

**AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

The following amendments to the Supreme Court Rules for the Government of the Bar of Ohio (Gov. Bar R. I, X, and XII) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

| | |
|-------------------|---------------------------------|
| December 19, 2016 | Initial publication for comment |
| May 2, 2017 | Final adoption by conference |
| July 1, 2017 | Effective date of amendments |

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

RULE I. ADMISSION TO THE PRACTICE OF LAW

[Existing language unaffected by the amendments is omitted to conserve space]

Section 16. Military Spouse Attorneys Admission.

(A) An applicant may apply for temporary admission to the practice of law in Ohio as a military spouse attorney pursuant to division (B) of this section if all of the following concerning the applicant apply:

(1) Is present in Ohio as the spouse of an active service member of the United States armed forces assigned to a military installation within the state;

(2) Has earned a bachelor's degree from an accredited college or university or, if not located in the United States, from a college or university evaluated and approved in accordance with division (B)(3) of this section;

(3) Has earned a J.D. or an L.L.B. degree from a law school that was approved by the American Bar Association at the time the degree was earned or, if not located in the United States, from a law school evaluated and approved in accordance with division (B)(3) of this section;

(4) Has not taken and failed an Ohio bar examination;

(5) Is not admitted to the practice of law in this state;

(6) Has not engaged in the unauthorized practice of law;

(7) Is a citizen or a resident alien of the United States;

(8) Has taken and passed a bar examination and has been admitted as an attorney at law in the highest court of another state or in the District of Columbia;

(9) Is in good standing in all jurisdictions in which the applicant is admitted to the practice of law;

(10) Is not currently subject to discipline or the subject of a pending disciplinary matter in any jurisdiction in which the applicant is admitted to the practice of law;

(11) Has not resigned from the practice of law with discipline pending in any jurisdiction;

(12) Has not voluntarily or involuntarily relinquished a license to practice law in any jurisdiction in order to avoid discipline or as a result of discipline imposed by a relevant authority;

(13) Has not been disciplined for professional misconduct within the past ten years or been disbarred by any jurisdiction.

(B) An applicant for temporary admission to the practice of law in Ohio as a military spouse attorney shall file an application with the Office of Bar Admissions. The application shall be on a form furnished by the office and include all of the following:

(1) An affidavit from the applicant stating all of the following:

(a) The applicant has not engaged in the unauthorized practice of law;

(b) The applicant is a citizen or a resident alien of the United States;

(c) The applicant has read, is familiar with, and agrees to be bound by the Rules for the Government of the Bar of Ohio and the Ohio Rules of Professional Conduct and to submit to the jurisdiction of the Supreme Court for disciplinary purposes pursuant to Gov. Bar R. V.

(2) A copy of the United States Military Orders of the spouse of the applicant, establishing that the spouse is in Ohio due to military orders;

(3) Certificates or official transcripts evidencing compliance with division (A)(2) and (3) of this section. If the applicant's undergraduate or legal education was not received in the United States, a one hundred fifty dollar fee shall accompany the application for evaluation of the applicant's education. If the applicant's undergraduate or legal education was not received in the United States, the application shall not be processed until the applicant's education is approved by the Court.

(4) A certificate from the admissions authority in the jurisdiction from which the applicant seeks admission, demonstrating that the applicant has taken and passed a bar examination and has been admitted to the practice of law in that jurisdiction;

(5) A certificate of good standing from each jurisdiction in which the applicant is admitted to practice law, dated no earlier than sixty days prior to the submission of the application;

(6) A questionnaire, typed and in duplicate, for use by the National Conference of Bar Examiners and the Board of Commissioners on Character and Fitness in conducting a character investigation and report of the applicant;

(7) A fee in the amount charged by the National Conference of Bar Examiners for conducting a character investigation and report of the applicant;

(8) A nonrefundable application fee of seventy-five dollars.

(C) Upon filing a completed application that demonstrates the applicant's eligibility under this section, the Office of Bar Admissions shall issue the applicant a provisional temporary

admission to the practice of law in Ohio as a military spouse attorney. The provisional temporary admission to the practice of law shall expire upon the approval or disapproval of the applicant.

(D) Upon receipt of the character report of the applicant by the National Conference of Bar Examiners, the Office of Bar Admissions shall submit the report and the application to the Board of Commissioners on Character and Fitness, which shall review the report and the application. The Board may request additional information or materials from the applicant and may conduct a personal interview to determine the applicant's character, fitness, and moral qualifications to practice law. The Board may recommend that the applicant be approved as possessing the requisite character, fitness, and moral qualifications for admission or may submit a recommendation to the Court as to the disapproval of the applicant in accordance with Section 12 of this rule.

