

1 **Rule 31.16 Registration of house counsel.**

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3 **31.16(2) Procedure for registering.** The lawyer must submit to the office of
4 professional regulation the following:

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6 i. An affidavit from the lawyer attesting as follows:

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

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

11 **31.16(3) Scope of authority of registered lawyer.**

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13 c. A lawyer registered under this rule must:

14 (1) File an annual statement and pay the annual disciplinary fee as Iowa
15 Court Rules 39.5 and 39.8 require. Beginning calendar year 2021, the lawyer
16 must pay the regular assessment as required by Iowa Court Rule 39.6(2) as well
17 as any special assessments required by Iowa Court Rule 39.6(4)(a).

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19 **31.16(6) Reinstatement.** A registered lawyer whose registration is terminated
20 under rule 31.16(5)(a) may be reinstated within 180 days of termination upon
21 submission to the office of professional regulation all of the following:

22 a. An application for reinstatement in a form the office of professional
23 regulation prescribes.

24 b. A reinstatement fee in the amount of \$100.

25 ~~c. An affidavit~~Affidavits from the current employing entity and the
26 lawyer as prescribed in ~~rule-rules~~ 31.16(2)(h) and (i).

27 ~~e.d.~~ Current versions of the documents and certificates required in rules
28 31.16(2)(e)-(g).

29 **31.16(7) Reapplication.** Any lawyer seeking to register as house counsel who
30 has previously been registered under this rule and who has not sought timely
31 reinstatement under rule 31.16(6) must submit everything contained within
32 rule 31.16(2) for each subsequent registration.

33 **31.16(7)(8) Sanctions.** A lawyer under this rule who fails to register will be:

1 a. Subject to professional discipline in this state.

2 b. Ineligible for admission on motion in this state.

3 c. Referred by the office of professional regulation to the Iowa Supreme Court
4 Attorney Disciplinary Board.

5 d. Referred by the office of professional regulation to the disciplinary
6 authority of the jurisdictions of licensure, United States or foreign.

7 **31.16(8)(9)** *Court's discretion.* The supreme court has the discretion to grant
8 or deny an application or to revoke a registration. The court may procure the
9 character investigation services of the National Conference of Bar Examiners, at
10 the lawyer's expense, in any matter in which substantial questions regarding the
11 lawyer's character or fitness to practice law are implicated. The character
12 investigation services will be procured for all foreign lawyer applicants at the
13 applicants' expense. The ~~director of the~~ office of professional regulation must
14 issue a certificate of registration upon the supreme court's approval of the
15 application.

16 **31.16(9)(10)** *Duration of registration—credit toward admission on motion.*

17 a. *Domestic lawyer.* A domestic lawyer ~~may practice law in Iowa under this~~
18 ~~registration provision for a period of up to five years. If the lawyer intends to~~
19 ~~continue practicing law in Iowa, the lawyer must, prior to the expiration of the~~
20 ~~five year period, apply for admission on motion. See Iowa Ct. R. 31.12. The filing~~
21 ~~of the application within the five year period extends the registration period until~~
22 ~~the lawyer is admitted or the application is denied.~~ registered under this rule may
23 remain in house counsel status subject to rule 31.16(5), withdrawal of the
24 registration, or admission following successful completion of the Iowa bar
25 examination, by transferred UBE score pursuant to rule 31.4, or without
26 examination pursuant to rules 31.12 and 31.13. The period of time the lawyer
27 practices law in Iowa under the registration provisions of this rule may be used
28 to satisfy the duration-of-practice requirement under rule 31.12(3)(a).

29 b. *Foreign lawyer.* A foreign lawyer registered under this rule ~~is not subject to~~
30 ~~the five year limit on house counsel practice and~~ may remain in ~~that house~~
31 counsel status subject to rule 31.16(5), withdrawal of the registration, or
32 admission following successful completion of the Iowa bar examination. The
33 foreign lawyer is not eligible for admission on motion based on practice while
34 registered in Iowa. The foreign lawyer may either remain as house counsel or
35 may attempt to establish academic equivalency allowing the lawyer to sit for the
36 Iowa bar examination. A foreign lawyer seeking to take the bar examination
37 must:

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1 **31.16(10)(11)** *Lawyers registered under prior version of this rule.* A lawyer
2 registered under the prior version of this rule is not required to register again or
3 pay the registration fee. ~~The adoption of this rule does not affect any existing~~
4 ~~five year period for terminating registration as house counsel and applying for~~
5 ~~admission on motion. That date will run from the date of the lawyer’s registration~~
6 ~~as house counsel. Any lawyer who is currently registered under a prior version~~
7 ~~of this rule is no longer subject to the five-year period for terminating registration~~
8 ~~as house counsel.~~ All other provisions of this rule apply.

9 **31.16(11)(12)** *Denial of application or suspension of registration for failure to*
10 *comply with an obligation owed to or collected by the Central Collection Unit of*
11 *the Iowa Department of Revenue.*

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13 **31.16(12)(13)** *Denial of application or suspension of registration for failure to*
14 *comply with an obligation owed to or collected by the Iowa College Student Aid*
15 *Commission.*

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17 **31.16(13)(14)** *Denial of application or suspension of registration for failure to*
18 *comply with a support order.* The supreme court may deny a lawyer’s application
19 for registration or suspend a lawyer’s registration under this rule for failure to
20 comply with a support order. Rule 31.9(5) governs this procedure.

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