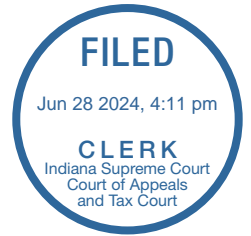


In the Indiana Supreme Court

Cause No. 24S-MS-1



Order Amending Admission and Discipline Rules

On April 4, 2024, this Court created [the Commission on Indiana's Legal Future](#) to “explore options for addressing Indiana’s attorney shortage and present findings and recommendations to the Court for future actions.” The Commission’s interim recommendations on any statutory changes or funding requests are not due until August 1, 2024, with a final report due by July 1, 2025. But the Commission and its five workgroups have been hard at work and have proposed changes to the Indiana Rules for the Admission to the Bar and the Discipline of Attorneys aimed at eliminating barriers for qualified attorneys to practice law in Indiana.

The Commission has proposed amendments to Rule 2.1. The proposed amendments allow certified legal interns who have graduated law school to practice law in Indiana without the need for direct attorney supervision in certain high-need public service fields immediately upon receipt of a successful result on the Indiana bar exam if the participant is otherwise qualified for admission and the legal work is within the scope of their employment.

The Commission has also proposed amendments to Rule 6. The proposed amendments ease the availability of admission on motion, shorten the minimum practice requirement before lawyers are eligible to move for admission, and eliminate the “predominant practice” requirement.

The Court has considered these proposals and thanks the Commission and workgroup members for their quick response to the gravity of their charge. Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court’s inherent authority to supervise the administration of all courts of this state, the Indiana Rules for the Admission to the Bar and the Discipline of Attorneys are hereby **AMENDED** as set forth in Exhibits A and B to this order (deletions shown by **striking** and new text shown by **underlining**):

These amendments are effective immediately.

Done at Indianapolis, Indiana, on 6/28/2024.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

All Justices concur.

Exhibit A

Rule 2.1. Legal Interns

Section 1. Requirements.

~~(a) A law student may serve as a legal intern when the following requirements are met:~~

- ~~1. The law student is enrolled in a school accredited pursuant to Admission and Discipline Rule 13;~~
- ~~2. The law student has satisfactorily completed one-half of the academic requisite for a first professional degree in law;~~
- ~~3. The law student has received permission of the Dean of the law school to participate in a legal intern program determined to be beneficial to the law student's training pursuant to the guidelines jointly developed by the law schools of this State; and~~
- ~~4. The law student has completed or is enrolled in a legal ethics or professional responsibility course as set forth in Admission and Discipline Rule 13.~~

~~(b) A law school graduate may serve as a legal intern when the following requirements are met:~~

- ~~1. The law graduate has received a first professional degree in law from a school accredited pursuant to Admission and Discipline Rule 13;~~
- ~~2. The law graduate is eligible to take the Bar examination under Admission and Discipline Rule 13; and~~
- ~~3. The law graduate has received permission from an attorney who is a member of the Bar of this State to serve as a legal intern under that attorney's direct supervision.~~

Section 2. Length of Intern Status.

~~(a) A law student may serve as a legal intern until graduation from law school or for a lesser period if so designated by the Dean of the law school.~~

~~(b) A law school graduate may serve as a legal intern from the date of graduation until the graduate has taken and has been notified of the results of the first examination for which the graduate is eligible under Admission and Discipline Rule 13, or if successful on that examination, until the first opportunity thereafter for formal admission to the Bar of Indiana.~~

Section 3. Certification.

~~(a) The Dean of a law school sponsoring a legal intern program shall advise the Indiana Supreme Court Board of Law Examiners of those students who qualify to be legal interns and the length of that internship.~~

~~(b) An Attorney, who is a member of the Bar of this State and who wishes to sponsor and supervise a graduate as a legal intern, shall so advise the Indiana Supreme Court Board of Law Examiners; and also, the Dean of the law school from which the graduate received the first professional degree in law shall advise the State Board of Law Examiners of the date of graduation and the date at which such graduate will be first eligible for examination under Admission and Discipline Rule 13.~~

Section 4. Scope of Conduct.

~~A legal intern may interview, advise, negotiate for, and represent parties in any judicial or administrative proceeding in this State, provided all activities undertaken are supervised and approved by an attorney who is a member of the Bar of this State. A legal intern shall inform each client of his or her intern status, and that the intern is not a licensed attorney. A legal intern shall not interview any person represented by an attorney without the express permission of such attorney. In no event may a person (including private corporations) be charged for the services of a legal intern acting in a representative capacity. The personal presence of a supervising attorney is required in any proceeding in open court.~~

Rule 2.1. Legal Interns

Section 1. Requirements

~~(a) A law student may serve as a legal intern when the following requirements are met:~~

- ~~(i) The law student is enrolled in a school accredited as set forth in Rule 13(1)(a).~~
- ~~(ii) The law student has satisfactorily completed one-half of the educational requirements for a first professional degree in law.~~
- ~~(iii) The law student has received permission from the dean of the law school to participate in a legal intern program determined to be beneficial to the law student's training pursuant to the guidelines jointly developed by the law schools of this state.~~
- ~~(iv) The law student has completed or is enrolled in a legal ethics or professional responsibility course as set forth in Rule 13(1)(c).~~

- (b) A law school graduate may serve as a legal intern when the following requirements are met:
 - (i) The law school graduate is eligible to take the bar examination under Rule 13.
 - (ii) The law school graduate has received permission from an attorney who is a member of the Indiana bar to serve as a legal intern under that attorney's direct supervision.

Section 2. Length of Intern Status

- (a) A law student may serve as a legal intern until graduation from law school or for a lesser period if designated by the dean of the law school.
- (b) A law school graduate may serve as a legal intern from the date of graduation until the graduate has taken and been notified of the results of the first bar examination for which the graduate is eligible under Rule 13, or if successful on that examination, until the first opportunity thereafter for formal admission to the Indiana bar.

Section 3. Certification

- (a) The dean of a law school sponsoring a legal intern program shall advise the State Board of Law Examiners of those students who qualify to be legal interns and the length of that internship.
- (b) An attorney who is a member of the Indiana bar and who wishes to sponsor and supervise a graduate as a legal intern shall advise the Board. And the dean of the law school from which the graduate received their first professional degree in law shall advise the Board of both the date of graduation and the date at which the graduate will be first eligible for examination under Rule 13.

Section 4. Scope of Conduct

Except as otherwise permitted in Section 4(b), a legal intern may practice law in Indiana, provided such practice is supervised and approved by an attorney who is a member of the Indiana bar. A legal intern shall inform each client of their intern status and that they are not a licensed attorney.

- (a) A legal intern shall not interview any person represented by an attorney without the express permission of such attorney. In no event may a person (including private corporations) be charged for the services of a legal intern acting in a representative capacity. The personal presence of a supervising attorney is required in any proceeding in open court.
- (b) A law school graduate serving as a legal intern under Section 2(b) who is otherwise qualified for admission and has been notified of their successful results

on the Indiana bar examination may practice law in Indiana without the direct supervision of an attorney who is a member of the Indiana bar, including appearing in any proceeding in open court without the presence of a supervising attorney, if the law school graduate is employed in any of the following capacities:

- (i) A legal services organization or public defender office that provides legal assistance to persons of limited means.
- (ii) The Indiana Department of Child Services where the law school graduate is providing litigation services in child welfare cases.
- (iii) The office of a prosecuting attorney.

The law school graduate's authority to practice law under this provision is limited to matters assigned in the course and scope of their employment with the employers listed above. Law school graduates practicing under this provision are not admitted to the Indiana bar until the admission ceremony set out in Rule 21. Employers must allow law school graduates practicing under this provision time to attend the admission ceremony.

Exhibit B

Rule 6. Admission on Foreign License

Section 1. Provisional License

A person who has been admitted to practice law in the highest court of law in any other state (herein defined as state or territory of the United States or the District of Columbia), may be granted a provisional license to practice law in Indiana upon a finding by the State Board of Law Examiners that said person has met each of the following conditions:

