

Tuesday 30th December, 2008.

On July 11, 2008 came the Virginia State Bar, by Manuel A. Capsalis, its President, and Karen A. Gould, its Executive Director and Chief Operating Officer, and presented to the Court a petition, approved by the Council of the Virginia State Bar, praying that Paragraph 13, Section IV, of the Rules for Integration of the Virginia State Bar, Part Six of the Rules of Court, be amended to read as follows:

13. Procedure for Disciplining, Suspending and Disbarring Attorneys.

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I. Board Proceedings

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2. Hearing Procedures

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f. Disposition

- (1) If the Board concludes that the evidence fails to show under a clear and convincing evidentiary standard that the Respondent engaged in the Misconduct, the Board shall dismiss any Charge of Misconduct not so proven.
- (2) If the Board concludes that there has been presented clear and convincing evidence that the Respondent has engaged in Misconduct, after considering evidence and arguments in aggravation and mitigation, the Board shall

impose one of the following sanctions and state the effective date of the sanction imposed:

- (a) Admonition, with or without Terms;
- (b) Public Reprimand, with or without Terms;
- (c) Suspension of the License of the Respondent:
 - (i) For a stated period not exceeding five years; provided, however, if the Suspension is for more than one year, the Respondent must apply for Reinstatement as provided in this Paragraph; or
 - (ii) For a stated period of one year or less, with or without Terms; or
- (d) Revocation of the Respondent's License.

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Upon consideration whereof, it is ordered that the Rules for Integration of the Virginia State Bar, Part Six, Rule 2.11, of the Rules of Court, be and the same hereby are amended in accordance with the prayer of the petition aforesaid, effective March 1, 2009.

A Copy,

Teste:

Clerk