FILED
APR 25 2014
CLERK SUPREME COURT

**In the Supreme Court of Iowa**

| | | |
|---|---|---|
| **In the Matter of Amendments to Division III of the Iowa Court Rules** | ) ) ) | **Order** |

The Iowa Supreme Court adopts changes in two annual deadlines set in the Iowa Court Rules, as recommended by the office of professional regulation.

The first change adjusts the date set in Iowa Court Rule 31.2 for submission of registrations by law students who intend to apply for admission to the bar of Iowa. The current due date of November 1 inconveniently falls toward the last part of the law students' first semester when students are beginning their preparation for examinations. The new date of January 15 will allow law students to prepare and submit their registration after the first semester examinations have been completed.

The second change is the date set for submission of annual reports by active lawyers to the commission on continuing legal education and the client security commission. The current due date of March 1 conflicts with the scheduling of the winter bar examination the last week in February. The new due date of March 10 resolves the conflict and accords lawyers an additional ten days for annual report filing.

The court adopts amendments in Iowa Court Rules 31.2, 39.5, 39.6, 39.8, 41.4, and 42.2 as provided with this order. The amendments are effective immediately.

Dated this 25th day of April, 2014.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice

## CHAPTER 31

## Admission to the Bar

### Rule 31.2 Registration by law students.

**31.2(1)** Every person intending to apply for admission to the bar of this state by examination shall, by ~~November 1~~ January 15 of the year ~~in which~~ after the person commences the study of law in an accredited law school, register with the Iowa board of law examiners on forms furnished by the board and pay the required fee of $40. The board may designate data submitted as a confidential record. Any confidential data shall be segregated by the board and the assistant director from the portion of the registration filed as a public record.

**31.2(2)** If any person shall fail to so register, the board may, if it finds that a strict enforcement of this rule would work a hardship and that sufficient excuse exists for failing to comply with rule 31.2(1), waive the requirements of this rule as to the date of filing. Refusal of the board to waive such requirement shall be subject to supreme court review. If the registration is not on file by the ~~November 1~~ January 15 registration deadline set forth in rule 31.2(1), but is on file by December 1 immediately preceding the registrant's July examination or July 1 immediately preceding the registrant's February examination, the registration fee will be $150. If the registration is not timely filed, but is on file by April 1 immediately preceding the registrant's July examination or November 1 immediately preceding the registrant's February examination, the registration fee will be $250. This fee is not refundable and shall be in addition to the fee required under rule 31.6. The failure to file the registration by the ~~November 1~~ January 15 deadline of rule 31.2(1) may result in delays in conducting the board's character and fitness investigation. The board will not expedite its character and fitness investigation because the registration form is not timely filed. The board may conclude the registrant should not be permitted to take the bar examination until the investigation is completed. The registrant will not be eligible for admission to the bar until the character and fitness process is completed.

**31.2(3)** Registration as a law student under this rule is not deemed an application for permission to take the bar examination.

**31.2(4)** The registration shall be accompanied by letters prepared by three persons not related to applicant by consanguinity or affinity attesting to the registrant's good moral character. The letters must be signed and shall include contact information for the reference provider. The letters shall state how the reference knows the registrant, how long the reference has known the registrant, and the basis for concluding the registrant possesses good moral character.

**31.2(5)** The board shall review each registration and may require the personal presence of any registrant at such time and place as the board may prescribe for interview and examination concerning the registrant's character and fitness.

The board may at any time find it advisable to make further inquiry into the character, fitness, and general qualifications of the registrant, and with regard to each registration, the board shall have all of the powers given it in respect to inquiry and investigation of candidates for admission to the bar.

## CHAPTER 39

### Client Security Commission

**Rule 39.5 Annual disciplinary fee.** As a condition to continuing membership in the bar of the supreme court, including the right to practice law before Iowa courts, every bar member, unless exempted, shall pay to the commission through the office of professional regulation an annual fee as determined by the supreme court to finance the disciplinary system. The annual fee shall be due on or before ~~March 1~~ March 10 of each year, for that calendar year. A calendar year is defined as the period of time from January 1 through December 31. Members of the bar of the supreme court who certify in writing to the commission that they are a justice, judge, associate judge, or full-time magistrate of any court, spend full time in the military service of the United States following admission to the Iowa bar, are admitted on examination to the bar of Iowa during the current calendar year, or are issued a certificate of exemption pursuant to the provisions of rule 39.7 shall be exempt from payment of this fee.

**Rule 39.6 Fund assessments.**

**39.6(1)** *Assessments.* As a condition to continuing membership in the bar of Iowa, including the right to practice law before Iowa courts, every bar member, unless exempted under the provisions of rule 39.6(6) or rule 39.7, shall pay to the commission through the office of professional regulation the assessment specified in rule 39.6(2), 39.6(3), or 39.6(4), or as provided by court order. The assessment shall be paid annually and deposited in the fund created pursuant to the provisions of rule 39.3. Assessments shall be due on or before ~~March 1~~ March 10 of each year, for that calendar year. A calendar year is defined as the period of time from January 1 through December 31.

. . .

**Rule 39.8 Enforcement**

**39.8(1)** To facilitate the collection of the annual fee and assessment provided for in rules 39.5 and 39.6, all members of the Iowa bar required to pay the fee and assessment, and those exempted other than by rule 39.7, shall, on or before ~~March 1~~ March 10 of each year, file a statement, on a form prescribed by the director, setting forth their date of admission to practice before the supreme court, their current residence and office addresses, and such other information as the director may from time to time direct. In addition to such statement, every bar member shall file a supplemental statement of any change in the information previously submitted within 30 days of such change. All persons admitted to practice before the supreme court shall file

the statement required by this rule at the time of admission but no annual fee or assessment shall be payable until the time above provided. All attorneys failing to file the required statement by ~~March 1~~ March 10 of each year shall, in addition to the annual fee and assessment provided for above, pay a penalty as set forth in the following schedule if the statement is filed after ~~March 1~~ March 10. The penalty fees collected shall be used to pay the costs of administering the fund, or for such other purposes within the ~~Office of Professional Regulation~~ office of professional regulation as the supreme court may direct.

Penalty Schedule:

| If Filed: | Penalty: |
|---|---|
| After ~~March 1~~ March 10 but before ~~April 2~~ April 12 | $100 |
| After ~~April 1~~ April 11 but before ~~May 2~~ May 12 | $150 |
| After ~~May 1~~ May 11 | $200 |

## CHAPTER 41

### Regulations of the Client Security Commission

### Rule 41.4 Annual fee and report by attorneys to commission

**41.4(1)** On or before ~~March 1~~ March 10 of each year, each attorney admitted to practice in this state shall pay to the commission a prescribed fee for costs of administering this chapter.

**41.4(2)** On or before ~~March 1~~ March 10 of each year, each attorney admitted to practice in this state shall make a written report to the commission, in such form as the commission shall prescribe, concerning completion of accredited legal education during the preceding calendar year; provided, however, that an attorney shall not be required to comply with this rule ~~nor~~ or comply with the continuing legal education requirements set forth in rule 41.3 for the year during which the attorney was admitted to practice. Each annual report shall be accompanied by proof satisfactory to the commission that the attorney has met the requirements for continuing legal education for the calendar year for which such report is made.

**41.4(3)** Each attorney admitted to practice in this state shall make a written report to the commission, in such form as the commission shall prescribe, concerning completion of accredited legal ethics education. The report is to be filed on or before ~~March 1~~ March 10 following completion of each two-year period under the requirement. An attorney shall not be required to comply with this requirement for the year of admission to practice.

**41.4(4)** All attorneys who fail by ~~March 1~~ March 10 of each year to file the annual report or to pay the prescribed fee shall, in addition, pay a penalty as set forth in the following schedule if either the annual report is filed or the prescribed fee is paid after ~~March 1~~ March 10. The penalty fees collected shall be used to pay the costs of administering this chapter, or for such other purposes within the ~~Office of Professional Regulation~~ office of professional regulation as the supreme court may direct.

Penalty Schedule:

| If Filed: | Penalty: |
|---|---|
| After ~~March 1~~ March 10 but before ~~April 2~~ April 12 | $100 |
| After ~~April 1~~ April 11 but before ~~May 2~~ May 12 | $150 |
| After ~~May 1~~ May 11 | $200 |

**41.4(5)** The commission may prescribe ~~in~~ an electronic format for the annual report and require submission of the report in that form.

## CHAPTER 42

## Continuing Legal Education for Lawyers

### Rule 42.2 Continuing legal education requirement

**42.2(1)** A minimum of 15 hours of continuing legal education must be completed by each attorney for each calendar year in the manner stated in Iowa Ct. R. 41.3(1). Each attorney shall, every two years, complete a minimum of three hours of legal education devoted specifically to the area of legal ethics.

**42.2(2)** Hours of continuing legal education credit may be obtained by attending or participating in a continuing legal education activity, either previously accredited by the commission or which otherwise meets the requirements herein and is retroactively accredited by the commission pursuant to rule 42.4(3).

**42.2(3)** An attorney desiring to obtain credit for one or more succeeding calendar years, not exceeding two such years, for completing more than 15 hours of accredited legal education during any one calendar year, under Iowa Ct. R. 41.3(1), shall report such "carry-over" credit at the time of filing the annual report to the commission or before ~~March 1~~ March 10 of the year following the calendar year during which the claimed additional legal education hours were completed.