

In the
Indiana Supreme Court

CAUSE NUMBER: 94S00-1003-MS-128



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, Admission and Discipline Rules 2 and 3 are amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

Rule 2. Registration and Fees

(a) **Name and Address.** All attorneys in active or inactive good standing, duly admitted to the practice of law in the State of Indiana shall file with the Clerk of the Supreme Court, 247 216 State House, Indianapolis, Indiana 46204, their correct name, office and residence address, office telephone number, electronic mail address, and county of residence. Said attorneys shall notify the Clerk of the Supreme Court of any change of address (including electronic mail address), change of telephone number, or change of name within thirty (30) days of such change. Such A notice of a change of name shall be accompanied by a copy of the court record or an affidavit which that states the name change. The names and addresses so filed shall be effective for all notices involving licenses as attorneys and/or disciplinary matters, and a failure to file same shall be a waiver of notice involving licenses as attorneys and/or disciplinary matters. The Clerk shall annually send a certified ~~keep a~~ list of attorneys, together with their ~~correct~~ addresses on file, and certify monthly such list to the ~~Clerk of the United States District Court for the Northern District of Indiana, the clerk of the United States District Court for the Southern District of Indiana, the Executive Director of the State Board of Law Examiners and the~~ Indiana State Bar Association. ~~The names and addresses so certified shall be effective for all notices involving licenses as~~

~~attorneys and/or disciplinary matters, and a failure to file same shall be a waiver of notice involving licenses as attorneys and/or disciplinary matters.~~

(b) Annual Registration Fee--Active Attorneys. Except as provided in sections (c) or (d), each attorney who is a member of the bar of this Court on August 1 of each year shall, so long as the attorney is a member of the Bar of this Court, pay a registration fee of one hundred ~~fifteen~~ thirty dollars (\$ ~~115.00~~ 130.00) on or before October 1 of such year. A delinquent fee in the amount of ~~sixty-five~~ eighty dollars (\$~~65.00~~ 80.00) shall be added to the registration fee for fees paid after October 1 and on or before October 15 of each year; a delinquent fee in the amount of one hundred ~~fifteen~~ thirty dollars (\$~~115.00~~ 130.00) shall be added to the registration fee for fees paid after October 15 and on or before December 31 of each year; and a delinquent fee in the amount of two hundred and ~~sixty-five~~ eighty dollars (\$~~265.00~~ 280.00) shall be added to the registration fee for fees paid after December 31 of each year. An attorney who has paid the registration fee under this subsection and any applicable delinquent fees and who is otherwise eligible to practice law in this state shall be considered to be in active good standing.

Any attorney admitted to practice law in this State on a date subsequent to August 1 of each year shall, within ten (10) days of the date of his or her admission to the Bar of the Court, or by October 1 of said year, whichever date is later, pay a registration fee of one hundred ~~fifteen~~ thirty dollars (\$~~115.00~~ 130.00).

(c) Annual Registration Fee--Inactive Attorneys. One-half (1/2) of the registration fee referred to in section (b) shall be required of an attorney who files with the Clerk, on or before October 1 of each year, an affidavit of inactivity, stating that he or she is currently in active good standing, and that he or she neither holds judicial office nor is engaged in the practice of law in this state. A delinquent fee in the amount of fifty dollars (\$50.00) shall be added to the registration fee for fees paid after October 1 and on or before October 15 of each year; and a delinquent fee in the amount of one hundred dollars (\$100.00) shall be added to the registration fee for fees paid after October 15 of each year. An attorney who has paid the registration fee under this section and any applicable delinquent fees shall be considered to be in inactive good standing. An inactive attorney shall promptly notify the Clerk of a desire to return to active status, and pay the applicable registration fee for the current year, prior to any act of practicing law.

...

(g) Annual Registration Notice. On or before August 1 of each year, the Clerk of this Court shall mail a notice to [or notify via electronic mail](#) each attorney then admitted to the bar of this Court who is in active or inactive good standing that: (i) a registration fee must be paid on or before October 1; and (ii) the certification required by section (f) of this rule and by Ind.Prof. Cond. R. 1.15(g) must be filed with the Clerk on or before October 1. The Clerk shall also send [a copy of](#) such notice to the Clerk for each circuit and superior court in this State for posting in a prominent place in the courthouse, the Indiana State Bar Association, and such print and other media publishers of legal information as the Clerk reasonably determines appropriate. Provided, however, that the failure of the Clerk to send such notice will not mitigate the duty to pay the required fee and file the required certification.

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(j) Annual Continuing Education Fee -- Non-attorney Judges.

(1) On or before August 1, of each year, the Clerk shall mail to each non-attorney judge a notice that an education fee of [fifteen thirty](#) dollars (~~\$15.00~~ [30.00](#)) must be paid on or before the first day of October. Failure to pay the education fee on or before October 1, will result in the imposition of a delinquency fee of [fifteen thirty](#) dollars (~~\$15.00~~ [30.00](#)).

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Rule 3. Admission of Attorneys

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Section 2. Temporary Admission on Petition.

(a) Requirements for Temporary Admission on Petition. The Supreme Court, the Court of Appeals, the Tax Court, or a trial court, in the exercise of discretion, may permit a member of the bar of another state or territory of the United States, or the District of Columbia, not admitted pursuant to Rule 21, to appear in any particular proceeding, only if the court before which the attorney wishes to appear determines that there is good cause for such appearance and that each of the following conditions is met:

...

(4) The attorney files a verified petition, co-signed by co-counsel designated pursuant to subdivision (a)(1), setting forth:

- (i) The attorney's residential address, office address, [office telephone number](#), [electronic mail address](#), and the name and address of the attorney's law firm or employer, if applicable;

...

(f) Scope and Effect of Automatic Exclusion from Practice Within the State.

(1) When an attorney is automatically excluded from practice within the state under Section 2(b) or (c), any further action taken by that attorney in any case in the state shall constitute the unauthorized practice of law.

(2) An attorney may seek relief from the automatic exclusion from practice within the state by filing a "Petition for Relief from Automatic Exclusion" with the Supreme Court. The petition shall be captioned: "In re Temporary Admission of [Attorney's name]." The petition shall describe the circumstances causing the exclusion, shall list all pending cases, including court and case number, in which the attorney had been granted temporary admission prior to the automatic exclusion, and shall be accompanied by a "Notice of Temporary Admission" if the exclusion is under Section 2(b) or a renewal admission fee, together with a delinquent fee in the amount of one hundred and ~~fifteen~~ [thirty](#) dollars (~~\$115.00~~[130.00](#)), if the exclusion is under Section 2(c).

...

These amendments shall take effect August 1, 2010.

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 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 30th day of July, 2010.

/s/Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur.