

SUPREME COURT OF LOUISIANA

ORDER

Acting under the authority of Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, the inherent power of this Court, and considering the recommendations of the Louisiana State Bar Association, and the need to enact a rule allowing for the limited admission of in-house counsel in Louisiana,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT

Part 1. La. S. Ct. Rule XVII, Section 14 be and is hereby enacted to read as follows:

Section 14. Limited Admission for In-House Counsel

- (A) A lawyer admitted and authorized to practice law in another state or territory of the United States may receive a limited license to practice law in this state when the lawyer is employed in Louisiana as a lawyer exclusively for: a corporation, its subsidiaries or affiliates; an association; and/or a business which consists of activities other than the practice of law or the provision of legal services, if the lawyer:
- (1) Has filed an application for a limited license pursuant to this Rule with the Committee on Bar Admissions of the Supreme Court of Louisiana containing the following:
- (a) A written application in the form prescribed by the Committee;
- (b) A sworn statement that either:

- (i) no complaints with any disciplinary authority are pending in any jurisdiction and that no charges of professional misconduct are pending against the applicant in any jurisdiction; or
 - (ii) if any such complaints or charges are pending, full details of the complaints or charges, and the current status of same;
- (c) Information which indicates that the applicant meets the requirements of subparts (A), (B), (C), and (D) of Rule XVII, Section 3;
- (d) An affidavit from an officer, director or general counsel of the applicant's employer in this state attesting the fact that the applicant is employed as a lawyer exclusively for the employer, that the applicant is an individual of good moral character, and that the nature of the employment conforms to the requirements of this Rule;
- (e) The National Conference of Bar Examiners Character Report.
 - (i) If the applicant has completed an NCBE character report within three years of the application for limited licensure, the prior report may be submitted in lieu of a new report.
 - (ii) In the event a prior NCBE report is submitted, the applicant shall also append to the prior report the NCBE Supplemental Character Report.

- (f) The [non-refundable prescribed application fee](#) set by the Supreme Court of Louisiana;
 - (2) Otherwise meets the character and fitness requirements of this Rule and the Committee on Bar Admissions of the Supreme Court of Louisiana; and
 - (3) Receives the recommendation and approval of the Committee on Bar Admissions of the Supreme Court of Louisiana.
- (B) The application, affidavits, and other materials, including the report of character and fitness, shall be reviewed by the Committee on Bar Admissions of the Supreme Court of Louisiana. The Louisiana Supreme Court, in its discretion, may issue the limited license to practice law in the State of Louisiana based on the recommendations and approval of the Committee on Bar Admissions.
- (C) Licensure pursuant to the Rule is not a matter of right and shall be granted only in those cases where the public interest, considering the character, background and employment of the applicant, is furthered by issuing a license. In the event the Committee does not recommend the limited licensure of an applicant, the applicant may then appeal in accordance with Rule XVII, Section 9.
- (D) The license issued pursuant to this Rule only authorizes the lawyer to practice exclusively for the employer filing the affidavit required by subpart (A)(1)(d) of this rule. Nothing in this rule or in this subpart shall be deemed to allow court appearances by any lawyer who has been issued a limited license pursuant to this rule. Any such appearance, or contemplated appearance, by a lawyer who has been issued a limited license pursuant to this rule shall be governed by rules and procedures applicable to *pro hac vice* admission.

- (E) A limited license issued pursuant to this Rule shall be valid for four years from the date of issuance. The license is automatically terminated if the lawyer is admitted to the practice of law pursuant to any other provisions of Rule XVII. The license is automatically suspended if the lawyer's employment by the employer filing the affidavit required by subpart (A)(1)(d) of this rule is terminated. If a lawyer's employment is terminated but the lawyer is immediately thereafter employed by an employer filing the affidavit required by subpart (A)(1)(d) of this rule, the limited license shall be reinstated for the remainder of the period of four years from the date the license originally was issued.
- (F) A limited license issued pursuant to this Rule may be renewed for a successive four year period by filing the written application required by the Committee. The application shall be filed at least ninety days prior to the expiration of the current license. For good cause shown, the Court may permit the late filing of an application. The application shall include at least the following:
- (1) The licensee's sworn statement that no complaints with any disciplinary authority are pending and that no charges of professional misconduct are pending against the licensee in any jurisdiction. Alternatively, if any such complaints or charges are pending or any disciplinary action has been taken against the licensee in any jurisdiction, full details of the complaint and charges, the current status of the complaint or charges, and the disposition thereof, if not currently pending, shall be set forth;
 - (2) An affidavit from an officer, director or general counsel of the licensee's employer in this state attesting the fact that the licensee remains employed as a lawyer exclusively for the employer and that the

nature of the employment continues to conform to the requirements of this Rule;

- (3) An affidavit from the licensee setting forth any changes in information from that provided in his or her immediately preceding application pursuant to this Rule or attesting that there are no such changes;
 - (4) The NCBE Supplemental Character Report;
 - (5) The application for renewal shall be accompanied by the non-refundable [fee approved by the Court](#).
- (G) A lawyer admitted pursuant to this Rule is required to pay the annual Disciplinary Assessment required of attorneys admitted to practice three years or more pursuant to La. S. Ct. Rule XIX, Section 8; and Louisiana State Bar Association annual dues pursuant to Article V of the Articles of Incorporation of the Louisiana State Bar Association during the period of the limited license.
- (H) A lawyer admitted pursuant to this rule shall be subject to the Louisiana Rules of Professional Conduct and to the disciplinary authority of the courts and the Louisiana Attorney Disciplinary Board.
- (I) A lawyer admitted pursuant to this rule shall comply with the annual registration requirements contained in Louisiana Supreme Court Rule XIX, §8.
- (J) A lawyer admitted pursuant to this Rule is required to meet the continuing legal education requirements specified in La. S. Ct. Rule XXX.

Part 2. This rule shall become effective on April 1, 2005, and shall remain in full force and effect thereafter until amended through future orders of the Court.

New Orleans, Louisiana, this _____ day of _____, 2005.

FOR THE COURT:

Pascal F. Calogero, Jr., Chief Justice