- (a) ~~The applicant has actively engaged in the practice of law for a period of at least five (5) of the seven (7) years immediately preceding the date of application. "Actively engaged in the practice of law" shall mean:~~
 - ~~(i) performing legal services for the general public as a lawyer for at least 1,000 hours per year; or~~
 - ~~(ii) employment by a state or local governmental or business entity as a lawyer performing duties for which admission to the practice of law is a prerequisite for at least 1,000 hours per year; or~~
 - ~~(iii) performing the duties of a teacher of law on a full-time basis in an ABA accredited law school; or~~
 - ~~(iv) serving as a judge of a court of record on a full-time basis; or~~
 - ~~(v) serving on a full-time salaried basis as an attorney with the federal government or a federal governmental agency including service as a member of the Judge Advocate General's Department of one of the military branches of the United States; or~~
 - ~~(vi) a combination of the above.~~
- ~~(b) The practice of law must have been in the state where the applicant is licensed and during the period of licensure unless the practice falls under (iii) or (v) above. Practice under a business counsel license admission as defined in Section 2 may apply toward years of practice for a maximum of five (5) years so long as the applicant meets all of the requirements of this Section 1 and the application for provisional license admission is made within seven (7) years of the grant of the initial business counsel license.~~
- ~~(c) The applicant is a member in good standing of the bar(s) of admission.~~
- ~~(d) The admission of the applicant is in the public interest.~~
- ~~(e) The applicant meets the character and fitness requirements of Indiana.~~

- ~~(f) The applicant has paid or tendered the required fee.~~
- ~~(g) The applicant has not failed the Indiana bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of application.~~
- ~~(h) The applicant has graduated from an ABA accredited law school.~~
- ~~(i) The applicant has filed an affidavit of the applicant's intent to engage in the practice of law as defined in Section 1(a) predominantly in Indiana. "Predominantly" means that the applicant's practice in Indiana must exceed, or be equal to, his or her practice in all other jurisdictions combined.~~

Section 1.1. Military Spouses

- ~~(a) The State Board of Law Examiners may, in its discretion, waive the minimum practice requirements in Section 1 above for an applicant who has been admitted to practice law in the highest court of law in any other state and whose spouse is a member of the armed forces of the United States subject to military transfer to Indiana for active duty military service upon a finding that said person has met the requirements specified in Sections 1 (c) through (i), above and the following conditions:
 - ~~(i) The applicant has achieved a passing score on the Multistate Professional Responsibility Examination as established under Admission and Discipline Rule 17.~~
 - ~~(ii) The applicant is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction.~~
 - ~~(iii) The applicant is the husband or wife of an individual who is a member of the armed forces of the United States or the Coast Guard when it is not operating as a service in the Navy, and that the member of the armed forces is on active military duty orders and stationed in Indiana.~~
 - ~~(iv) The applicant is physically residing in Indiana.~~~~
- ~~(b) In determining whether to waive the minimum practice requirements in Section 1(a) above for an applicant, the Board shall consider the following:
 - ~~(i) The length of time the applicant has been admitted in other jurisdictions.~~
 - ~~(ii) The applicant's practice history and experience, including type of practice, in other jurisdictions~~
 - ~~(iii) The type of practice the applicant intends to undertake in Indiana and the applicant's past experience in that type of practice.~~~~

- ~~(iv) The level and amount of support, supervision or mentoring the applicant will have in his or her practice;~~
- ~~(v) The applicant's showing of familiarity with Indiana law, including CLE programs the applicant may have taken or other showing the applicant may make regarding study of familiarity with Indiana procedural and evidence rules and substantive Indiana law relating to the practice the applicant intends to undertake.~~
- ~~(c) Applicants who have not achieved a passing score on the Multistate Professional Responsibility Examination at the time of application, but who meet all other conditions may be provisionally admitted for six (6) months in order to achieve a passing score on the examination.~~
- ~~(d) When the active duty service member is assigned to an unaccompanied or remote follow-on assignment and the attorney continues to physically reside in Indiana, the provisional admission may be renewed until that unaccompanied tour or remote assignment ends, provided that the attorney complies with all the other requirements for renewal.~~
- ~~(e) Notwithstanding any other provision found in this Rule, the provisional license of an attorney, who is the spouse of an active duty service member, shall terminate and the attorney, consistent with the Rules of Professional Conduct, shall immediately begin to take all steps necessary to relinquish his or her provisional license in accordance Section 5 of this Rule upon the occurrence of any of the following:
 - ~~(i) The spouse's discharge, separation or retirement from active duty in the United States Uniformed Services, or the spouse's no longer being on military orders stationed in Indiana.~~
 - ~~(ii) The attorney no longer physically residing within Indiana.~~
 - ~~(iii) The attorney ceasing to be a dependent as defined by the Department of Defense (or, for the Coast Guard when it is not operating as a service in the Navy, by the Department of Homeland Security).~~
 - ~~(iv) The attorney being admitted to practice law in Indiana pursuant to an admissions rule other than that of Provisional Admission.~~~~

