

HB276 (Kilgore)

ENSURING THE VSB'S FINANCIAL SOLVENCY



Virginia State Bar
An agency of the Supreme Court of Virginia

SOME OF WHAT THE VSB DOES ...

for the public:

- **REIMBURSEMENTS** for financial loss due to lawyer malfeasance (over \$6 million paid to the public since 2000)
- **LAWYER ACCOUNTABILITY** in cases of misconduct
- **FREE** fee dispute resolution program
- **FREE** legal answers
- **LOW COST** lawyer referral

for lawyers:

- **FREE** Ethics Hotline
- **FREE** Risk Management Hotline
- **FREE** legal research software
- **FREE** trust accounting software
- **FREE** training and CLEs

VSB REVENUE AND COST CONTAINMENT MEASURES

DUES
6th lowest for unified bars

BENEFITS
to the public and members have improved

SAVINGS
the VSB has cut costs
(24% decrease in staff to member ratio since 2000)

REVENUE
has been maximized

EXPENDITURES: **S-T-I-R** has increased VSB operating costs since 2000

SALARIES
have increased
59.5%

TECHNOLOGY
demands and cybersecurity costs have risen substantially

INFLATION
has risen
87%

RENT
has risen **28%**
(in the last ten years)

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VSB MEMBERS' \$250 DUES

have *not increased* in

25 YEARS*

AND RANK

28TH

among 33

Mandatory States Licensing Fees

** From 2012-2015 dues were decreased by the Supreme Court*

Provides
Judicial Discretion

Give the Supreme Court authority to set the dues rate by removing the statutory cap.

Title 54.1 sets the fees for only two other professions:
- athlete agents and precious metal dealers
(Va. Code §§54.1-533,-4108)

Proposed
Amendment

§ 54.1-3912. FEES.

"The Supreme Court may promulgate rules and regulations fixing a schedule of fees to be paid by members of the Virginia State Bar for the purpose of administering this article, and providing for the collection and disbursement of such fees; ~~but the annual fees to be paid by any attorney shall not exceed \$250.~~"

Even with a statutory change,
THE SUPREME COURT OF VIRGINIA MUST APPROVE ANY PROPOSED DUES INCREASE.

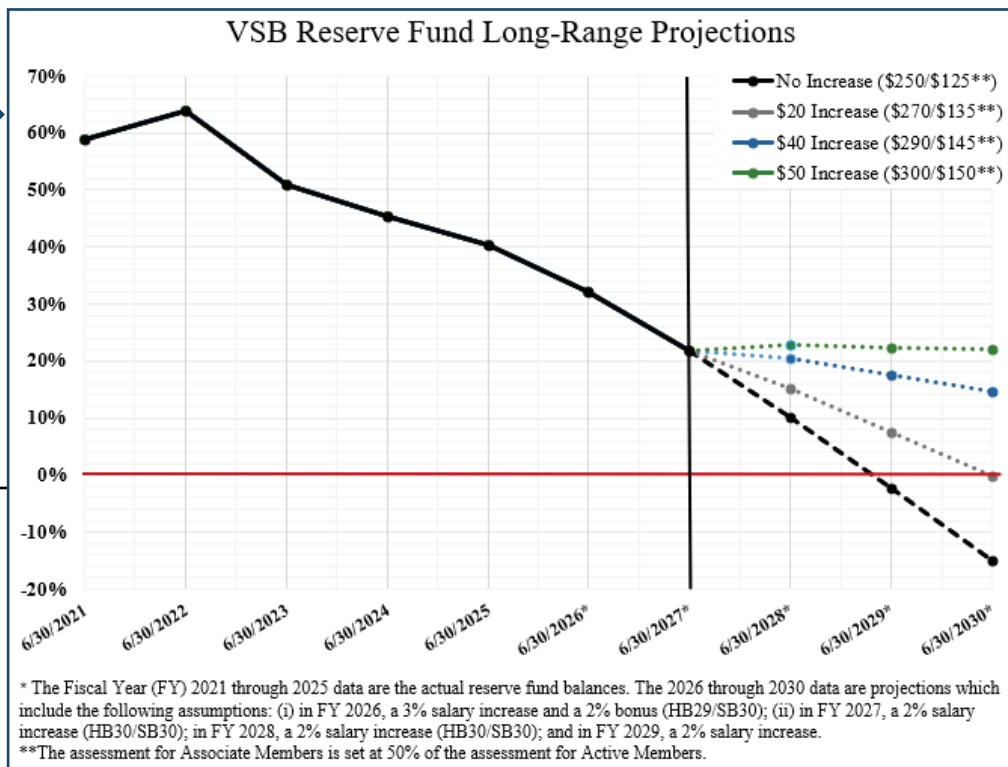
Ensure the VSB's financial viability to protect
the public and regulate the legal profession
WITHOUT THE USE OF TAXPAYER FUNDS!

VSB RESERVE FUND LONG-RANGE PROJECTIONS

THE VSB: WHAT WE DO— 26 FOR 2026

The Virginia State Bar (VSB) is a regulatory body that oversees the legal profession in Virginia. Its main responsibilities include:

- 1. Lawyer regulation:** ensuring that Virginia's 54,000 lawyer-members are properly licensed and meet ethical and professional standards.
- 2. Accountability:** safeguarding the privilege of lawyer self-regulation through the disciplinary system; investigating complaints (~3,000 per year) of unethical conduct by lawyers and, when necessary, issuing sanctions (~140 per year).
- 3. Public protection:** protecting the public by ensuring that lawyers adhere to the high standards of the Rules of Professional Conduct (RPC).
- 4. Ethics advice:** providing over 3,000 responses per year to professional responsibility inquiries raised by Virginia lawyers through the Ethics Hotline.
- 5. Unauthorized Practice of Law (UPL):** except as limited by law, protecting the privilege of practicing lawyers and providing guidance on activity constituting UPL.
- 6. Continuing Legal Education:** providing resources for attorneys to maintain their legal education and stay current with legal developments. Simultaneously, ensuring that the content offered by third-party providers meets acceptable standards by processing ~22,000 course applications per year.
- 7. Clients Protection Fund (CPF):** administering Virginia lawyers' contributions to the CPF to ensure that clients harmed by a dishonest lawyer are compensated by the members of the profession—totaling over \$6M in awards since 2000.
- 8. Impairments:** compensating and training guardians ad litem to serve as intermediaries between respondents and the Disciplinary Board, advocating for the respondents' best interests.
- 9. Receivers:** safeguarding clients' interests by petitioning for the appointment of receivers in necessary cases where a lawyer is deceased, disabled, or disbarred.
- 10. Legal research tools:** providing every Virginia lawyer with free access to online legal research through vLex|Fastcase.
- 11. Malpractice advice:** providing every Virginia lawyer with free access to legal malpractice and risk avoidance advice through the Malpractice Avoidance Hotline.



- 12. Trust accounting software:** providing every Virginia lawyer with free access to trust accounting software through Smokeball.
- 13. Dispute resolution:** providing all Virginia lawyers, and their clients, an opportunity to participate in a free fee dispute resolution program helping to avoid complaints and uphold the prestige of the practice.
- 14. Professional liability insurance:** helping ensure a stable market for professional liability insurance through its oversight and endorsement of ALPS.
- 15. Personal insurance:** providing oversight and endorses the VSB Members' Insurance Center, a full-service broker for health and other insurance benefits focused on Virginia law firms and VSB members.
- 16. Promoting access to legal services:** encouraging and fostering Virginia lawyers' engagement in pro bono activity through the Access to Legal Services Committee, helping Virginia lawyers meet the aspirational goals of RPC 6.1.
- 17. Free Legal Answers (FLA):** administering the Virginia FLA portal that provides qualifying members of the public over 1,000 responses per year to discrete legal questions answered by volunteer lawyers.
- 18. Virginia Lawyer Referral Service (VLRS):** receiving approximately 45,000 calls and emails per year from members of the public and referring, on average, 6,000 prospective clients per year to lawyers willing to provide low cost, thirty-minute consultations; expanding access to legal services while helping lawyers grow their practice.
- 19. Virginia Lawyer magazine:** providing every Virginia lawyer with six free issues of *Virginia Lawyer* informing them of developments pertaining to the regulation of the profession; and providing

Virginia lawyers an opportunity to publish substantive practice articles on a range of topics to promote their areas of practice expertise.

20. Resources for the public: publishing the "So you're 18" and "Senior Virginians" handbooks, which apprise young and senior adults of the unique legal issues they face.

21. Promoting collegiality: promoting opportunities for lawyers with shared interests to collaborate regarding aspects of the law relevant to their practice through more than 20 voluntary substantive law sections.

22. Indigent defense training: providing free annual training to public defenders and court-appointed counsel to help them better serve the needs of their clients.

23. Solo & Small firm outreach: hosting three free solo and small firm practitioner forums per year in rural jurisdictions with less access to CLE and legal resources in more populated locations.

24. Professionalism: promoting the importance of civility and professionalism in the practice by hosting six Professionalism Courses throughout the Commonwealth for new Active class members of the VSB.

25. Wellness: supporting the efforts of the Wellness Fund administered by the Supreme Court by incorporating information related to substance abuse, addiction, depression, and other mental health issues that bear on competent practice into its scheduled events.

26. Research & Recommendations: researching relevant changes in the legal profession and providing recommendations to Virginia Lawyers.

In short, the VSB regulates the legal profession to ensure lawyers uphold professional standards, protect the public, and maintain the integrity of the legal system.