

1. FLORIDA: RULE 1-3.5 OF THE RULES REGULATING THE FLORIDA BAR

RULE 1-3.5 RETIREMENT

Any member of The Florida Bar may retire from The Florida Bar upon petition or other written request to, and approval of, the executive director. A retired member shall not practice law in this state except upon petition for reinstatement to, and approval of, the executive director; the payment of all membership fees, costs, or other amounts owed to The Florida Bar; and the completion of all outstanding continuing legal education or basic skills course requirements. A member who seeks and is approved to permanently retire shall not be eligible for reinstatement or readmission. A retired member shall be entitled to receive such other privileges as the board of governors may authorize.

A retired member shall remain subject to disciplinary action for acts committed before the effective date of retirement. Acts committed after retirement may be considered in evaluating the member's fitness to resume the practice of law in Florida as elsewhere stated in these Rules Regulating The Florida Bar.

If the executive director is in doubt as to disposition of a petition, the executive director may refer the petition to the board of governors for its action. Action of the executive director or board of governors denying a petition for retirement or reinstatement from retirement may be reviewed upon petition to the Supreme Court of Florida.

[Revised: 07/01/2012]

- 1A. FLORIDA BAR NEWS [ARTICLE ON PERMANENT RETIREMENT RULE](#)

2. OHIO: RULE VI, SECTION 7 OF THE [OHIO] SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

Section 7. Retirement or Resignation from the Practice of Law.

- (A) An attorney who wishes to retire or resign from the practice of law shall file an application with the Office of Attorney Services. The application shall be on a form furnished by the Office of Attorney Services and contain both of the following:
 - (1) A notarized affidavit setting forth the attorney's full name, attorney registration number, date of birth, mailing address, and all other jurisdictions and registration numbers under which the attorney practices. The affidavit shall state all of the following:
 - (a) The attorney wishes to retire or resign from the practice of law in the State of Ohio;
 - (b) The attorney fully understands that the retirement or resignation completely divests him or her of the privilege of engaging in the practice of law, and of each, any and all of the rights, privileges, and prerogatives appurtenant to the office of attorney and counselor at law; \
 - (c) The attorney fully understands that the retirement or resignation is unconditional, final, and irrevocable;

(2) A written waiver allowing Disciplinary Counsel to review all proceedings and documents relating to review and investigation of grievances made against the attorney under the Rules for the Government of the Bar of Ohio and the Rules for the Government of the Judiciary of Ohio, and to disclose to the Supreme Court any information it deems appropriate, including, but not limited to, information that otherwise would be private pursuant to Gov. Bar R. V.

(B) The Office of Attorney Services shall refer the application to Disciplinary Counsel. Upon receipt of the referral, Disciplinary Counsel shall determine whether any disciplinary proceedings are pending against the attorney. After completing this inquiry, Disciplinary Counsel shall submit to the Office of Attorney Services a confidential report, under seal, recommending whether the application should be accepted, denied, or delayed. If Disciplinary Counsel recommends that the application be accepted, the report shall indicate whether the attorney should be designated as retired or designated as resigned with disciplinary action pending. If Disciplinary Counsel recommends that the application be denied or delayed, the report shall provide reasons for the recommendation. Upon receipt of the report from Disciplinary Counsel, the Office of Attorney Services shall do one of the following:

(1) Accept the application and designate the attorney as retired if the report recommends such acceptance and designation;

(2) File the application and the report with the Clerk of the Supreme Court if the report recommends acceptance of the application with a designation of resigned with discipline pending or the denial or deferral of the application.

(C) Upon receipt and consideration of an application filed pursuant to division (B)(2) of this section, the Supreme Court shall enter an order it deems appropriate. An order accepting an application to resign from the practice of law shall indicate that the attorney be designated as resigned with disciplinary action pending. The Clerk of the Supreme Court shall serve copies of the order as provided in Gov. Bar R. V, Section 8(D)(1).

(D) A retired attorney may be designated as “retired” on law firm letterhead if the attorney’s name was included on the letterhead prior to the time that the attorney’s retirement was accepted by the Supreme Court. A retired attorney shall not be listed as “of counsel” or otherwise be represented as able to engage in the practice of law in Ohio.

ILLINOIS RULE 756 (A) (9) OF THE RULES GOVERNING THE LEGAL PROFESSION AND JUDICIARY IN ILLINOIS
<http://www.iardc.org/rulesSCT.html> (link to all rules)

(9) Permanent Retirement Status. An attorney may file a petition with the court requesting that he or she be placed on permanent retirement status. All of the provisions of retirement status enumerated in Rule 756(a)(6) shall apply, except that an attorney who is granted permanent retirement status may not thereafter change his or her registration designation to active or inactive status, petition for reinstatement pursuant to Rule 767, or provide *pro bono* services as otherwise allowed under paragraph (j) of this rule.

(A) The petition for permanent retirement status must be accompanied by a consent from the Administrator, consenting to permanent retirement status. If the petition is not accompanied by a consent from the Administrator, it shall be denied.

(B) An attorney shall not be permitted to assume permanent retirement status if:

1. there is a pending disciplinary proceeding against the attorney before the Hearing Board or a complaint has been voted against the attorney by the Inquiry Board;

2. there is a pending investigation against the attorney that involves:

- a. an allegation that the attorney converted funds or misappropriated funds or property of a client or third party;
- b. an allegation that the attorney engaged in criminal conduct that reflects adversely on the attorney's honesty; or
- c. the alleged conduct resulted in or is likely to result in actual prejudice (loss of money, legal rights, or valuable property rights) to a client or other person, unless restitution has been made; or

3. the attorney retains an active license to practice law in jurisdictions other than the State of Illinois.

C. If permanent retirement status is granted, the Administrator and/or the Inquiry Board shall close any pending disciplinary investigation of the attorney. The Administrator may resume such investigations pursuant to Commission Rule 54 and may initiate additional investigations and proceedings of the attorney as circumstances warrant.