IN THE SUPREME COURT OF THE STATE OF DELAWARE

In re: MODIFICATION OF THE REQUIREMENTS UNDER SUPREME COURT RULE 52(a)(8)	§ § §

ORDER

This 19th day of March, 2021, it appears to the Supreme Court of Delaware that:

WHEREAS, Rule 52(a)(8) of the Rules of this Court requires, among other things, applicants for admission to the Bar of this State ("Applicant") to be physically located in the State of Delaware for the purpose of serving a clerkship under the direct and constant supervision of a qualifying member of the Bar of this State for a period of 21 forty-hour work weeks (the "Clerkship");

WHEREAS, Governor John C. Carney declared a State of Emergency for the State of Delaware that took effect on March 13, 2020 due to the public health threat caused by COVID 19 (the "State of Emergency");

WHEREAS, as a result of the State of Emergency and the ongoing COVID 19 public health crisis, many employers located in the State of Delaware are requiring their employees to work remotely;

WHEREAS, some Applicants reside outside of the State of Delaware and are now required to work remotely from their out-of-state residences because of the State of Emergency;

WHEREAS, but for the State of Emergency, such out-of-state work would have been performed in the State of Delaware, including service of the Clerkship; and

WHEREAS, due to the ongoing uncertainty as to the duration of the State of Emergency and continued disruption to regular working conditions, the Court considers it advisable to modify the requirement that the Clerkship be served in the State of Delaware in certain respects;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. This Order applies to: (a) Applicants who applied to take the Delaware bar examination in 2020 and whose applications have remained open for the 2021 examination; and (b) Applicants who successfully file an application for the 2021 Delaware bar examination by the final filing deadline of May 3, 2021.

2. The 21-week Clerkship requirement set forth in Rule 52(a)(8) is temporarily reduced to 14 weeks.

3. Subject to paragraph 4 below, Clerkship service performed outside of the State of Delaware will count toward an Applicant's Clerkship requirement, provided that: (a) the service is performed during the State of Emergency; (b) but for the State of Emergency, the Applicant would have been serving the Clerkship in the State of Delaware; and (c) the service outside of the State of Delaware satisfies each of the other requirements of Rule 52(a)(8).

4. Clerkship service outside of the State of Delaware in accordance with paragraph 2 of this Order may count for no more than eight of the 14 forty-hour work weeks required to satisfy Rule 52(a)(8).

5. For any service outside of the State of Delaware that the Applicant submits to be counted toward the Applicant's Clerkship requirement, the Applicant and the Applicant's Preceptor shall specifically certify: (a) the dates on which the service was performed; (b) that the service meets the requirements of paragraph 2 of this Order; and (c) the identity of the Delaware lawyer(s) who directly and constantly supervised the service performed.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice