

Proposal 24-18

Offered by the Illinois Supreme Court Board of Admissions to the Bar

Rule 706. Filing Deadlines and Fees of Registrants and Applicants

(a) Character and Fitness Registration. Character and fitness registration applications filed with applications to take the bar examination shall be accompanied by a registration fee of ~~\$450~~ \$550.

(b) Applications to Take the Bar Examination. The fees and deadlines for filing applications to take the February bar examination are as follows:

- (1) ~~\$500~~ \$650 for applications submitted on or before the regular filing deadline of September 15 preceding the examination;
- (2) ~~\$700~~ \$925 for applications submitted after September 15 but on or before the late filing deadline of November 1; and
- (3) ~~\$1000~~ \$1325 for applications submitted after November 1 but on or before the final late filing deadline of November 30.

The fees and deadlines for filing applications to take the July bar examination are as follows:

- (1) ~~\$500~~ \$650 for applications submitted on or before the regular filing deadline of February 15 preceding the examination;
- (2) ~~\$700~~ \$925 for applications submitted after February 15 but on or before the late filing deadline of April 1; and
- (3) ~~\$1000~~ \$1325 for applications submitted after April 1 but on or before the final late filing deadline of April 30.

(c) Applications for Reexamination. The fees and deadlines for filing applications for reexamination at a February bar examination are as follows:

- (1) ~~\$500~~ \$650 for applications submitted on or before the regular reexamination filing deadline of November 1;
- (2) ~~\$850~~ \$1125 for applications submitted after November 1 but on or before the final late filing deadline of November 30.

The fee and deadline for filing applications for reexamination at a July bar examination are ~~\$500~~ \$650 for applications submitted on or before April 30.

(d) Late Applications. The Board of Admissions to the Bar shall not consider requests for late filing of applications after the final bar examination filing deadlines set forth in the preceding subparagraphs (b) and (c).

(e) Applications for Admission on Motion under Rule 705. Each applicant for admission to the bar on motion under Rule 705 shall pay a total fee of \$1500, comprising a fee of \$150 upon submission of an applicant's Preliminary Questionnaire on the form prescribed by the Board of Admissions to the Bar for preliminary evaluation of whether an applicant is qualified to apply for admission under Rule 705, and a fee of \$1350 due upon submission of an application for admission under Rule 705. An applicant whose Preliminary Questionnaire does not establish that the applicant is qualified to apply for admission under Rule 705 shall submit a new Preliminary Questionnaire upon reapplication for admission under Rule 705 and pay an additional \$150 fee.

(f) Applications for Admission by Transferred Uniform Bar Examination Score Under Rule 704A. Each applicant for admission to the bar by transferred UBE score under Rule 704A shall pay a fee of \$1500.

(g) Application for Limited Admission as House Counsel. Each applicant for limited admission to the bar as house counsel under Rule 716 shall pay a fee of \$1500. For applications submitted more than 90 days after the commencement of employment as house counsel in Illinois, after submitting the application, the applicant must petition to the Supreme Court for waiver of the 90-day period specified in Rule 716(l). If said petition is granted, the following late fees shall apply, in addition to the \$1500 application fee, unless the Court imposes a lesser late fee for good cause shown:

(1) For applications submitted between 91 days and one year after the commencement of employment as house counsel in Illinois, the applicant shall pay an additional \$1500 late fee.

(2) For applications submitted more than one year after the commencement of employment as house counsel in Illinois, the late fee shall be an additional \$1500 as specified in the preceding subparagraph (g)(1) for the first year, plus an additional \$500 for each additional year or part thereof.

(h) Application for Limited Admission as a Lawyer for Legal Service Programs. Each applicant for limited admission to the bar as a lawyer for legal service programs under Rule 717 shall pay a fee of \$100.

(i) Recertification Fee. Each applicant for Character and Fitness recertification shall pay a fee of \$450.

(j) Miscellaneous Fees. Each applicant shall pay a fee of \$25 per request for the following documents and/or services:

(1) For applicants who are unsuccessful in passing a particular administration of the bar examination, provision of a copy of the applicant's essay answers for that administration of the bar examination and a set of sample passing answers;

(2) Provision to the applicant of a copy of the applicant's application for admission to the bar under any of these Rules or any documents associated with that application; or

(3) Transferring an applicant's score on the Multistate Bar Examination or Multistate Professional Responsibility Examination to another jurisdiction; or

(4) Provision of a letter to another jurisdiction or other third party, stating that an applicant has passed a particular administration of the bar examination in Illinois.

(k) Payment of Fees. All fees are nonrefundable and shall be paid in advance by credit or debit card, certified check, cashier's check or money order payable to the Board of Admissions to the Bar. Payments by credit card shall be subject to a convenience fee commensurate with the fees charged to the Board for the processing of such credit card payments. Fees of an applicant who does not appear for an examination shall not be transferred to a succeeding examination.

~~(k)~~ **(l) Fees to be Held by Treasurer.** All fees paid to the Board of Admissions to the Bar shall be held by the Board treasurer, subject to the order of the Court.

Rule 716. Limited Admission Of House Counsel

A person who, as determined by the Board of Admissions to the Bar, has been licensed to practice in the highest court of law in any United States state, territory, the District of Columbia, or a foreign jurisdiction, or is otherwise authorized to practice in a foreign jurisdiction, may receive a limited license to practice law in this state when the lawyer is employed in Illinois as house counsel exclusively for a single corporation, partnership, association or other legal entity (as well as any parent, subsidiary or affiliate thereof), the lawful business of which consists of activities other than the practice of law or the provision of legal services upon the following conditions:

(a) The applicant meets the educational requirements of Rule 703 or Rule 715(c) if a foreign lawyer;

(b) The applicant meets Illinois character and fitness requirements and has been certified by the Committee on Character and Fitness;

(c) The applicant licensed to practice law for fewer than 15 years has passed the Multistate Professional Responsibility Exam in Illinois or in any jurisdiction in which it was administered, or, in the case of a lawyer who has been admitted or otherwise authorized to practice only in a foreign jurisdiction, has completed the course on ethics for foreign lawyers approved by the Illinois Supreme Court Commission on Professionalism;

(d) The applicant is in good disciplinary standing before the highest court of every jurisdiction in which ever admitted and is at the time of application on active status in at least one such jurisdiction, or, in the case of a lawyer who has been admitted or otherwise authorized to practice only in a foreign jurisdiction, is not disbarred, suspended, or otherwise prohibited from practice

in any jurisdiction by reason of discipline, resignation with charges pending, or permanent retirement;

(e) The applicant has paid the fee for limited admission of house counsel under Rule 706, including any late fees applicable upon grant of a petition to the Supreme Court for waiver of the 90-day period specified in Rule 716(l).

(f) Application requirements. To apply for the limited license, the applicant must file with the Board of Admissions to the Bar the following:

- (1) A completed application for the limited license in the form prescribed by the Board;
- (2) A duly authorized and executed certification by applicant's employer that:
 - (A) The employer is not engaged in the practice of law or the rendering of legal services, whether for a fee or otherwise;
 - (B) The employer is duly qualified to do business under the laws of its organization and the laws of Illinois;
 - (C) The applicant works exclusively as an employee of said employer for the purpose of providing legal services to the employer at the date of his or her application for licensure; and
 - (D) The employer will promptly notify the Clerk of the Supreme Court of the termination of the applicant's employment.
- (3) Such other affidavits, proofs and documents as may be prescribed by the Board.

(g) Authority and Limitations. A lawyer licensed and employed as provided by this Rule has the authority to act on behalf of his or her employer for all purposes as if licensed in Illinois. A lawyer licensed under this rule shall not offer legal services or advice to the public or in any manner hold himself or herself out to be engaged or authorized to engage in the practice of law, except such lawyer, other than a lawyer licensed under this rule only on the basis of being admitted or authorized to practice in a foreign jurisdiction, may provide voluntary pro bono public services as defined in Rule 756(f).

(h) Duration and Termination of License. The license and authorization to perform legal services under this rule shall terminate upon the earliest of the following events:

- (1) The lawyer is admitted to the general practice of law under any other rule of this Court.
- (2) The lawyer ceases to be employed as house counsel for the employer listed on his or her initial application for licensure under this rule; provided, however, that if such lawyer, within 120 days of ceasing to be so employed, becomes employed by another employer and such employment meets all requirements of this Rule, his or her license shall remain in effect, if within said 120-day period there is filed with the Clerk of the Supreme Court:

(A) written notification by the lawyer stating the date on which the prior employment terminated, identification of the new employer and the date on which the new employment commenced;

(B) certification by the former employer that the termination of the employment was not based upon the lawyer's character and fitness or failure to comply with this rule; and

(C) the certification specified in subparagraph (f)(2) of this rule duly executed by the new employer. If the employment of the lawyer shall cease with no subsequent employment within 120 days thereafter, the lawyer shall promptly notify the Clerk of the Supreme Court in writing of the date of termination of the employment, and shall not be authorized to represent any single corporation, partnership, association or other legal entity (or any parent, subsidiary or affiliate thereof).

(3) The lawyer is suspended or disbarred from practice in any jurisdiction or any court or agency before which the lawyer is admitted.

(4) The lawyer fails to maintain active status in at least one jurisdiction, or, in the case of a lawyer who has been admitted or otherwise authorized to practice only in a foreign jurisdiction, has been disbarred, suspended, or otherwise prohibited from practice in any jurisdiction by reason of discipline, resignation with charges pending, or permanent retirement.

(i) Annual Registration and MCLE. Beginning with the year in which a limited license to practice law under this rule is granted and continuing for each subsequent year in which house counsel continues to practice law in Illinois under the limited license, house counsel must register with the Attorney Registration and Disciplinary Commission and pay the fee for active lawyers set forth in Rule 756 and fully comply with all MCLE requirements for active lawyers set forth in Rule 790 et seq.

(j) Discipline. A lawyer licensed under this rule shall be subject to the jurisdiction of the Court for disciplinary purposes to the same extent as all other lawyers licensed to practice law in this state.

(k) Credit toward Admission on Motion. The period of time a lawyer practices law while licensed under this rule may be counted toward eligibility for admission on motion, provided all other requirements of Rule 705 are met.

(l) Newly Employed House Counsel. A lawyer who is newly employed as house counsel in Illinois shall not be deemed to have engaged in the unauthorized practice of law in Illinois prior to licensure under this rule if application for the license is made within 90 days of the commencement of such employment. This 90-day period may be extended upon grant of a petition to the Supreme Court for waiver of the 90-day period and payment of all associated fees and late fees as required by Rule 706; provided, however, that the Committees on

Character and Fitness may consider:

(1) the extent of any delay in filing an application for licensure under this rule;

(2) the reason for such delay; and

(3) any impacts associated with the delay

as part of the determination whether an applicant possesses good moral character and general fitness for the practice of law pursuant to Rule 708 and the Rules of Procedure for the Board of Admissions to the Bar and the Committees on Character and Fitness.