

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, Sections 1 through 3, 8, 10, 11, 14, 15, 18, and 19; Gov. Bar R. II, Sections 2 and 3; Gov. Bar R. IX, Section 2; and Gov. Bar R. XII, Section 1) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

July 17, 2023	Initial publication for public comment
January 10, 2024	Final adoption by conference
April 1, 2024	Effective date of amendments

Key to Proposed Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be 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

Section 1. General Requirements.

To be admitted to the practice of law in Ohio, an applicant shall satisfy all of the following requirements:

(A) Be at least twenty-one years of age;

(B) Have earned a bachelor's degree or doctoral-level degree from an accredited college or university;

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

Section 2. Preliminary Registration Requirements.

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

(B) The registration application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

(1) A certificate from the dean of the law school the applicant is attending, certifying that the applicant has begun the study of law;

(2) A properly authenticated transcript of college credits showing the applicant has earned a bachelor's degree in compliance with Section 1(B) of this rule or a certificate from the dean of the law school the applicant is attending, certifying that the applicant is participating in a three-plus-three program;

(3) ~~Fingerprint identification taken by a sheriff, deputy sheriff, municipal police officer, or state highway patrol officer~~ A front and back copy of a driver's license, other state-issued photo identification card, or passport-style photo;

(4) A registration fee of seventy-five dollars;

(5) A fee in the amount charged by the National Conference of Bar Examiners (NCBE) for its character investigation and report;

(6) A typed and completed character questionnaire, ~~in duplicate~~, in the form prescribed by the Board of Commissioners on Character and Fitness;

(7) Authorization and release forms in the number required by the Office of Bar Admissions.

(C) If an applicant's undergraduate or legal education was not received in the United States, an additional fee of one hundred fifty dollars shall accompany the application for the evaluation of the applicant's education. ~~The Supreme Court shall review the~~ An applicant's education and shall be reviewed to determine whether the education is equivalent to the education required of applicants educated in the United States. In order to receive a review of education received outside of the United States, an applicant must submit the following documents with the registration application:

(1) If an applicant's undergraduate education was not received in the United States, the applicant must submit an education evaluation completed by an education evaluation service approved by the Court. The applicant's education evaluation from an education evaluation service must show that the applicant has completed at least three years of fulltime post-secondary education in order ~~for the Court to find undergraduate educational equivalence. The Court may find undergraduate~~ Undergraduate equivalence may be found where an applicant's education evaluation shows that the applicant has completed at least two years of fulltime post-secondary education, provided the applicant also submits an educational evaluation showing that the applicant's secondary education included study equivalent to one year of undergraduate study. The registration application shall be processed while the applicant's undergraduate education is evaluated ~~by the Court.~~

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

Section 3. Application for Ohio Bar Examination; Updating Character and Fitness Information after the Examination.

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

(B) The examination application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

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

(4) A typed and completed supplemental character questionnaire, ~~in duplicate,~~ in the form prescribed by the Board of Commissioners on Character and Fitness, updating the information on the applicant's character, fitness, and moral qualifications furnished on the applicant's registration application pursuant to Section 2 of this rule;

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

(H) As used in this rule:

(1) "Accredited college or university" means a college or university approved by one of the following accrediting associations or, if not located in the United States or Canada, a college or university evaluated and approved in accordance with Sections 2(C), 10(C)(12), or 11(B)(7) of this rule: Middle States Association of Colleges and Schools/Commission on Higher Education; New England Association of Schools and Colleges--Commission on Institutions of Higher

Education; ~~North Central Association of Colleges and Schools~~ Higher Learning Commission; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools--Commission on Colleges; Western Association of Schools and Colleges--Accrediting Commission for Senior Colleges--~~Association of Universities and Colleges of Canada~~.

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

Section 8. Application for Reexamination.

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

(B) The reexamination application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

(1) An affidavit that the applicant has not engaged in the unauthorized practice of law;

(2) A typed and completed supplemental reexamination character questionnaire, ~~in duplicate~~, in the form prescribed by the Board of Commissioners on Character and Fitness, updating the previously furnished information on the applicant's character, fitness, and moral qualifications;

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

Section 10. Admission Without Examination.

