

**CHAPTER 31
ADMISSION TO THE BAR**

CLERK SUPREME COURT

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Rule 31.2 Registration by law students.

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31.2(6) Applicants previously admitted to practice law in another state, the District of Columbia, or a territory of the United States are not required to comply with the law student registration requirement contained in this rule.

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Rule 31.4 Admission by transferred UBE score.

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31.4(7) Stale applications. An application for admission by transferred UBE score that the board has not granted will be deemed administratively withdrawn one year from the date the application was filed with the office of professional regulation, except when the board has imposed specific character and fitness or other conditions for admission on the applicant under rule 31.4(3).

a. Before the one-year withdrawal date, an applicant may request an extension. If the board finds that administrative withdrawal of the application would work a hardship on the applicant and that sufficient cause exists, the board may extend the application beyond the one-year withdrawal date for a period of time not exceeding an additional six months.

b. The board's denial of an application to extend the withdrawal date is subject to supreme court review upon the applicant's request.

Rule 31.5 Bar examination application; contents and deadlines.

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31.5(3) The board may designate portions of the data submitted for this purpose by the applicant or third parties as a confidential record. The board and the assistant director must segregate that portion of the application data deemed confidential from the portion that is filed as a public record. In the event of a request for a hearing on character or fitness under rule ~~31.11(4)~~31.9(2) following an initial determination by the board, it may designate any additional information received at the hearing and all proceedings before the board as a confidential record.

Rule 31.6 Fee. Every applicant for admission to the bar upon examination must, as a part of the application, remit to the Iowa board of law examiners an application fee. For applicants not previously admitted to practice law in any other state, ~~or the District of Columbia, or a territory of the United States,~~ the fee is \$550. For applicants previously admitted to practice law in another state, ~~or the District of Columbia, or a territory of the United States,~~ the fee is \$800. This fee is not refundable and cannot be applied to a subsequent application. The full fee must be remitted within the deadline for filing the bar application under rule 31.5(2).

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Rule 31.8 Degree requirement.

31.8(1) No person will be permitted to take the examination for admission without proof that the person has received the degree of LL.B. or J.D. from a reputable law school fully or provisionally approved by the American Bar Association at the time the applicant graduated from the school. Proof of this requirement must be by affidavit of the dean of such law school, and must show that the applicant has actually and in good faith pursued the study of law resulting in the degree required by this rule. The affidavit must be made before an officer authorized to administer oaths and having a seal.

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Rule 31.10 Preservation of anonymity. Each applicant permitted to take the bar examination will be randomly assigned a number ~~at the beginning of~~ prior to the examination, by which number the applicant will be known throughout the examination and grading process.

~~Either the assistant director or the director of the office of professional regulation, or a representative, must prepare a list of the applicants, showing the number assigned to each at the beginning of the examination, certify to such facts, seal said list in an envelope immediately after the beginning of said examination, and retain the same sealed, in their possession, unopened until after the applicant's score has been properly recorded. The envelope must then be opened in the presence of the Iowa board of law examiners and the correct name entered opposite the number assigned to each applicant, in the presence of the Iowa board of law examiners.~~

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Rule 31.12 Admission of attorneys from other jurisdictions; requirements and fees.

31.12(1) An applicant who meets the requirements of this rule and rule 31.13 may, in the discretion of the court, be admitted to the practice of law in this state

without examination.

31.12(2) The applicant must file the application with the National Conference of Bar Examiners through its online character and fitness application process unless an exception is granted by the office of professional regulation. The applicant must pay a nonrefundable administrative fee of \$900 to the office of professional regulation at the time of filing the application. The character investigation services of the National Conference of Bar Examiners ~~may~~ must be procured in all cases where application for admission on motion is made. The applicant must pay the investigative fee required by the National Conference of Bar Examiners at the time of filing the application.

31.12(3) The application and supporting documents must contain specific facts and details as opposed to conclusions and must demonstrate the following:

a. The applicant has been admitted to the bar of any other state of the United States, ~~or~~ the District of Columbia, or a territory of the United States; has regularly engaged in the practice of law for at least five of the last seven years immediately preceding the date of the application; and still holds a license. For the purposes of this rule, “regularly engaged in the practice of law” means the applicant has practiced law for at least 1000 hours in that year.

b. The applicant is a person of honesty, integrity, and trustworthiness, and one who will adhere to the Iowa Rules of Professional Conduct. In evaluating this factor the court may consider any findings filed with the office of professional regulation by the Commission on the Unauthorized Practice of Law pursuant to Iowa Court Rule 37.3.

c. The applicant is not currently subject to lawyer discipline in any other jurisdiction.

