

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 the Applicant:

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

8 (2) is at least 21 years old;

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

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

12 (5) has successfully passed the MPRE;

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

16 (7) has been ~~Actively~~ licensed and engaged in the ~~ly engaged in the~~ Full-time
17 Practice of Law as defined in Rule 14-701(b), (u), and (jj) ~~in the reciprocal~~
18 ~~jurisdiction(s) where licensed~~ for 60-36 of the 8460 months immediately preceding
19 the date the application for admission is filed. ~~For purposes of admission under this~~
20 ~~rule and with the exception of lawyers licensed in Utah as House Counsel, any time~~
21 ~~practicing at an office located in Utah will not be counted as time practicing in a~~
22 ~~reciprocal jurisdiction;~~

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

24 (9) has a proven record of ethical, civil, and professional behavior and has never
25 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 (10) is of good moral character and satisfies the requirements of Rule 14-708.

29 **(b) Exceptions.**

30 **(1) Time practicing in Utah.** Any time practicing at an office located in Utah will not
31 be counted as time practicing in a reciprocal jurisdiction except to the extent that the
32 lawyer has complied with Rule 5.5 of the Utah Rules of Professional Conduct

33 **(2) House counsel.** Lawyers licensed in Utah as House Counsel may count time
34 practicing in Utah toward the requirements of this rule.

35 **(3) Full-time law professors in Utah.** Law professors at an Approved Law School in
36 the state of Utah who have worked full-time as a law professor for 36 of the 60
37 months immediately preceding the date the application for admission is filed are
38 exempt from the requirement of being engaged in the Full-time Practice of Law.
39 Working full-time as a law professor means working as a law professor at least 80
40 hours per month.

41 **(bc) Application form and content.** The Board may require additional proof of any facts
42 stated in the application. If the Applicant fails or refuses to furnish any information or
43 proof, or to answer any Board inquiry pertinent to the pending application, the Board
44 may deny the application without hearing.

45 **(ed) Timing of application and admission.** An application may be filed at any time but
46 the Applicant must be able to demonstrate that the Applicant satisfies the requirements
47 of this rule as of the date the application is filed. Processing of the application and the
48 character and fitness investigation require a minimum of four months to complete.

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

51 (2) Upon approval the Applicant must comply with Rule 14-716 concerning
52 licensing and enrollment fees.

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