

INSTRUCTIONS FOR PETITIONERS FOR INACTIVE STATUS

Revised January 2016

Procedure

The petition must be reviewed by the Administrative Committee and approved by the State Bar Council. The committee and the council meet quarterly in January, April, July, and October of each year. The dates of the meetings are posted on the NC State Bar's website: www.ncbar.gov.

Instructions for Completing and Filing Petition

1. Print or type the petition. Complete, date, and sign the petition to acknowledge that you have read and understand the questions or statements on the petition.
2. The mandatory membership and CLE fees, for the year in which you file the petition, must be current. If you have not paid the current year's membership fees, contact the Membership Department at (919) 828-4620, for the balance owed to the State Bar. For questions concerning your CLE fees, contact the CLE department at (919) 733-0123.
3. **The petition must be postmarked on or before December 31st to avoid incurring the mandatory membership fees for the following year.**
4. Mail the petition and any supporting documentation to:

NC State Bar
Membership Department
PO Box 26088
Raleigh, NC 27611

Petitions received 30 days prior to the meeting of the State Bar Council will receive a confirmation notice (via mail or e-mail). Petitions submitted later than 30 days prior to the meeting may be delayed in processing until the next quarterly State Bar meeting. **Keep a copy of your petition for your records. Please contact the Membership Department at (919) 828-4620 if you do not receive a confirmation notice.**

5. If your request for inactive status is granted by the State Bar Council, an inactive order will be mailed to the address you provide on the petition within a couple of weeks after the meeting.

Effect of Inactive Status:

If your membership status is inactive, you cannot practice North Carolina law, including giving advice regarding North Carolina law, or serving as a judge in any tribunal that requires an active North Carolina law license. You are also prohibited from serving in an "of counsel" capacity and from holding yourself out as a "lawyer", "attorney", "attorney at law" or any other designation that implies that you are an active attorney who can provide legal services in North Carolina.

However, if you want to assist with the representation of Legal Aid clients (or other indigent persons served by a nonprofit corporation), you may petition for emeritus pro bono status: <http://www.ncbar.gov/PDFs/Pro%20Bono%20Emeritus.pdf>.

Certified Specialists: To retain your certification, you must remain substantially involved in your specialty practice area. Substantial involvement is defined differently for each specialty but, generally, it requires that the specialist actively practice the specialty for not less than 25% of a full time practice every calendar year. Before petitioning for inactive status, check the recertification standards for your specialty on the specialization website: www.nclawspecialist.gov.

Pursuant to 27 N.C.A.C. Chapter 1D, Rule .0902, depending on the length of your inactive status, you may be subject to additional CLE requirements and, in some instances, passage of the Bar exam prior to reinstatement.



**PETITION FOR TRANSFER TO INACTIVE STATUS
TO THE COUNCIL OF THE NORTH CAROLINA STATE BAR**

1. Name: _____ State Bar # _____

2. The address and telephone numbers where communications from the State Bar should be sent during my inactive status:

_____ Street Address _____ City, State, Zip

_____ Home Phone # _____ Work Phone #

_____ E-mail Address

3. I desire to be placed on inactive status for the following reason:

Retirement

Not Practicing Law in North Carolina

4. I have paid all membership dues, assessments, and fees owed to the North Carolina State Bar, including those for the current year. I have also paid all fees owed to my local judicial district bar.

5. I acknowledge that, if this petition is granted, I will remain subject to the Rules of Professional Conduct and to the disciplinary jurisdiction of the State Bar including jurisdiction in any pending matter before the Grievance Committee or the Disciplinary Hearing Commission. I further acknowledge that I will be subject to the requirements for reinstatement, including but not limited to any CLE requirements, in effect at the time of filing a petition for reinstatement.

6. I understand that if I am granted inactive status that I cannot practice North Carolina law or serve as "of counsel" to any North Carolina firm, organization or entity. Effective as of the date I am granted inactive status, I have properly withdrawn from the representation of all clients and, with regard to matters in litigation, I have followed the court's protocol for withdrawal.

7. If applicable, I have filed the appropriate documents with the NC Secretary of State, Corporations Division, and the NC State Bar to dissolve or amend the articles of _____, the professional organization with which I was affiliated. (PA / PC / PLLC name)

8. I wish for my petition to be considered at the January, April, July, or October State Bar Council meeting. _____

9. By signing this petition, I confirm I have read and understand the questions or statements herein.

_____ Signature

_____ Date

FOR OFFICE USE ONLY

Membership fees paid (y/n) _____

Owes CLE fees and/or ARF (y/n) _____