

Revised 112A

ADOPTED AS REVISED

RECOMMENDATION

1 RESOLVED, That the American Bar Association adopts the Model Rule for Registration
2 of In-House Counsel dated August 2008, for those jurisdictions that elect to impose
3 registration requirements on lawyers practicing therein under Model Rule 5.5(d).
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Model Rule for Registration of In-House Counsel

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7 GENERAL PROVISIONS:

8 A. A lawyer ~~not~~ admitted to the practice of law in ~~this jurisdiction but admitted in~~
9 ~~any other~~ another United States jurisdiction who is employed as a lawyer and
10 has a continuous presence in this jurisdiction [name of jurisdiction] on a
11 continuing basis, and who is employed exclusively by an organization as
12 permitted pursuant to Rule 5.5(d)(1) of the Model Rules of Professional Conduct,
13 ~~a corporation, association, or other non-governmental entity,~~ the business of
14 which is lawful and consists of activities other than the practice of law or the
15 provision of legal services, shall register as in-house counsel within [180 days]
16 ~~[xx] days~~ of the commencement of employment as a lawyer or if currently so
17 employed then within [180 days] ~~[xx] days~~ of the effective date of this rule, by
18 submitting to the [registration authority] the following:
19 ...

20 21 PRO BONO PRACTICE:

22 C. Notwithstanding the provisions of paragraph B above, a lawyer registered under
23 this section is authorized to provide pro bono legal services ~~to qualified clients of~~
24 ~~a legal services program to the extent authorized by the [registration authority]~~
25 through an established not-for-profit bar association, pro bono program or legal
26 services program or through such organization(s) specifically authorized in this
27 jurisdiction.
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29 ...

30 31 AUTOMATIC TERMINATION:

32 F. A registered lawyer's rights and privileges under this section automatically
33 terminate when:
34 1. The lawyer's employment terminates;
35 2. The lawyer is suspended or disbarred from practice in any jurisdiction or
36 any court or agency before which the lawyer is admitted; or
37 3. The lawyer fails to maintain active status in at least one jurisdiction as
38 ~~described in paragraph A.~~

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(Deletions struck-through; Additions underlined)