

In the
Indiana Supreme Court



CAUSE NUMBER: 94S00-1501-MS-22

ORDER AMENDING INDIANA RULES FOR ADMISSION TO THE BAR
AND THE DISCIPLINE OF ATTORNEYS

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Rule 6 § 1.1 is added to read as follows (new text shown by underlining):

...

Rule 6. Admission on Foreign License

...

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.

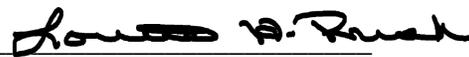
(e) Notwithstanding any other provision found in this Rule, the provisional license of an attorney, who is the spouse of an active duty service member, shall terminate and the attorney, consistent with the Rules of Professional Conduct, shall immediately begin to take all steps necessary to relinquish 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.

...

This amendment shall take effect on January 1, 2016.

DONE at Indianapolis, Indiana, on 8/17/2015.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.