

FOR IMMEDIATE RELEASE

Sept. 27, 2019

**Delaware Supreme Court To Allow Limited
Law Practice By Military Spouses**

By order dated Sept. 23, 2019 and effective Nov. 1, 2019, the Delaware Supreme Court adopted Supreme Court Rule 55.4 to permit military spouses to apply for a Certificate of Limited Practice in Delaware.

In adopting this rule, the Delaware Judiciary joins 34 other States and the U.S. Virgin Islands who have made life a little easier for military families by allowing the spouse of a service member to continue with their legal career in the state where their spouse is posted. Normally an attorney from outside of a state would have to pass the bar exam in that state to practice, or be eligible for admission by meeting other state specific practice requirements. This new rule in Delaware allows the spouse of a service member, who is admitted as an attorney in good standing in at least one other state in the United States and whose spouse is posted in the state, the limited ability to practice law without taking the bar exam in Delaware if they meet certain requirements.

Specifically, under the rule, military spouses (1) who are licensed to practice law in another jurisdiction, (2) whose spouse is assigned to military duty in Delaware, and (3) who meet the requirements set forth in the rule are eligible to apply. Once admitted, Military Spouses may engage in the limited practice of law in Delaware under the terms set forth in the Rule for a period not to exceed three years.

The Court recognizes and respects the contributions of military spouses to our national security and implemented this rule to help ease the burdens that military spouses encounter when their spouses are repeatedly deployed to different states.

Applicants will submit their application to the Delaware Board of Bar Examiners (the “Board”), which will perform the required investigation. After its investigation, the Board will make a recommendation to the Court regarding an applicant’s certification. Military Spouses who are issued a Certificate of Limited Practice will be required to file an annual registration statement with the Court, fulfill their continuing legal education requirements, and pay an annual assessment established by the Court for each of the three years that they are permitted to practice.

The full text of Rule 55.4 is available on the Delaware State Courts’ website: <http://courts.delaware.gov/rules/>.

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