COMMONWEALTH OF MASSACHUSETTS

At the Supreme Judicial Court holden at Boston within and for said Commonwealth on the twentieth day of November, in the year two thousand twelve:

present,

HON. RODERICK L. IRELAND)
)
HON. FRANCIS X. SPINA)
)
HON. ROBERT J. CORDY)
)
HON. MARGOT BOTSFORD)
)
HON. RALPH D. GANTS)
)
HON. FERNANDE R.V. DUFFLY)
)
HON. BARBARA A. LENK)

ORDERED: That Chapter Three of the Rules of the Supreme Judicial Court is hereby amended as follows:

Rule 3:16: By inserting the new Rule 3:16 attached hereto.

The amendments accomplished by this order shall take effect on September 1, 2013.

RODERICK L. IRELAND Chief Justice
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FRANCIS X. SPINA)
) Justices
)
ROBERT J. CORDY)
)
)
MARGOT BOTSFORD)
)
)
RALPH D. GANTS)
)
)
FERNANDE R.V. DUFFLY)
)
)
BARBARA A. LENK)

S.J.C. Rule 3:16

Practicing with Professionalism Course for New Lawyers

1. **Practicing with Professionalism Course Requirement.** All persons who are admitted to the bar of the Commonwealth, whether admitted after passing the law examination pursuant to S.J.C. Rule 3:01, Section 5, or by motion pursuant to Section 6, shall, by no later than eighteen months after admission to the Massachusetts bar, complete a one-day, in-person, mandatory Practicing with Professionalism Course approved by the Supreme Judicial Court or its designee. The course shall be presented as needed to accommodate the number of lawyers admitted in Massachusetts annually.

2. **Course Offering.** The course shall be offered by one or more continuing legal education providers, bar associations, law schools, other educational institutions, or other providers approved by the Supreme Judicial Court or its designee. The course curriculum shall be subject to standards issued by the Supreme Judicial Court or its designee.

3. **Proof of Compliance.** The course provider(s) shall submit documentation of course completion to the Massachusetts Board of Bar Overseers and the attendees in accordance with procedures established by the Supreme Judicial Court or its designee.

4. **Failure to Comply.** Any attorney who fails to complete the course described in Section 1 within eighteen months after admission to practice in Massachusetts shall receive a written notice of noncompliance from the Board of Bar Overseers, sent by e-mail or first-class mail to the e-mail or home address furnished by the attorney on the last registration statement filed as required by S.J.C. Rule 4:02. If the attorney fails to complete the course described in Section 1 within ninety days from the date of the mailing of the notice, the Board of Bar Overseers shall file a petition for the attorney's suspension with the Clerk of this court for Suffolk County.

5. **Suspension.** Any attorney suspended under the provisions of Section 4 above shall become subject to the provisions of Rule 4:01, Section 17(4), upon entry of the suspension order, and if not reinstated within thirty days after entry shall become subject to the other provisions of said Section 17.

6. **Reinstatement.** Any attorney otherwise in good standing who is suspended for failure to complete the course described in Section 1 may be reinstated to practice in Massachusetts by filing with the court and serving upon the Board of Bar Overseers (a) documentation of course completion; (b) an affidavit on a form provided by the Board of Bar Overseers showing that the attorney has fully complied with the requirements of the suspension order and with the applicable provisions of Rule 4:01, Section 17, has registered pursuant to Rule 4:02, and paid all arrears in bar registration fees due from the date of the last payment to the date of his or her request for reinstatement, including any late assessments required under Rule 4:03; and (c) paid the Board of Bar Overseers an assessment of $100.

7. **Fees.** Fees for the course shall be approved by the Supreme Judicial Court.

8. **Annual Evaluation.** Each approved provider shall report annually to the Supreme Judicial Court or its designee. The report shall include the agenda, faculty, fee, attendance, curriculum, and course evaluation. The Board of Bar Overseers shall report annually the number of attorneys suspended for noncompliance.

9. **Application.** This Rule 3:16 shall apply to all attorneys admitted to the Massachusetts bar on or after the effective date of the rule.