

Delaware Supreme Court Adopts New Rule Permitting Military Spouses Licensed To Practice Law In Another Jurisdiction To Apply For A Certificate Of Limited Practice In Delaware

By order dated September 23, 2019 and effective November 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. 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 implements 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.

Rule 55.4 is effective November 1, 2019 and is available on the Delaware State Courts’ website: <http://courts.delaware.gov/rules/>.

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