Court,

IT IS HEREBY ORDERED THAT:

Louisiana Supreme Court Rule XVIII is hereby amended to read as follows:

1. Section 3 of Rule XVIII is hereby deleted in its entirety and amended to read as follows:

Section 3. Application for Transfer to Inactive Status or Emeritus Status.

- (A) Inactive Status. A lawyer in good standing who is not engaged in practice shall advise the Louisiana State Bar Association in writing that the lawyer desires to assume inactive status and discontinue the practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law. A lawyer who is retired or on inactive status shall not be obligated to pay the annual fee imposed by Rule XIX upon active practitioners. A lawyer on inactive status shall be removed from the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.
- (B) Emeritus Status. A lawyer in good standing who no longer desires to engage in the full time active practice of law

may apply to transfer to emeritus status if, at the time of application, the lawyer: (i) is otherwise eligible to actively practice law in Louisiana; (ii) is fifty years of age or older; and (iii) has actively practiced law in Louisiana for a minimum of ten years. A lawyer applying for such a transfer shall advise the Louisiana State Bar Association in writing that the lawyer desires to assume emeritus status and discontinue the active practice of law. Upon the filing of the notice, the Louisiana State Bar Association shall inform the Court and the lawyer shall no longer be eligible to practice law except to the extent that the lawyer may: (i) engage in the pro bono practice of law through a program established, sponsored, or recognized by the Louisiana State Bar Association's Access to Justice Program; (ii) participate in any mentoring program established by the Louisiana State Bar Association; (iii) engage in the uncompensated representation of immediate family members, as defined in La. R.S. 42:1102; (iv) serve on committees of the Louisiana State Bar Association; and (v) serve on receivership team panels, as defined in Rule XIX, § 27. The duty to maintain a client trust account is not changed by transfer to emeritus status. A lawyer on emeritus status and who otherwise would be obligated to pay them shall pay fifty percent of the annual bar association dues imposed upon active practitioners and shall pay fifty percent of the annual disciplinary fee required of lawyers admitted to practice three years or more pursuant to Rule XIX, § 8. A lawyer on emeritus status and not otherwise exempt shall comply with the continuing legal education requirements imposed by Rule XXX. A lawyer on emeritus status shall be removed from

the roll of those classified as active until and unless the lawyer requests and is granted reinstatement to the active rolls.

2. Section 4 of Rule XVIII is hereby deleted in its entirety and amended to read as follows:

Section 4. Reinstatement from Inactive Status or Emeritus Status.

- (A) Inactive Status. Any lawyer on inactive status under Section 3(A) of this rule shall be reinstated if the lawyer makes application to the Louisiana State Bar Association within five years of the date of transfer to inactive status. Any lawyer who fails to make application for reinstatement within five years of the effective date of transfer to inactive status may, in the discretion of the court upon notice from the Louisiana State Bar Association, be required to petition for reinstatement under Rule XIX, § 24.
- (B) Emeritus Status. Any lawyer on emeritus status under Section 3(B) of this rule shall be reinstated to active status if the lawyer makes application to the Louisiana State Bar Association and makes full payment of the annual bar association dues and the annual disciplinary fee required by Rule XIX, § 8. If at the time of application for reinstatement to active status, a lawyer on emeritus status has already submitted payment for the annual bar association dues and the annual disciplinary fee for that year, the lawyer shall make payment of the remainder due for that year before being granted reinstatement to active status.

This rule change shall become effective upon signing,
and shall remain in full force and effect thereafter, until
amended or changed through future orders of this Court.

Given under our hands and seal this 9th day of April
A. D., 2020, New Orleans, Louisiana.

FOR THE COURT:


Chief Justice Bernette J. Johnson