

In the  
Indiana Supreme Court

CAUSE NUMBER: 94S00-1205-MS-275



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 Admission and Discipline Rule 6 § 2 is amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

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**Rule 6. Admission on Foreign License**

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**Section 2. Business Counsel License**

A person who establishes an office or other systematic and continuous presence in Indiana in order to accept or continue employment by a person or entity engaged in business in Indiana other than the practice of law may be granted a business counsel license to practice law in Indiana without examination so long as granting the license is in the public interest and such person:

a. is admitted:

1. to practice law in the highest court of law in any other state, or

2. to practice law in a foreign country and fulfills the requirements set forth in

5(1)(a);

b. complies with Section 1(a)(ii) and is or will be devoted solely to the business of such employer and who receives or will receive his or her entire compensation from such employer for applicants legal service, and remains in such employment;

c. is a member in good standing of the bar(s) of admission;

d. meets the character and fitness requirement;

e. pays or tenders the required fee; and

f. has not failed the Indiana Bar Examination within five (5) years of the date of the application.

A person granted a business counsel license under this Rule based upon admission to the practice of law only in a foreign country shall be subject to the limitations on scope of practice set forth in paragraphs (a)-(d) of Rule 5(4).~~who has been admitted to practice law in the highest court of law in any other state who becomes a resident of Indiana to accept or continue employment by a person or entity engaged in business in Indiana other than the practice of law; whose practice complies with Section 1(a)(ii), and is, or will be, devoted solely to the business of such employer, and who receives, or will receive, his or her entire compensation from such employer for applicant's legal services, may be granted a business counsel license to practice law in Indiana, without examination, so long as:~~

~~a) — such person remains in the employ of, and devotes his or her time as set forth in Section 1(a)(ii) to the business of, and receives compensation for legal services from no source other than applicant's said employer;~~

~~b) — the applicant is a member in good standing of the bar(s) of admission;~~

~~e) — the admission of the applicant is in the public interest;~~

~~d) — the applicant meets the character and fitness requirement;~~

~~e) — the applicant has paid or tendered the required fee; and,~~

~~f) — the applicant has not failed the Indiana Bar Examination within five (5) years of the date of application.~~

Upon the transfer of such employment outside the State of Indiana, the right to practice law in Indiana pursuant to a business counsel license shall terminate. Upon the termination of such employment, the right to practice law in Indiana shall terminate unless 1) such business counsel license admittee has secured employment from another person or entity within three (3) months of their termination, which employment meets the criteria of Section 2; or 2) such business counsel license admittee shall have been admitted to practice law in this state pursuant to some other rule.

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This amendment shall take effect January 1, 2013.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this 26<sup>th</sup> day of October, 2012.

/s/Brent E. Dickson  
Brent E. Dickson  
Chief Justice of Indiana

All Justices concur.