Section 2. Business Counsel License

~~A person who establishes an office or other systematic and continuous presence in Indiana in order to accept or continue employment by a person or entity engaged in business in Indiana other than the practice of law may be granted a business counsel~~

~~license to practice law in Indiana without examination so long as granting the license is in the public interest and such person:~~

- ~~(a) — is admitted:
 - ~~(i) — to practice law in the highest court of law in any other state, or~~
 - ~~(ii) — to practice law in a foreign country and fulfills the requirements set forth in 5(1)(a);~~~~
- ~~(b) — complies with Section 1(a)(ii) and is or will be devoted solely to the business of such employer and who receives or will receive his or her entire compensation from such employer for applicant's legal service, and remains in such employment, except for practice permitted under Rule 6.2 Section 2(c);~~
- ~~(c) — is a member in good standing of the bar(s) of admission;~~
- ~~(d) — meets the character and fitness requirement;~~
- ~~(e) — pays or tenders the required fee; and~~
- ~~(f) — has not failed the Indiana bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of the application.~~

~~A person granted a business counsel license under this Rule based upon admission to the practice of law only in a foreign country shall be subject to the limitations on scope of practice set forth in paragraphs (a)–(d) of Rule 5(4). Upon the transfer of such employment outside the State of Indiana, the right to practice law in Indiana shall terminate.~~

~~Upon the termination of such employment, the right to practice law in Indiana pursuant to a business counsel license shall terminate unless 1) such business counsel license admittee has secured employment from another person or entity within three (3) months of their termination, which employment meets the criteria of Section 2; or 2) such business counsel license admittee shall have been admitted to practice law in this state pursuant to some other rule.~~

Section 3. Fees

~~The applicant shall submit his application accompanied by a fee of eight hundred seventy-five dollars (\$875.00) in accordance with procedures established by the Board. The Executive Director of the Board may refer said application to the National Conference of Bar Examiners for investigation and report. The Board is authorized to pay all expenses incident to the investigation of the qualifications of the applicant. However, in the event said application is considered and denied by the Board prior to referral to the National Conference, the Board is authorized to refund to the applicant one half (1/2) of the application fee. No part of the application fee shall otherwise be refunded.~~

Section 4. Renewal of Provisional License and Business License

~~(a) **Renewal of Provisional License.** A provisional license admission on a foreign license may continue in force for one year, and may be renewed for a like period upon the submission of such verified individualized information as will demonstrate to the satisfaction of the Board that the applicant has during the past year been both (a) engaged in the practice of law as defined in Section 1(a), and (b) predominantly in Indiana. At the time of the first renewal request, the applicant must also submit verified information to demonstrate compliance with the educational requirements of Section 5. Upon the fifth consecutive renewal of the provisional license granted to the applicant, the admission to practice shall be permanent.~~

~~(b) **Renewal of business Counsel License.** A business counsel license may continue in force for one year, and may be renewed for a like period upon the submission of such verified individualized information as will demonstrate to the satisfaction of the Board that the applicant has during the past year been employed under the terms of the business counsel license and will continue to be so employed. At the time of the first renewal request, the applicant must also submit verified information to demonstrate compliance with the educational requirements of Section 5.~~

~~(c) **Annual Renewal Fee – Provisional License and Business Counsel License.** Each attorney who is licensed pursuant to this Rule shall pay a renewal fee of \$50.00 on or before November 1 of each year; a delinquent fee in the amount of \$25.00 shall be added to the renewal fee for fees paid after November 1 and on or before November 15 of each year; a delinquent fee in the amount of \$50.00 shall be added to the renewal fee for fees paid after November 15 and on or before December 31 of each year; a delinquent fee in the amount of \$150.00 shall be added to the renewal fee for fees paid after December 31 of each year. Additionally, a \$100.00 surcharge will be added to the late fee for each consecutive year for which the attorney fails to timely file the renewal form. This renewal fee is in addition to any annual registration and fees paid under Admission and Discipline Rule 2.~~

~~(d) **Failure to Pay Renewal Fee or Comply with Educational Requirements of Section 5; Revocation of License.** Any attorney who fails to pay the renewal fee required under Section 4(c) or fails to file the affidavit required under Section 4(f) or fails to comply with the educational requirements of Section 5 shall be subject to revocation of his or her license to practice law and sanctions for contempt of this Court in the event he or she thereafter engages in the practice of law in this State.~~

