

## **VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Wednesday the 11th day of August, 2021.*

### **IN RE: ORDER AUTHORIZING TEMPORARY PROVISION OF PRO BONO LEGAL SERVICES BY FOREIGN ATTORNEYS AS A RESULT OF A MAJOR DISASTER AFFECTING THE JUSTICE SYSTEM IN THE COMMONWEALTH**

The COVID-19 pandemic has adversely impacted Virginia residents in many aspects of their lives, including employment and the ability to maintain stable housing. The COVID-19 pandemic has also adversely impacted the operation of Virginia's courts and residents' ability to utilize the courts to address legal issues, especially those which are civil in nature. Because of these adverse impacts of the COVID-19 pandemic, it is foreseeable that there will be increasing numbers of legal proceedings regarding civil cases such as landlord-tenant issues and evictions, and an increased need for representation of those in need.

In recognition of the continuing effects of the COVID-19 pandemic and the increased need for representation of those who are indigent, in accordance with Rule 10 of the Rules of the Supreme Court of Virginia it is ORDERED that:

1. The Chief Justice of this Court has determined that pursuant to Rule 10, Comment [1], the public health emergency of the COVID-19 pandemic is a major disaster, and pursuant to Rule 10(a), as a result of this major disaster an emergency affecting the justice system has occurred in all parts of the Commonwealth of Virginia.
2. In particular with respect to issues affecting housing, such emergency has resulted in an increase in the number of civil cases affecting those who are indigent, resulting in an increased need for legal representation and affecting the ability of indigent Virginia residents to obtain needed legal services. Such emergency has also resulted in a backlog of cases as a result of instituting necessary precautions to protect the health and safety of court employees, litigants, judges, and the general public.

3. In order to address this impending increase of civil cases, pursuant to Rule 10(b), the Chief Justice finds that such emergency warrants the assistance of lawyers from outside the Commonwealth, and that law professors at accredited law schools in Virginia who are not admitted to the Virginia State Bar, but who are admitted to practice law elsewhere and otherwise meet the requirements of a “Foreign Lawyer” as defined in Rule 10(h), are hereby authorized to provide *pro bono* legal services in the Commonwealth on a temporary basis.
4. As a Foreign Lawyer providing *pro bono* legal services, those professors must be governed by, and subject to, the rules and requirements set forth in Rule 10; Forms 1 and 2 of Rule 10 must be utilized for their admission to the Bar of the Supreme Court of Virginia.
5. Those civil legal services must be assigned and supervised through an entity approved by the Chief Justice, including those identified in Rule 10(b).
6. It is anticipated many of the increased civil cases will be filed in the courts of the Commonwealth. To address this necessity, pursuant to Rule 10(e), those admitted pursuant to this Order as a Foreign Lawyer providing *pro bono* legal services may appear in all courts of the Commonwealth. Nothing herein will act to prevent *pro hac vice* admission by a judge in the Commonwealth so long as the rules related to *pro hac vice* admission are observed.

This Order will remain in effect unless amended by future order, or until terminated by the Chief Justice pursuant to Rule 10(d). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia