

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50444-LB-320 (4/10)

Short Title: Pro Bono Emeritus Lawyers. (Public)

Sponsors: Representatives Blue and Stam (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW INACTIVE LAWYERS TO PROVIDE PRO BONO LEGAL SERVICES AND TO CLARIFY ACTIVE MEMBERSHIP.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 84-16 reads as rewritten:

"§ 84-16. **Membership and privileges.**

The membership of the North Carolina State Bar shall consist of two classes, active and inactive.

The active members shall be all persons who shall have heretofore obtained, or who shall hereafter obtain, a license or certificate, which shall at the time be valid and effectual, entitling them to practice law in the State of North Carolina, who shall have paid the membership dues hereinafter ~~specified,~~ specified and satisfied all other obligations of membership, unless classified as an inactive member by the Council as hereinafter provided. No person other than a member of the North Carolina State Bar shall practice in any court of the State except foreign attorneys as provided by statute.

Inactive members shall ~~be all~~ be:

(1) All persons found by the Council to be not engaged in the practice of law and not holding themselves out as practicing attorneys and not occupying any public or private positions in which they may be called upon to give legal advice or counsel or to examine the law or to pass upon, adjudicate, or offer an opinion concerning the legal effect of any act, document, or law.

(2) Persons allowed by the Council to solely represent indigent clients on a pro bono basis under the supervision of nonprofit corporations organized pursuant to Chapter 55A of the General Statutes.

All active members shall be required to pay annual membership fees, and shall have the right to vote in elections held by the district bar in the judicial district in which the

1 member resides. Provided, that if a member desires to vote with the bar of some district
2 in which the member practices, other than that in which the member resides, the
3 member may do so by filing with the Secretary of the North Carolina State Bar a
4 statement in writing that the member desires to vote in the other district: Provided,
5 however, that in no case shall the member be entitled to vote in more than one district."

6 **SECTION 2.** This act is effective when it becomes law.