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

(C) An applicant for admission to the practice of law in Ohio without examination shall file with the Office of Bar Admissions an Application for Admission to the Practice of Law Without Examination. The application shall include all of the following:

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

(8) ~~Fingerprint identification taken by a sheriff, deputy sheriff, municipal police officer, or state highway patrol officer;~~

(9) A typed questionnaire, ~~typed and in duplicate~~, for use by the NCBE, the Board of Commissioners on Character and Fitness, and the regional or local bar association admissions committee in conducting a character investigation of the applicant;

(10) A fee of one thousand five hundred dollars;

(11) A fee in the amount charged by the NCBE for its character investigation and report;

~~(12)~~(11) Certificates or official transcripts evidencing compliance with Section 1(B) and (C) of this rule. 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 legal education. If the applicant's legal education was not received in the United States, the application shall not be processed until the applicant's legal education is approved by the Court.

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

Section 11. Admission by Transferred UBE Score.

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

(B) An applicant under this section shall file with the Office of Bar Admissions an Application for Admission to the Practice of Law by Transferred UBE Score. The application shall include all of the following:

(1) An affidavit stating both of the following:

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

(b) That the applicant has studied the Rules for the Government of the Bar of Ohio, the Ohio Rules of Professional Conduct, and the Code of Judicial Conduct.

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

(3) ~~Fingerprint identification taken by a sheriff, deputy sheriff, municipal police officer, or state highway patrol officer;~~

~~(4)~~ (4) A questionnaire provided for use by the NCBE, the Board of Commissioners on Character and Fitness, and the regional or local bar association admissions committee in accordance with NCBE and the Office of Bar Admissions' policies in conducting a character investigation of the applicant;

~~(5)~~(4) A seven hundred and fifty dollar fee;

~~(6)~~(5) A fee in the amount charged by the NCBE for its character investigation and report;

~~(7)~~(6) Certificates or official transcripts evidencing compliance with Section 1(B) and (C) of this rule. If the applicant's undergraduate or legal education was not received in the United States, a one hundred and fifty dollar fee shall accompany the application for evaluation of the applicant's foreign education. If the applicant's legal education was not received in the United States, the application shall not be processed until the applicant's legal education is approved by the Court.

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

Section 14. Appeal to Board of Commissioners on Character and Fitness.

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

(F)(1) On the filing of the Board's report and record with the Clerk of the Supreme Court, the Court shall issue an order to show cause why the report should not be confirmed and why the Board's recommendation should not be adopted. The Clerk shall send a copy of the show cause order and a copy of the Board's report, by both ordinary and certified mail, to the applicant at the address listed in the application or as supplemented by the applicant, to the admissions committee, and to all counsel of record.

(2) Within thirty days after issuance of the show cause order, the applicant and the admissions committee may file objections to the findings or recommendation of the Board. The objections shall be accompanied by ~~the original and eighteen copies of~~ a brief in support of the objections. An

~~(3)~~ ~~The original and eighteen copies of an~~ answer brief may be filed within fifteen days after the objections have been filed with the Clerk. Objections and briefs shall be filed in the number and form as required by the Rules of Practice of the Supreme Court of Ohio.

~~(4)~~(3) Unless clearly inapplicable, the Rules of Practice of the Supreme Court of Ohio shall apply to proceedings filed in the Supreme Court under this division. Service of briefs and other documents shall be made upon the applicant, the admissions committee, and all counsel of record.

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

Section 15. Confidentiality of Character and Fitness Matters.

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

(C) A record filed with the Clerk of the Supreme Court pursuant to Section 14(E) of this rule shall be filed under seal. After ~~sixty~~ thirty days, the record shall become public unless the Supreme Court, on motion by the applicant or *sua sponte*, orders that the record or portions of the record remain confidential.

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

Section 18. Military Spouse Attorneys Admission.

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

(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:

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

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

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

Section 19. Practice Pending Admission during the Admission to the Practice of Law Process.

