

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; the
4 burden of proof is on the Applicant to establish by clear and convincing evidence that she
5 or he:

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 court of a
10 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 that licenses
14 the Applicant reciprocally allows the admission of licensed Utah lawyers under terms and
15 conditions similar to those set forth in this rule;

16 (a)(7) has been Actively licensed and lawfully engaged in the Full-time Practice of Law as
17 defined in Rule 14-701(b), (t) and (ff) in the reciprocal jurisdiction(s) where licensed for
18 60 of the 84 months immediately preceding the date of the filing of the application for
19 admission. For purposes of admission under this rule, any time practicing at an office
20 located in Utah will 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;

Rule 14-705

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
31 be in particular areas of practice, procedure, and ethics. Included in this mandatory 15 hours
32 is attendance at the Bar's OPC ethics school.

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

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

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

43 (d)(2) Upon approval the Applicant must comply with the provisions of Rule 14-716
44 concerning licensing and enrollment fees.

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

49 Effective Date May 1, 2016