

**District of Columbia
Court of Appeals**



No. M-276-21

BEFORE: Blackburne-Rigsby, Chief Judge; Glickman, Thompson, Beckwith, Easterly, McLeese, and Deahl, Associate Judges.

NOTICE

(FILED – November 9, 2021)

By letter dated November 4, 2021, the D.C. Bar’s Board of Governors has asked the court to consider amending Rule VI, §§ 3, 5 of this court’s Rules Governing the Bar, to permit remote attendance at meetings of the bar. A copy of the letter, with the proposed amendment, is attached to this notice.

This notice is published to afford interested parties an opportunity to submit written comments concerning the amendments under consideration. Comments must be submitted by December 9, 2021. Comments may be submitted electronically to rules@dcappeals.gov, or in writing, addressed to the Clerk, D.C. Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001. All comments submitted pursuant to this notice will be available to the public.

PER CURIAM



November 4, 2021

Honorable Anna Blackburne-Rigsby
Chief Judge
District of Columbia Court of Appeals
430 E Street NW
Washington, DC 20001

*Re: Proposed Revisions to Rule VI of the District of Columbia Court of Appeals
Rules Governing the Bar*

VIA E-MAIL

Dear Chief Judge Blackburne-Rigsby:

On behalf of the District of Columbia Bar's Board of Governors, pursuant to Rule XV, Section 1 of the D.C. Court of Appeals Rules Governing the Bar (the "Rules"), I am writing to petition the Court to amend sections 3 and 5 of Rule VI (Meetings of the Bar), as set forth in detail below.

As you are aware, because of the COVID-19 pandemic District of Columbia Mayor Muriel Bowser issued various orders prohibiting mass gatherings, requiring certain businesses to shut down, and otherwise limiting the large indoor gatherings. Given the current circumstances and existing guidance by local and federal public health officials, it is unclear whether District or Federal orders will be extended or modified, in what manner, or for how long.

In 2020 and 2021, because of the restrictive COVID-19 limitations, and with the consent of the Court, the Bar held its Annual Meetings online and accepted a quorum remotely. The Bar has been conducting nearly all of its programs, operations, and other business on a fully remote basis since March 2020, and it is very likely that it will continue to do so at least for the first quarter of 2022. With that in mind, the Board of Governors anticipates the possibility of holding a special membership meeting of the Bar in March/April 2022 and the members' 2022 Annual Meeting virtually, or in a hybrid format.

We understand the importance of holding meetings remotely and the necessity of ensuring the health and safety of our members. We also want to provide programs with the convenience of our members in mind. With the advent of more sophisticated technology, many organizations have deemed it appropriate to hold large gatherings at least partially remotely and experienced increased attendance at its events, thereby reaching a larger share of its membership. This includes events produced by the Bar.

Therefore, the Board of Governors respectfully requests that the Court approve the proposed amendments to Rule VI as follows:

Section 3. Quorum

One hundred active members present ~~in-person~~ at any annual or special meeting shall constitute a quorum.

For purposes of this Rule, “present” shall include in-person attendance, virtual/electronic attendance, or a combination thereof, so long as all attendees can hear each other and participate meaningfully during such meeting.

...

Section 5. Recommendations to Board of Governors

The members present ~~in-person~~ at any annual or special meeting of members of the Bar, herein also referred to as the “assembly,” may consider, and by vote of the active members present adopt, subject to any limitations contained in the By-laws, any proposal pertinent to the purposes of the Bar; provided that every such proposal that is adopted shall constitute a recommendation from the assembly to the Board of Governors, and shall be referred accordingly by the presiding officer to the Board of Governors for such action as the Board of Governors may deem proper, except as otherwise required in the case of a direction for a referendum under the provisions of Rule VII, or in the case of a proposal for amendment of these rules under the provisions of Rule XIV.

Please feel free to reach out to me or the Bar’s General Counsel, Erum Z. Mirza at emirza@dcbar.org, with any questions or concerns. I look forward to hearing from you soon.

Respectfully,

A handwritten signature in black ink on a light yellow background, reading "Chad Sarchio".

Chad Sarchio, President
District of Columbia Bar

cc (via e-mail):
Board of Governors
Robert J. Spagnoletti, CEO