~~(e) **Annual Renewal Notice.** On or before September 1 of each year, the Executive Director of the Indiana Office of Admissions and Continuing Education shall mail a notice or notify via electronic mail to each attorney admitted to practice pursuant to this Rule that (i) a renewal fee must be paid on or before November 1; and (ii) the attorney must (a) affirm compliance with eligibility requirements to maintain the license or (b) submit the signed relinquish affidavit to the State Board of Law Examiners on or before November 1. Notice sent pursuant to this section shall be sent to the name and address maintained by the Executive Director of the Indiana Office of Admissions and Continuing Education pursuant to Admission and Discipline Rule 2.~~

~~(f) **Relinquishing of License.** Any attorney who is licensed pursuant to this Rule who is in good standing, who is current in payment of all applicable registration fees and other financial obligations imposed by these rules, who is not the subject of an investigation into or a pending proceeding involving allegations of misconduct, and who no longer is able to meet the requirements to maintain his or her license pursuant to this Rule may voluntarily relinquish his or her license to practice law in the State of Indiana by tendering the renewal form with the relinquish affidavit signed to the Executive Director of the Indiana Office of Admissions and Continuing Education. The Executive Director shall promptly verify the eligibility of the attorney to relinquish under this section and if eligible, shall show on the Roll of Attorneys that the attorney's Indiana law license has been relinquished permanently and that the lawyer is no longer considered an attorney licensed to practice law in the State of Indiana. An attorney who relinquishes his license pursuant to this provision may apply for admission under Admission and Discipline Rules 3 through 21. In the event the attorney is not eligible to relinquish under this section, the Executive Director shall promptly notify the attorney of all reasons for ineligibility.~~

~~**Section 5. Education Requirements for Provisional License and Business Counsel License**~~

~~(a) In addition to any requirements found in Rule 29, within twelve (12) months of an applicant's initial provisional license or business counsel license admission, the applicant shall attend an annual Indiana law update seminar, which seminar shall provide a minimum of 12 hours of continuing legal education which has been approved by the Indiana Commission For Continuing Legal Education. The Board of Law Examiners shall publish a list of approved seminars that meet the requirements of this Rule.~~

~~(b) Applicants admitted on provisional license or business counsel license are subject to, and shall comply with, the Indiana Rules For Admission to the Bar~~

~~and the Discipline of Attorneys, the Rules of Professional Conduct, and all other requirements of statute and Supreme Court Rules.~~

~~Section 6. Application of Rules and Appearance Before Board~~

~~The provisions of Rule 12, Sections 7, 8, and 9 apply to admission under this Rule. An applicant for admission on foreign license who is denied admission may request an appearance before the Board and a hearing thereafter.~~

Rule 6. Admission Without Examination

Section 1. Attorneys Licensed in Other States

A person who has been admitted to practice law in the highest court of law in any other state (herein defined as a state or territory of the United States or the District of Columbia), may be granted a license to practice law in Indiana without examination upon a finding by the State Board of Law Examiners that said person has met each of the following conditions:

- (a) The applicant has actively engaged in the practice of law for a period of at least three of the five years immediately preceding the date of application. "Actively engaged in the practice of law" shall mean:
 - (i) performing legal services for the general public as a lawyer for at least 1,000 hours per year;
 - (ii) being employed by a state or local governmental or business entity as a lawyer performing duties for which admission to the practice of law is a prerequisite for at least 1,000 hours per year;
 - (iii) performing the duties of a teacher of law on a full-time basis in an ABA accredited law school;
 - (iv) serving as a judge of a court of record on a full-time basis;
 - (v) serving on a full-time salaried basis as an attorney with the federal government or a federal governmental agency including service as a member of the Judge Advocate General's Department of one of the military branches of the United States; or
 - (vi) a combination of the above.
- (b) The practice of law must have been authorized based on the applicant's admission in the state where the applicant is licensed and during the period of licensure unless the practice falls under subdivisions (iii) or (v) above. Practice under either a business counsel license or a pro bono publico license may apply

toward years of practice so long as the applicant meets all other requirements of this rule.

- (c) The applicant is a member in good standing in all states of admission, at least one of which has rules or other provisions providing for admission without examination and by reciprocity or comity that are no more restrictive than this rule.
- (d) The admission of the applicant is in the public interest.
- (e) The applicant meets Indiana's character and fitness requirements.
- (f) The applicant has paid or tendered the required fee.
- (g) The applicant has not failed the Indiana bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five years of the date of the application.
- (h) The applicant has obtained a JD degree (or its equivalent) from a law school located in the United States that at the time of the applicant's graduation was on the approved list of the Council of Legal Education and Admission to the Bar of the American Bar Association.

Section 1.1. Military Spouses

- (a) The Board has the discretion to waive the minimum practice and reciprocity requirements in Section 1 for an applicant who has been admitted to practice law in the highest court of law in any other state and whose spouse is a member of the armed forces of the United States subject to military transfer to Indiana for active duty military service upon a finding that said person has met the requirements specified in Sections 1(c)–(h), and the following conditions:
 - (i) The applicant has achieved a passing score on the Multistate Professional Responsibility Examination as established in Rule 17(4).
 - (ii) The applicant is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction.
 - (iii) The applicant is the husband or wife of an individual who is a member of the armed forces of the United States or the Coast Guard when it is not operating as a service in the Navy, and that member of the armed forces is on active military duty orders and stationed in Indiana.
 - (iv) The applicant physically resides in Indiana.
- (b) In determining whether to waive the minimum practice requirements in Section 1, the Board shall consider the following:
 - (i) The length of time the applicant has been admitted in other jurisdictions.

- (ii) The applicant's practice history and experience, including the type of practice, in other jurisdictions.
 - (iii) The type of practice the applicant intends to undertake in Indiana and the applicant's past experience in that type of practice.
 - (iv) The level and amount of support, supervision, or mentoring the applicant will have in their practice.
 - (v) The applicant's showing of familiarity with Indiana law, including CLE programs the applicant may have taken or other showing the applicant may make regarding study of familiarity with Indiana's procedural and evidence rules and substantive Indiana law relating to the applicant's intended practice.
- (c) Applicants who have not achieved a passing score on the Multistate Professional Responsibility Examination at the time of application but who meet all other conditions may be provisionally admitted for six months to achieve a passing score on the examination.
- (d) When the active-duty service member is assigned to an unaccompanied or remote follow-on assignment and the attorney continues to physically reside in Indiana, the admission may be renewed until that unaccompanied tour or remote assignment ends, provided that the attorney complies with all other requirements for renewal.
- (e) Notwithstanding any other provision found in this rule, the license of an attorney who is the spouse of an active-duty service member shall terminate, and the attorney, consistent with the Rules of Professional Conduct, shall immediately begin to take all steps necessary to relinquish their license upon the occurrence of any of the following:
- (i) The spouse's discharge, separation, or retirement from active duty in the United States Uniformed Services, or the spouse's no longer being on military orders stationed in Indiana.
 - (ii) The attorney no longer physically residing in Indiana.
 - (iii) The attorney ceasing to be a dependent as defined by the Department of Defense (or, for the Coast Guard when it is not operating as a service in the Navy, by the Department of Homeland Security).
 - (iv) The attorney being admitted to practice law in Indiana pursuant to any other rule.

Section 2. Business Counsel License

A person who establishes an office or other systematic and continuous presence in Indiana for the purpose of accepting or continuing employment by a person or entity engaged in business in Indiana other than the practice of law may be granted a business counsel license to practice law in Indiana without examination so long as granting the license is in the public interest and such person:

- (a) is admitted to practice law in the highest court of law in any other state or in a foreign country and fulfills the requirements set forth in Rule 5(1)(a);
- (b) complies with Section 1(a)(ii) and who is or will be devoted solely to the business of such employer, receives or will receive their entire compensation from such employer for the applicant's legal service, and remains in such employment, except for practice permitted under Rule 6.2(2)(c);
- (c) is a member in good standing in all states of admission;
- (d) meets Indiana's character and fitness requirements;
- (e) pays or tenders the required fee; and
- (f) has not failed the Indiana bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five years of the date of the application.

A person granted a business counsel license under this rule based upon admission to the practice of law only in a foreign country shall be subject to the limitations on scope of practice set forth in Rule 5(4)(a)–(d). Upon the transfer of such employment outside of Indiana, the right to practice law in Indiana shall terminate.

