

**AMERICAN BAR ASSOCIATION  
SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR  
STANDING COMMITTEE ON CLIENT PROTECTION  
REPORT TO THE HOUSE OF DELEGATES**

**RESOLUTION**

1 RESOLVED, That the American Bar Association adopts amendments to the Model Rule for  
2 Admission by Motion, dated February 2011.

**ABA Model Rule on Admission by Motion**

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- 6 1. An applicant who meets the requirements of (a) through (g) of this Rule may, upon motion,  
7 be admitted to the practice of law in this jurisdiction. The applicant shall:  
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- 9 (a) have been admitted to practice law in another state, territory, or the District of  
10 Columbia;
  - 11 (b) hold a ~~first professional degree in law (J.D. or LL.B.)~~ degree from a law school  
12 approved by the Council of the Section of Legal Education and Admissions to the Bar  
13 of the American Bar Association at the time the ~~graduate applicant~~ applicant matriculated or  
14 graduated;
  - 15 (c) have been primarily engaged in the active practice of law in one or more states,  
16 territories or the District of Columbia for five of the seven years immediately  
17 preceding the date upon which the application is filed;
  - 18 (d) establish that the applicant is currently a member in good standing in all jurisdictions  
19 where admitted;
  - 20 (e) establish that the applicant is not currently subject to lawyer discipline or the subject  
21 of a pending disciplinary matter in any ~~other~~ jurisdiction;
  - 22 (f) establish that the applicant possesses the character and fitness to practice law in this  
23 jurisdiction; and
  - 24 (g) designate the Clerk of the jurisdiction's highest court for service of process.
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- 26 2. For purposes of this rule, the "active practice of law" shall include the following activities, if  
27 performed in a jurisdiction in which the applicant is admitted and authorized to practice, or if  
28 performed in a jurisdiction that affirmatively permits such activity by a lawyer not admitted  
29 in that jurisdiction; however, in no event shall any activities listed under (2)(e) and (f) that  
30 were performed in advance of bar admission in some the state, territory, or the District of

31 Columbia jurisdiction to which application is being made be accepted toward the durational  
32 requirement:  
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- 34 (a) Representation of one or more clients in the private practice of law;
- 35 (b) Service as a lawyer with a local, state, territorial or federal agency, including military  
36 service;
- 37 (c) Teaching law at a law school approved by the Council of the Section of Legal  
38 Education and Admissions to the Bar of the American Bar Association;
- 39 (d) Service as a judge in a federal, state, territorial or local court of record;
- 40 (e) Service as a judicial law clerk; or
- 41 (f) Service as in-house counsel as corporate counsel provided to the lawyer's employer  
42 or its organizational affiliates.  
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- 44 3. For purposes of this rule, the active practice of law shall not include work that, as  
45 undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was  
46 performed or in the jurisdiction in which the clients receiving the unauthorized services were  
47 located.  
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- 49 4. An applicant who has failed a bar examination administered in this jurisdiction within five  
50 years of the date of filing an application under this rule shall not be eligible for admission on  
51 motion.