

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

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

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

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

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

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

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

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

16 (a)(7) has been Actively licensed and lawfully engaged in the Full-time Practice
17 of Law as defined in Rule 14-701 in the reciprocal jurisdiction(s) where licensed for
18 60 of the 84 months immediately preceding the date ~~of the filing of~~ the application
19 for admission is filed. For ~~purposes of admission~~ purposes of admission under this
20 rule and ~~under this rule~~, with the exception of lawyers licensed in Utah as House

21 Counsel, any time practicing at an office located in Utah will not be counted as time
22 practicing in a reciprocal jurisdiction;

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

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

28 (a)(10) is of good moral character and satisfies the requirements of Rule 14-708;²

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

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

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

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

46 ~~(c)~~(1) An Applicant not eligible for admission pursuant to this rule may qualify
47 for admission as an Attorney Applicant pursuant to Rule 14-704.

48 ~~(c)~~(2) Upon approval the Applicant must comply with ~~the provisions of~~ Rule
49 14-716 concerning licensing and enrollment fees.

50 ~~(d)~~ **Practice pending admission.** Only persons who are active, ~~licensed members of~~
51 ~~the Bar~~ Bar licensees in good standing may engage in the practice of law in Utah.
52 However, a Motion Applicant with a pending Bar application may be eligible to
53 practice for a limited period upon satisfaction of ~~all of~~ all the requirements of Rule 14-
54 809 and receipt of a Practice Pending Admission Certificate.

55 Effective ~~May 1, 2019~~ November 12, 2020