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31.12(9) An application for admission without examination that has not been granted will be deemed administratively withdrawn one year from the date the application was filed with the office of professional regulation. Before the one-year withdrawal date, an applicant may request an extension. If the court finds that administrative withdrawal of the application would work a hardship on the applicant and that sufficient cause exists, the court may extend the application beyond the one-year withdrawal date for a period of time not exceeding an additional six months.

Rule 31.13 Proofs of qualifications; oath or affirmation.

31.13(1) *Required certificates, affidavit, and fingerprint card.* ~~The following proofs must be filed~~ To qualify for admission under rule 31.12, an applicant must file the following with the office of professional regulation to qualify an applicant for admission under rule 31.12:

a. A certificate of admission in the applicant’s state of licensure.

b. A certificate from one or more of the following individuals establishing that the applicant was regularly engaged in the practice of law in the applicant’s state

or states of licensure for at least five of the last seven years immediately preceding the date of the application: a clerk or judge of a court of record, a judge advocate general, or an administrative law judge. If, due to the nature of the applicant's practice, the applicant cannot obtain a certificate from a clerk, judge, judge advocate general, or an administrative law judge, the applicant must file a petition seeking leave to file an alternative certificate demonstrating good cause why the certificate cannot be obtained. If the supreme court grants the petition, the applicant must file an affidavit detailing the nature, dates, and locations of the applicant's practice, along with an affidavit of a supervising attorney or another lawyer attesting to the applicant's practice over that period.

~~c. A certificate of an applicant's good moral character from a judge or clerk of the Iowa district court or of a court where the applicant has practiced within the last five years- completed fingerprint card.~~

Rule 31.16 Registration of house counsel.

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31.16(2) Procedure for registering. The lawyer must submit to the office of professional regulation the following:

a. If a domestic lawyer, a completed application in the form the office of professional regulation prescribes.

b. If a foreign lawyer, a foreign-licensed attorney application with the National Conference of Bar Examiners through its online character and fitness application process. The applicant must pay the investigative fee that the National Conference of Bar Examiners requires at the time of filing the application.

c. A nonrefundable application fee in the amount of \$800 payable to the Iowa board of law examiners.

d. A \$200 client security assessment payable to the Client Security Commission.

e. Documents proving admission to practice law, current active status, and current good standing in all jurisdictions, United States and foreign, in which the lawyer is admitted to practice law.

f. A certificate from the disciplinary authority of each jurisdiction of admission, United States and foreign, stating that the lawyer has not been suspended, disbarred, or disciplined and that no charges of professional misconduct are pending; or a certificate that identifies any suspensions, disbarments, or other disciplinary sanctions that have been imposed upon the lawyer, and any pending charges, complaints, or grievances.

g. If the jurisdiction is foreign and the documents are not in English, the lawyer must submit an English translation and satisfactory proof of the accuracy of the translation.

h. An affidavit from an officer, director, or general counsel of the employing entity attesting as follows:

(1) The entity will be employing the lawyer.

(2) To the best of its knowledge the lawyer has been lawfully admitted to practice and is a lawyer in good standing in another United States or foreign

jurisdiction.

(3) To the best of its knowledge the lawyer has not been disbarred or suspended from practice in any jurisdiction, United States or foreign, and has never been convicted of a felony.

(4) While serving as counsel, the lawyer will perform legal services solely for the corporation, association, or other business, educational, or governmental entity, including its subsidiaries and affiliates.

(5) While serving as counsel, the lawyer will not provide personal legal services to the entity's officers or employees, except regarding matters directly related to their work for the entity and only to the extent consistent with rule 32:1.7 of the Iowa Rules of Professional Conduct. Foreign lawyers may not provide any legal services to the entity's officers or employees.

(6) The corporation, association, or other business, educational, or governmental entity is not engaged in the practice of law or provision of legal services.

(7) The entity will promptly notify the Client Security Commission of the termination of the lawyer's employment.

i. An affidavit from the lawyer attesting as follows:

(1) The name of the entity that will be employing the lawyer.

(2) The lawyer has been lawfully admitted to practice and is a lawyer in good standing in another United States or foreign jurisdiction.

(3) The lawyer has not been disbarred or suspended from practice in any jurisdiction, United States or foreign, and has never been convicted of a felony.

(4) While serving as counsel, the lawyer will perform legal services solely for the corporation, association, or other business, educational, or governmental entity, including its subsidiaries and affiliates.

(5) While serving as counsel, the lawyer will not provide personal legal services to the entity's officers or employees, except regarding matters directly related to the lawyer's work for the entity and to the extent consistent with rule 32:1.7 of the Iowa Rules of Professional Conduct. Foreign lawyers may not provide any legal services to the entity's officers or employees.

(6) The corporation, association, or other business, educational, or governmental entity is not engaged in the practice of law or provision of legal services.

(7) The entity will promptly notify the Client Security Commission of the termination of the lawyer's employment.

j. Any other document the supreme court requires to be submitted.