(E) Both of the following shall apply to a military spouse attorney temporarily licensed to practice law in Ohio pursuant to this section:

(1) The attorney shall be entitled to all privileges, rights, and benefits and subject to all duties, obligations, and responsibilities of active members of the bar of this jurisdiction, including but not limited to compliance with the continuing legal education requirements of Gov. Bar R. X and biennial registration and payment of the registration fee pursuant to Gov. Bar R. VI, Section 2;

(2) The attorney shall be subject to the jurisdiction of the Board of Professional Conduct and agencies of this jurisdiction with respect to the laws and rules of this jurisdiction governing the conduct and discipline of attorneys, to the same extent as members of the bar of this jurisdiction.

(F)(1) The authority of a military spouse attorney temporarily licensed to practice law in Ohio pursuant to this section shall automatically terminate upon the occurrence of any of the following:

(a) The spouse of the attorney is no longer an active member of the United States armed forces;

(b) The attorney is no longer married to the spouse who is an active member of the United States armed forces;

(c) A change in the military orders of the spouse reflecting a permanent change of station to a military installation other than Ohio, except that if the spouse has been assigned to an unaccompanied or remote assignment with no dependents authorized, the attorney shall maintain military spouse attorney status until the spouse is assigned to a location with dependents authorized;

(d) The attorney is admitted to the practice of law in this state pursuant to any other rule of the Supreme Court;

(e) The attorney is suspended or disbarred in any jurisdiction in which the attorney is admitted to the practice of law.

(2) Within sixty days of the occurrence of any event listed in division (F)(1) of this section, the attorney shall notify the Office of Bar Admissions of the event in writing.

[Effective: February 28, 1972; amended effective October 30, 1972; November 27, 1972; March 19, 1973; November 12, 1973; March 1, 1974; July 8, 1974; April 26, 1976; January 24, 1977; March 9, 1977; August 1, 1977; January 1, 1982; March 9, 1983; July 1, 1983; May 7, 1984; May 28, 1984; December 31, 1984; April 1, 1987; May 6, 1987; January 1, 1989; July 1, 1989; January 1, 1991; February 1, 1991; October 1, 1991; February 1, 1992; May 1, 1992; July 1, 1992; August 1, 1992; January 1, 1993; September 15, 1993; January 1, 1995; May 1, 1997; August 3, 1998; June 1, 2000; October 1, 2000; February 1, 2003; October 1, 2003; February 1, 2007; May 1, 2007; October 1, 2007; January 1, 2008; February 1, 2009; August 1, 2010; January 1, 2013; January 1, 2014, July 1, 2014; January 1, 2015; January 1, 2017; July 1, 2017.]

RULE X. CONTINUING LEGAL EDUCATION

[Existing language unaffected by the amendments is omitted to conserve space]

Section 9. Newly-Admitted and Corporate Registered Attorneys.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) *Exemption from New Lawyers Training.* The following newly admitted attorneys shall be exempt from the New Lawyers Training instruction requirements of Section 14 of this rule, but shall otherwise comply with the applicable requirements of this rule:

(1) An attorney registered as inactive pursuant to Gov. Bar R. VI, Section 2;

(2) An attorney admitted to the practice of law in Ohio pursuant to Gov. Bar R. I, Section 9;

(3) An attorney temporarily admitted to the practice of law in Ohio pursuant to Gov. Bar R. I, Section 16.

[Existing language unaffected by the amendments is omitted to conserve space]

Section 20. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(U) The amendments to Section 9 of this rule, adopted by the Supreme Court of Ohio on May 2, 2017, shall be effective July 1, 2017.

[Effective: July 1, 1988 and January 1, 1989; amended effective January 1, 1989; July 1, 1989; December 15, 1989; May 28, 1990; September 1, 1990; January 1, 1991; February 18, 1991; September 1, 1991; January 1, 1992; July 1, 1992; January 1, 1994; January 1, 1995; January 1, 1996; January 1, 1998; November 1, 1998; January 1, 2000; May 8, 2000; July 1, 2001; January 21, 2002; July 1, 2002, September 1, 2004, November 7, 2005; November 1, 2007; November 1, 2008; December 1, 2011; January 1, 2014; January 1, 2015; July 1, 2017.]

RULE XII. PRO HAC VICE ADMISSION

[Existing language unaffected by the amendments is omitted to conserve space]

Section 2. Requirements for Permission to Appear Pro Hac Vice

(A) A tribunal of this state may grant permission to appear pro hac vice to an attorney who is admitted to practice in the highest court of a state, commonwealth, territory, or possession of the United States or the District of Columbia, or who is admitted to practice in the courts of a foreign state and is in good standing to appear pro hac vice in a proceeding.

