

**STATE OF CONNECTICUT  
JUDICIAL BRANCH  
COURT OPERATIONS DIVISION**

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MEMO TO: Joseph Del Ciampo, Counsel, Rules Committee

FROM: Lori Petruzzelli, Assistant Counsel, Rules Committee

SUBJECT: Proposals for Amendments to Secs. 2-8 and 2-55A

Every year, the Reporter of Judicial Decisions does a careful review of Practice Book amendments during the editorial process for the next edition of the Practice Book. As part of the process, an assistant reporter flags issues for our office. In Sections 2-8 and 2-55A, the assistant reporter has suggested that references Section 2-13A, Military Spouse Temporary Admission, should be added to account for this additional avenue to allow one so qualified to practice law in Connecticut. I have submitted this proposal to Lisa Valko, the Director of the Bar Examining Committee, and she has no objection. I respectfully submit the attached proposals for your consideration.

## **Sec. 2-8. Qualifications for Admission**

To entitle an applicant to admission to the bar, except under Section 2-13 or 2-13A of these rules, the applicant must satisfy the bar examining committee that:

(1) The applicant is a citizen of the United States or an alien lawfully residing in the United States, which shall include an individual authorized to work lawfully in the United States.

(2) The applicant is not less than eighteen years of age.

(3) The applicant is a person of good moral character, is fit to practice law, and has either passed an examination in professional responsibility which has been approved or required by the committee or has completed a course in professional responsibility in accordance with the regulations of the committee. Any inquiries or procedures used by the bar examining committee that relate to physical or mental disability must be narrowly tailored and necessary to a determination of the applicant's current fitness to practice law, in accordance with the Americans with Disabilities Act and amendment twenty-one of the Connecticut constitution, and conducted in a manner consistent with privacy rights afforded under the federal and state constitutions or other applicable law.

(4) The applicant has met the educational requirements as may be set, from time to time, by the bar examining committee.

(5) The applicant has filed with the administrative director of the bar examining committee an application to take the examination and for admission to the bar, all in accordance with these rules and the regulations of the committee, and has paid such application fee as the committee shall from time to time determine.

(6) The applicant has passed an examination in law in accordance with the regulations of the bar examining committee.

(7) The applicant has complied with all of the pertinent rules and regulations of the bar examining committee.

(8) As an alternative to satisfying the bar examining committee that the applicant has met the committee's educational requirements, the applicant who meets all the remaining requirements of this section may, upon payment of such investigation fee as the committee shall from time to time determine, substitute proof satisfactory to the committee that: (A) the applicant has been admitted to practice before the highest court of original jurisdiction in one or more states, the District of Columbia or the Commonwealth of Puerto Rico or in one or more district courts of the United States for ten or more years and at the time of filing the application is a member in good standing of such a bar; (B) the applicant has actually practiced law in such a jurisdiction for not less than five years during the seven year period immediately preceding the filing date of the application; and (C) the applicant intends, upon a continuing basis, actively to practice law in Connecticut and to devote the major portion of the applicant's working time to the practice of law in Connecticut.

COMMENTARY: The revision to this section recognizes that one should refer to Section 2-13A for the qualifications for temporary licensing as a military spouse instead of Section 2-8.

### **Sec. 2-55A. Retirement of Attorney—Permanent**

(a) An attorney who is admitted to the bar in the state of Connecticut and is not the subject of any pending disciplinary investigation may submit a written request on a form approved by the Office of the Chief Court Administrator to the statewide bar counsel for permanent retirement under this section. Upon receipt of the request, the statewide bar counsel shall review it and, if it is found that the attorney is eligible for retirement under this section, shall grant the request and notify the attorney and the clerk for the judicial district of Hartford. Retirement shall not constitute removal from the bar or the roll of attorneys, but it shall be noted on the roll of attorneys kept by the clerk for the judicial district of Hartford. If granted, the attorney shall no longer be eligible to practice law as an attorney admitted in the state of Connecticut.

(b) An attorney who has retired pursuant to this section shall thereafter be exempt from the registration requirements set forth in Sections 2-26 and 2-27 (d) and from payment of the client security fund fee set forth in Section 2-70 (a).

(c) An attorney who has retired pursuant to this section and thereafter wishes to be eligible to practice law again in the state of Connecticut must apply for admission to the bar pursuant to Section[s] 2-8, [or] 2-13 or 2-13A.

(d) Retirement pursuant to this section shall not be a bar to the initiation, investigation and pursuit of disciplinary complaints filed on or subsequent to the date of retirement.

COMMENTARY: The revision to this section acknowledges that a retired attorney who is a military spouse may apply for temporary licensing under Section 2-13A.