

1 **Rule 14-705. Admission by motion.**

2 (a) **Reciprocal admission.** An Applicant is eligible to be admitted by motion if the Applicant
3 meets all the requirements of this rule. Admission by Motion is not a right; the burden of proof is
4 on the Applicant to establish by clear and convincing evidence that ~~she or he~~the Applicant:

5 (a)(1) has paid the prescribed nonrefundable fee and filed the required Complete
6 Application as a Motion Applicant;

7 (a)(2) is at least 21 years old;

8 (a)(3) has been admitted by bar examination to practice law before the highest court of a
9 U.S. state, territory or the District of Columbia;

10 (a)(4) holds a First Professional Degree in law from an Approved Law School;

11 (a)(5) has successfully passed the MPRE;

12 (a)(6) has demonstrated that the U.S. state, territory or the District of Columbia that
13 licenses the Applicant reciprocally allows the admission of licensed Utah lawyers under
14 terms and conditions similar to those set forth in this rule;

15 (a)(7) has been Actively licensed and lawfully engaged in the Full-time Practice of Law
16 as defined in Rule 14-701 in the reciprocal jurisdiction(s) where licensed for 60 of the 84
17 months immediately preceding the date ~~of the filing of~~ the application for admission is filed.

18 For ~~purposes of~~ admission purposes under this rule, with the exception of lawyers practicing
19 in Utah with a House Counsel license, any time practicing at an office located in Utah will
20 not be counted as time practicing in a reciprocal jurisdiction;

21 (a)(8) is a member in good standing in all jurisdictions where currently admitted;

22 (a)(9) has a proven record of ethical, civil, and professional behavior and has never been
23 disbarred or resigned with discipline pending, or their equivalent, in any jurisdiction and is
24 not currently subject to lawyer discipline or the subject of a pending disciplinary matter; and

25 (a)(10) is of good moral character and satisfies the requirements of Rule 14-708;

26 ~~(b) **Continuing legal education requirement.** All Applicants admitted to practice law
27 pursuant to this rule shall complete and certify no later than six months following the
28 Applicant's admission that she or he has attended at least 15 hours of continuing legal
29 education on Utah practice and procedure and ethics requirements.~~

30 ~~(b)(1) The Board may by regulation specify the number of the required 15 hours that must be in
31 particular areas of practice, procedure, and ethics. Included in this mandatory 15 hours is
32 attendance at the Bar's OPC ethics school.~~

33 (be) Application Form form and content of application. The Board may require additional
34 proof of any facts stated in the application. ~~In the event of the failure or the refusal of the~~ If the
35 Applicant fails or refuses to furnish any information or proof, or to answer any Board inquiry ~~of~~
36 ~~the Board~~ pertinent to the pending application, the Board may deny the application without
37 hearing.

38 (cd) **Timing of application and admission.** An application may be filed at any time but the
39 Applicant must be able to demonstrate that the Applicant she or he satisfies the requirements of
40 this rule as of the date the application is filed. Processing of the application and the character and
41 fitness investigation require a minimum of four months to complete.

42 (cd)(1) An Applicant not eligible for admission pursuant to this rule may qualify for
43 admission as an Attorney Applicant pursuant to Rule 14-704.

44 (c~~e~~) (2) Upon approval the Applicant must comply with ~~the provisions of~~ Rule 14-716
45 concerning licensing and enrollment fees.

46 (d~~e~~) **Practice pending admission.** Only persons who are active, ~~licensed members of the~~
47 ~~Bar~~ Bar licensees in good standing may engage in the practice of law in Utah. However, a Motion
48 Applicant with a pending Bar application may be eligible to practice for a limited period upon
49 satisfaction of all of the requirements of Rule 14-809 and receipt of a Practice Pending
50 Admission Certificate.

51 Effective *September 1, 2020*.