(1) An attorney is eligible to be granted permission to appear pro hac vice pursuant to this rule if any of the following apply:

- (a) The attorney neither resides in nor is regularly employed at an office in this state;
- (b) The attorney is registered for corporate status in this state pursuant to Gov. Bar R. VI, Section 3;
- (c) The attorney resides in this state but lawfully practices from offices in one or more other states;
- (d) The attorney maintains an office or other systematic and continuous presence in this state pursuant to Prof.Cond.R. 5.5(d)(2);
- (e) The attorney has permanently relocated to this state in the last 120 days and is currently an applicant pending admission under Gov. Bar R. I;
- ~~(f) The attorney resides in this state, is the spouse of an active member of the United States armed forces assigned to a military installation within this state, and intends to practice law in this state only for the duration of the assignment of the spouse.~~

[Existing language unaffected by the amendments is omitted to conserve space]

~~(6)(a) An attorney listed in Section 2(A)(1)(a) through (e) of this rule who has been granted permission to appear pro hac vice may participate in no more than three proceedings under~~

this rule in the same calendar year the application is filed. In the event a proceeding continues to the next or subsequent calendar years, the proceeding will not count toward the annual limitation. An appeal from a trial court or court of appeals, an appeal of an administrative agency order or ruling, a transfer of an action to a court of competent jurisdiction, or the consolidation of two or more cases, where the attorney participated in the initial proceeding, shall not be counted toward the annual limitation. Participation for the first time by an attorney at any stage during a proceeding shall count toward the annual limitation.

~~(b) An attorney listed in Section 2(A)(1)(f) of this rule who has been granted permission to appear pro hac vice shall be entitled to all rights and privileges and subject to all duties, obligations, and responsibilities otherwise applicable to licensed Ohio attorneys for a period of two years from the date the permission is granted. Permission to appear pro hac vice shall automatically terminate upon the occurrence of either of the following:~~

~~(i) The end of the two year period for which the permission was granted and the attorney has not filed for a renewal pursuant to Section 5(B) of this rule;~~

~~(ii) The attorney is admitted to the practice of law in Ohio pursuant to Gov. Bar R. I.~~

~~(e) An attorney listed in Section 2(A)(1)(f) of this rule may not act as counsel for a client until granted permission to appear pro hac vice under this rule.~~

(7) The attorney may file a motion for permission to appear pro hac vice accompanied by a copy of the certificate of pro hac vice registration furnished by the Office of Attorney Services, and includes the following information:

(a) The attorney's residential address, office address, and the name and address of the attorney's law firm or employer, if applicable;

(b) The jurisdictions in which the attorney has ever been licensed to practice law, including the dates of admission to practice, resignation, or retirement, and any attorney registration numbers;

(c) An affidavit stating that the attorney has never been disbarred and whether the attorney is currently under suspension or has resigned with discipline pending in any jurisdiction the attorney has ever been admitted;

~~(d) If the attorney is listed in Section 2(A)(1)(a) through (e) of this rule, a A statement that the attorney has not been granted permission to appear pro hac vice in more than three proceedings before Ohio tribunals in the current calendar year pursuant to Section 2(A)(6)(a) of this rule;~~

~~(e) If the attorney is listed in Section 2(A)(1)(a) through (e) of this rule, the The name and attorney registration number of an active Ohio attorney, in good standing, who has agreed to associate with the attorney.~~

[Existing language unaffected by the amendments is omitted to conserve space]

Section 5. Renewal of Registration

(A) If an attorney listed in ~~Section 2(A)(1)(a) through (e) of this rule~~ continues to appear on the basis of permission to appear pro hac vice in any proceeding pending as of the first day of a new calendar year, the attorney shall pay a renewal fee equal to the registration fee set forth in Section 2(A)(3) of this rule. This renewal fee shall be due within thirty days of the start of that calendar year and shall be tendered to the Office of Attorney Services and accompanied by an updated registration form.

~~(B) At the conclusion of a two-year period of permission to appear pro hac vice, an attorney listed in Section 2(A)(1)(f) of this rule may renew the permission for an additional two-year period if the spouse of the attorney continues to be an active member of the United States armed forces assigned to a military installation within this state by paying a renewal fee equal to the registration fee set forth in Section 2(A)(3) of this rule. This renewal fee shall be due within thirty days of the end of the two-year period of permission to appear pro hac vice and shall be tendered to the Office of Attorney Services and accompanied by an updated registration form.~~

~~(C)~~ Failure to pay the required renewal fee and file a new registration form within the time specified shall result in automatic exclusion from practice within this state. The Office of Attorney Services shall, by certified mail, notify all tribunals in which the attorney has appeared of the attorney's exclusion. If the proceeding has concluded or if the attorney has withdrawn from the proceeding, the attorney must so notify the Office of Attorney Services by the deadline for renewal of registration.

[Existing language unaffected by the amendments is omitted to conserve space]

[Effective: January 1, 2011; January 1, 2013; January 1, 2014; July 1, 2016; January 1, 2017; July 1, 2017.]

RULE XX. TITLE AND EFFECTIVE DATES

[Existing language unaffected by the amendments is omitted to conserve space]

Section 2. Effective Dates.

[Existing language unaffected by the amendments is omitted to conserve space]

(GGGGG) The amendments to Gov. Bar R. I, X, and XII, adopted by the Supreme Court on May 2, 2017, shall take effect on July 1, 2017.