(A)(1) An applicant who has completed and filed with the Office of Bar Admissions one of the following applications for the admission to the practice of law may file with the Office an Application to Practice Pending Admission during the admission process pursuant to division ~~(A)(4)~~(A)(2) of this section:

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

[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; September 2, 2019; June 1, 2020; March 2, 2021; September 1, 2021; January 17, 2023; April 1, 2024.]

RULE II. LIMITED PRACTICE OF LAW BY A LEGAL INTERN

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

Section 2. Eligibility.

To be eligible for a legal intern certificate, ~~an applicant shall satisfy all~~ either of the following shall apply:

(A) ~~Be~~ The applicant shall be enrolled in a law school approved by the American Bar Association; and meet all of the following requirements:

~~(B)~~(1) Have received at least ~~two-thirds~~ one-third of the total hourly academic credits required for graduation;

~~(C)~~(2) Be approved for a legal intern certificate by the dean of the law school in which the applicant is enrolled;

~~(D)~~(3) Have read and agreed to be bound by this rule, Gov. Bar R. IV, and the Ohio Rules of Professional Conduct as adopted by the Supreme Court.

(B) The applicant shall be a graduate of a law school approved by the American Bar Association and meet both of the following requirements:

(1) Have applied to take or has taken and is awaiting the results of the first Ohio bar examination following graduation;

(2) Have read and agrees to be bound by this rule, Gov. Bar R. IV, and the Ohio Rules of Professional Conduct as adopted by the Supreme Court.

Section 3. Application.

An applicant for a legal intern certificate shall file an application with the Office of Bar Admissions of the Supreme Court. The application shall be on forms provided by the Office of Bar Admissions and shall include all of the following:

(A) ~~A~~ If the applicant is applying pursuant to Section 2(A) of this rule, a certificate from the dean of the law school in which the applicant is enrolled, certifying both of the following:

(1) That the applicant satisfies ~~Sections 2(A) and (B)~~ Section 2(A)(1) of this rule and has met all of the academic and ethical standards of the law school;

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

[Effective: February 28, 1972; amended effective February 12, 1973; January 1, 1979; July 1, 1983; January 1, 1992; October 1, 2000; February 1, 2007; May 1, 2007; August 1, 2009; April 1, 2024.]

RULE IX. TEMPORARY CERTIFICATION FOR PRACTICE IN LEGAL SERVICES, PUBLIC DEFENDER, AND LAW SCHOOL PROGRAMS

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

Section 2. Application.

An applicant for certification under this rule shall file with the Office of Bar Admissions of the Supreme Court an Application for Temporary Certification. The application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

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

(F) A questionnaire, ~~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 of the applicant;

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

[Not analogous to former Rule IX, effective January 1, 1981; amended effective July 2, 1990; July 2, 1991; October 1, 2000; October 1, 2003; February 1, 2007; May 1, 2007; January 1, 2008; June 1, 2020; April 1, 2024.]

The Supreme Court, on June 4, 1991, amended Section 5 of this rule, effective July 2, 1991, but did not modify the repeal provision of Section 7. The Supreme Court Reporter has advised that the June 4 order supersedes the repeal provision of Section 7 and that Rule IX remains in effect.

RULE XII. PRO HAC VICE ADMISSION

Section 1. Definitions

As used in this rule:

(A) *Tribunal*: A tribunal is defined as a court, legislative body, administrative agency, the Supreme Court of Ohio Board on the Unauthorized Practice of Law, or other body acting in an adjudicative capacity. A legislative body, administrative agency, or other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party or parties, will render a binding legal judgment directly affecting a party's interests in a particular matter.

[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; July 1, 2019; September 1, 2021; December 1, 2022; April 1, 2024.]

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]

([Insert division letter]) The amendments to Gov. Bar R. I, Sections 1 through 3, 8, 10, 11, 14, 15, 18, and 19; Gov. Bar R. II, Sections 2 and 3; Gov. Bar R. IX, Section 2; and Gov. Bar R. XII, Section 1, adopted by the Supreme Court on January 10, 2024, shall take effect on April 1, 2024.