

Attorney Bar Status Program

As part of the recently enacted amendments to the Rules of Attorney Discipline Enforcement (R.A.D.E.), approved by the Third Circuit Court of Appeals on July 1, 2015, the Court is implementing procedures to update its attorney rolls. The purpose of this initiative is to enable the Court to keep contact information current with a minimum burden on the Bar and Clerk's Office staff and also to concentrate its disciplinary efforts on attorneys who actively participate in cases before the Court.

Pursuant to the rules, all attorneys are required to advise the Clerk when their contact information changes. R.A.D.E. 17.1. Attorneys are also responsible for monitoring their status as active or inactive on the rolls of the Court. R.A.D.E. 17.9. Attorneys admitted to the bar, but who have not entered an appearance in this Court within the last five (5) years (for ease of administration the time runs from the date of the last entry of appearance and not when the case was closed), will be contacted shortly via email to update their current contact information and to elect whether they wish to remain active members of this Court. This procedure will be repeated yearly. See R.A.D.E. 17.2.

On Friday, January 15, 2016, an email blast will be sent to all attorneys included in the group referenced above requiring them to review their status within thirty (30) days. The email contains a hyperlink that is personalized for each attorney and will be sent from the email address attyadmissions@ca3.uscourts.gov with the subject line Third Circuit Bar Admission Status. Please **DO NOT** delete this email. The same email blast will be sent again fourteen (14) and seven (7) days prior to the thirty (30) day deadline.

Attorneys can click directly on the hyperlink or cut and paste the link into their browser to access the update utility. Once the link is open, the attorney should elect whether he or she would like to maintain active status in this Court. If an attorney would like to maintain an active bar status, he or she should complete and submit the Attorney Bar Status Program form. On the form, attorneys are also required to provide the Court their current state bar memberships and accompanying state bar identification numbers and any current federal bar memberships and those corresponding numbers, if any. Upon submission of the form, admission status will be changed at that time to active on request. All Third Circuit CM/ECF users must update their personal information through PACER. All other attorneys admitted to the Third Circuit bar who do not have a Third Circuit CM/ECF user name/password must update their information using the Attorney Admission Renewal/Adjustment of Status Form.

The Court encourages all attorneys, even if they choose to assume inactive status or are not contacted through the email blast, to use this opportunity to make any necessary changes to their contact information.

Attorneys must respond to the email within thirty (30) days of the original email (or file an entry of appearance in an appeal before the expiration of the 30 days) or they will be marked inactive without further notice. R.A.D.E. 17.2. In addition, at any time the Clerk will mark an attorney inactive if an email sent to the current address in the Court's system is returned as undeliverable.

It is noted that placement on inactive status in this Court is considered an administrative action, not a disciplinary action. R.A.D.E. 17.3. However, only attorneys who are in active status may practice before this Court.

To move from inactive status to active status, an attorney must file the Attorney Admission Renewal/Adjustment of Status Form, which contains a statement under penalty of perjury that to the best of his or her knowledge he or she is not currently subject to any criminal conviction or disciplinary sanction by any state or federal bar of which the attorney is a member and requests information regarding state court and federal court bar memberships. R.A.D.E. 17.6. Attorneys must include their current contact information on this form and must separately update their contact information via PACER as well. The requirement to update information through PACER applies only to those attorneys who have Third Circuit CM/ECF user names and passwords.

This form is available under the Forms section of the Court's website, under the Attorney Admissions section of the Court's website, and as a separate button on the Attorneys Admissions – Attorney Status Checker (discussed in more detail below). Attorneys who are currently marked retired and wish to return to active status must take the same steps as required by those attorneys who have been marked inactive. R.A.D.E. 17.7.

The Attorney Admission Renewal/Adjustment of Status Form must be completed and sent to attyadmissions@ca3.uscourts.gov. **Please allow two (2) business days for the processing of all Attorney Admission Renewal/Adjustment of Status Forms.**

Upon the filing of the form, the attorney will be returned to active status unless the Clerk determines that the attorney has been convicted of a crime or is under an order of disciplinary suspension or disbarment by another court. If an attorney has been convicted of a crime or is under an order of disciplinary suspension or disbarment by another court, the Clerk will refer the matter to the Court's Standing Committee on Attorney Discipline. See R.A.D.E. 17.6.

As part of this effort, the Court has also created a new database – the Attorney Admissions Status Checker – pursuant to R.A.D.E. 17.9 – which attorneys and the public can use at any time to search their current bar membership status in this Court. To access this database, click on the Attorneys and Litigants tab on the Court's website and then select Attorneys Admissions – Attorney Status Checker. Attorneys can search by the

primary email address tied to their name or by First Name, Middle Initial, Last Name. If an attorney's name has changed since his or her admission date, make sure to use the most current name provided to the Court or the search may not yield any results.

Frequently Asked Questions:

- Who do I call if I have questions?

Any additional questions regarding Attorney Admissions should be directed to attyadmissions@ca3.uscourts.gov or the Clerk's Office general number at (215) 597-2995. Please ask to speak to someone who handles Attorney Admissions.

- What if I delete the original email containing the hyperlink to update my contact information?

As noted above, the email blast will be sent on January 15, 2016 and again fourteen (14) and seven (7) prior to the thirty (30) day deadline. If you misplace the first email, please make changes using the hyperlink provided in one of the subsequent emails. After that time, additional questions should be directed to the email address and phone number above. Remember that the email is personalized to each individual attorney. Once an attorney has responded and updated his or her contact information, he or she will not be sent the subsequent emails containing the hyperlinks.

- What if I don't have an email address tied to my bar membership, but I wish to remain in active status?

Counsel may complete the Attorney Admission Renewal/Adjustment of Status Form.

- What are the possible statuses in the Court and what do they mean?

Active - Attorney is eligible to practice in this Court

Active on request - Attorney has not entered an appearance in this Court in the last five years, but has updated his/her contact information and has indicated that he/she wants to remain in active status in this Court. Attorney is eligible to practice in this Court.

Inactive - Attorney is not currently eligible to practice in this Court; Adjustment of bar status to active status is governed by R.A.D.E. 17.6

Disability Inactive - Attorney is currently on disability status and is not currently eligible to practice in this Court; Adjustment of bar status to active status is governed by R.A.D.E. 16.5

Attorney Discipline Pending - Attorney may be subject to disciplinary action in this Court, however, remains eligible to file at this time pending final disposition of the disciplinary action

- If I am a federal government attorney must I become a member of this Court's bar?

The Court does not require attorneys who work for a federal government agency to become admitted to this Court's bar in order to appear before the Court.

Attorneys who work for a federal government agency are exempt from the renewal process under R.A.D.E. 17 and their status will appear as fed gvt.

- If I am a government attorney for the Virgin Islands must I become a member of this Court's bar?

The Court does not require attorneys who work for the Virgin Islands government to become admitted to this Court's bar in order to appear before the Court.

Attorneys who work for the Virgin Islands government are exempt from the renewal process under R.A.D.E. 17 and their status will appear as vi gvt. Non-government Virgin Islands attorneys are required to be admitted and are subject to the renewal process under R.A.D.E. 17.