Upon the termination of such employment, the right to practice law in Indiana under a business counsel license shall terminate unless such business counsel license admittee has secured employment from another person or entity within three months of their termination and that employment meets the criteria of this section or such business counsel license admittee shall have been admitted to practice law in Indiana pursuant to any other rule.

Section 3. Fees

The applicant shall submit their application accompanied by a fee of \$875 in accordance with procedures established by the Board. The Executive Director of the Indiana Office of Admissions and Continuing Education may refer said application to the National Conference of Bar Examiners for investigation and report. The Board is authorized to pay all expenses incident to the investigation of the applicant's qualifications. However, in the event said application is considered and denied by the Board prior to referral to the

National Conference, the Board is authorized to refund to the applicant one half of the application fee. No part of the application fee shall otherwise be refunded.

Section 4. Renewal of Business Counsel License

A business counsel license may continue in force for one year and may be renewed for a like period upon the submission of such verified individualized information that demonstrates to the satisfaction of the Board that the applicant has during the past year been employed under the terms of the business counsel license and will continue to be so employed. At the time of the first renewal request, the applicant must also submit verified information to demonstrate compliance with the educational requirements in Section 5.

- (a) **Annual Renewal Fee.** Each attorney who is licensed under Section 2 shall pay a renewal fee of \$50 on or before November 1 of each year; a delinquent fee of \$25 shall be added to the renewal fee for fees paid after November 1 and on or before November 15 of each year; a delinquent fee of \$50 shall be added to the renewal fee for fees paid after November 15 and on or before December 31 of each year; and a delinquent fee of \$150 shall be added to the renewal fee for fees paid after December 31 of each year. Additionally, a \$100 surcharge will be added to the late fee for each consecutive year for which the attorney fails to timely file the renewal form. This renewal fee is in addition to any annual registration and fees paid as required in Rule 2.
- (b) **Failure to Pay Renewal Fee or Comply with Educational Requirements.** An attorney who fails to pay the renewal fee required by Section 4(a), fails to file the affidavit required by Section 4(d), or fails to comply with the educational requirements in Section 5 shall be subject to revocation of their license to practice law and sanctions for contempt of this Court in the event they thereafter engage in the practice of law in Indiana.
- (c) **Annual Renewal Notice.** On or before September 1 of each year, the Executive Director shall mail a notice or notify via electronic mail to each attorney admitted under Section 2 that:
 - (i) a renewal fee must be paid on or before November 1; and
 - (ii) the attorney must either affirm compliance with eligibility requirements to maintain the license or submit the signed relinquish affidavit to the Board on or before November 1.

Notice sent pursuant to this section shall be sent to the name and address maintained by the Executive Director pursuant to Rule 2.

- (d) **Relinquishing of License.** Any attorney who is admitted under Section 2, is in good standing, is current in payment of all applicable registration fees and other

financial obligations imposed by these rules, is not the subject of an investigation into or a pending proceeding involving allegations of misconduct, and is no longer able to meet the requirements to maintain their license pursuant to this rule may voluntarily relinquish their license to practice law in Indiana by tendering the renewal form with the signed relinquish affidavit to the Executive Director. The Executive Director shall promptly verify the eligibility of the attorney to relinquish under this section and, if eligible, shall show on the Roll of Attorneys that the attorney's Indiana law license has been relinquished permanently and that the lawyer is no longer considered an attorney licensed to practice law in Indiana. An attorney who relinquishes their license under this section may apply for admission under Rules 3 through 21. In the event the attorney is not eligible to relinquish under this section, the Executive Director shall promptly notify the attorney of all reasons for ineligibility.

Section 5. Educational Requirements

- (a) In addition to the requirements in Rule 29, within twelve months of an applicant's admission under Sections 1 or 2 of this rule, the applicant shall attend an annual Indiana law update seminar that provides a minimum of twelve hours of continuing legal education that has been approved by the Indiana Commission for Continuing Legal Education. The Board shall publish a list of approved seminars.
- (b) Applicants admitted under this rule are subject to, and shall comply with, Indiana's Rules for Admission to the Bar and the Discipline of Attorneys, Indiana's Rules of Professional Conduct, all other Court rules, and all statutory requirements.

Section 6. Application of Rules and Appearance Before the Board

The provisions of Rule 12(7)–(9) apply to admission under this rule. An applicant for admission under this rule who is denied admission may request an appearance before the Board and a hearing thereafter.