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HOUSE BILL NO. 120

Offered January 11, 2006

Prefiled December 27, 2005

A BILL to amend and reenact § 54.1-3926 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 54.1-3915.2, relating to certain service credit for members of the General Assembly.

Patron—Marshall, R.G.

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3926 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 54.1-3915.2 as follows:

§ 54.1-3915.2. Exemption to continuing legal education requirement.

Any attorney who is a member of the General Assembly shall receive six hours credit in every reporting period towards the Mandatory Continuing Legal Education Rule, Part 6, § IV, Paragraph 17, promulgated by the Supreme Court of Virginia, requiring active members of the Virginia State Bar to complete 12 hours of continuing legal education every reporting period; provided, that such six hours credit shall not exempt such attorney from completing in every reporting period the two-hour legal ethics or professionalism requirement. The Clerk of the House of Delegates and the Clerk of the Senate of Virginia shall certify on or before June 30 of the reporting period to the Virginia State Bar that such member of his respective chamber is a member of the House or Senate and served in such capacity during the last session.

§ 54.1-3926. Preliminary proof of education required of applicant.

Before an applicant will be permitted to take any examination under this article the applicant shall furnish to the Board satisfactory evidence that he has:

1. Completed all degree requirements from a law school approved by the American Bar Association or the Board; or

2. Received a bachelor's degree from a four-year accredited college or university and studied law for three years, consisting of not less than eighteen hours per week for at least forty weeks per year in the office of an attorney practicing in this Commonwealth, whose full time is devoted to the practice of law; or

3. Studied law for at least three years partly in a law school approved by the American Bar Association or the Board and partly, for not less than eighteen hours per week for at least forty weeks per year, in the office of an attorney practicing in this Commonwealth whose full time is devoted to the practice of law; or

4. Received a bachelor's degree from a four-year accredited college or university and studied law for three years, consisting of not less than eighteen hours per week for at least forty weeks per year, with a retired circuit court judge who served the Commonwealth as a circuit court judge for a minimum of ten years and who at the time of commencement of the three-year study period was retired for not more than five years.

The attorney in whose office or the judge with whom the applicant intends to study shall be approved by the Board, which shall prescribe reasonable conditions as to the course of study.

Any applicant furnishing such evidence under subdivision 2, 3, or 4 and who is or was a member of the General Assembly of Virginia during the law-study period as required by such subdivision shall receive credit for his service in the General Assembly at a rate equal to one-third of the required law-study hours required per year under such subdivision; however, such applicant's credit shall not exceed two-thirds the total number of hours required for law study.

INTRODUCED

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