

RULES GOVERNING THE COURTS OF THE STATE OF NEW JERSEY
RULE 1:27. ADMISSION TO PRACTICE LAW

1:27-1. Plenary Admission

(a) Qualification for Licensure. No person shall be admitted to the bar of this State unless the following shall first have successfully occurred in a manner prescribed by the rules of the Board of Bar Examiners:

(1) Qualification, pursuant to Rule 1:24, by passage of the bar examination administered in New Jersey, by application to transfer an acceptable Uniform Bar Examination (UBE) score, or by motion to the Supreme Court;

(2) Certification of good character by the Committee on Character, pursuant to Rule 1:25 and the regulations of that body; and

(3) Attainment of a qualifying score on the Multi-State Professional Responsibility Examination or passage of an approved course on professional ethics given by an American Bar Association-accredited law school.

(b) Report to Supreme Court. The Board of Bar Examiners shall report to the Supreme Court the names of those applicants whose qualifications accord with these Rules. The Supreme Court may then authorize the administration of the oaths prescribed by Rule 1:27-5 in such manner as the Court shall deem appropriate.

(c) Roll of Attorneys; Oath Card. Within thirty days of taking the attorney's oath, attorneys must file the completed Roll of Attorneys oath card with the Clerk of the Supreme Court. If the oath card is not properly filed within that period, the attorney's admission shall not be effective. Subject to paragraph (d) of this Rule, an attorney who has not timely filed an oath card must re-take the oath of admission and complete a new card. Except by leave of the Supreme Court, the date of admission to the bar of such an attorney shall not relate back to the original administration of the oaths.

(d) Time Limit on Admission. Admission to practice must occur no more than ninety days after the date the candidate has become eligible for the administration of the attorney's oaths.

(e) Registration Statement. Failure to file the registration statement required by Rule 1:20-1(c) within thirty days of its receipt shall cause the name of the delinquent attorney to be included in an Order of the Supreme Court declaring him or her ineligible to practice law until such statement is filed.

Note: Source-R.R. 1:22-1(a) (b); paragraph (b) amended July 29, 1977 to be effective September 6, 1977; paragraph (a) amended and paragraph (d) adopted July 24, 1978 to be effective September 11, 1978; caption amended and paragraph (d) deleted September 21, 1981 to be effective immediately; caption amended and new paragraph (a) adopted, former paragraph (a) amended and redesignated (b) and former paragraphs (b) and (c) deleted September 21, 1981 to be effective February 1, 1982; paragraph (b) amended January 31, 1984 to be effective February 15, 1984; paragraph (b) amended July

26, 1984 to be effective September 10, 1984; paragraph (a)(4) deleted November 5, 1986 to be effective January 1, 1987; paragraph (b) caption and text amended and last sentence redesignated paragraph (c) and caption adopted November 7, 1988 to be effective January 2, 1989; paragraph (b) amended and redesignated as paragraphs (b) and (d), former paragraph (c) amended and redesignated as paragraph (e), and new paragraph (c) adopted July 10, 1998 to be effective September 1, 1998; paragraph (d) amended July 5, 2000 to be effective September 5, 2000; paragraph (b) amended November 8, 2004 to be effective immediately; paragraph (a) amended August 1, 2016 to be effective September 1, 2016.

1:27-2. Limited License; In-House Counsel

To be eligible to practice law in New Jersey as an in-house counsel, a lawyer must comply with the provisions of this Rule. A limited license issued by the Supreme Court pursuant to this Rule shall authorize the lawyer to practice solely for the designated employer in New Jersey. Except as specifically limited herein, the rules, rights and privileges governing the practice of law in this State shall be applicable to a lawyer admitted under this Rule.

(a) In-House Counsel Defined. In-House Counsel is a lawyer who is employed in New Jersey for a corporation, a partnership, association, or other legal entity (taken together with its respective parents, subsidiaries, and affiliates) authorized to transact business in this State that is not itself engaged in the practice of law or the rendering of legal services outside such organization, whether for a fee or otherwise, and does not charge or collect a fee for the representation or advice other than to entities comprising such organization.

(b) Requirements. All applications under this Rule are to be submitted to the Secretary to the Board of Bar Examiners. An in-house counsel who is admitted to practice law before the highest court of any other state, territory of the United States, Puerto Rico, or the District of Columbia (hereinafter a United States jurisdiction) may receive a limited license to practice law in this State under the following conditions:

(i) The applicant certifies that he or she is a member in good standing of the bar of the highest court of each United States jurisdiction in which the applicant is licensed to practice law and provides a certificate of good standing from each United States jurisdiction in which the applicant is admitted;

(ii) The applicant certifies that: (a) no disciplinary proceedings are pending against the applicant and that no discipline has previously been imposed on the applicant in any jurisdiction; or (b) if discipline has been previously imposed, the certification shall state the date, jurisdiction, nature of the violation, and the sanction imposed. If proceedings are pending, the certification shall specify the jurisdiction, the charges, and the likely time of their disposition. A lawyer admitted under this Rule shall have the continuing obligation during the period of such admission promptly to inform the Director of the Office of Attorney Ethics pursuant to Rule 1:20-14(a) of a disposition made of disciplinary proceedings. Any questions concerning the character or fitness of a lawyer may be referred to the Supreme Court Committee on Character for review and recommendation (Rule 1:25). The submission of an application for an In-House Limited

License shall be a consent to such investigation as the Committee on Character deems appropriate;

(iii) Except as provided in (g), the applicant certifies that he or she performs legal services in this State solely for the identified employer, or that he or she performs legal services in this State solely for the identified employer and its constituents (employees, directors, officers, members, partners, shareholders) in respect or the same proceeding of claim as the employer, provided that the performance of such services is consistent with RPC 1.13 and RPC 1.7; and

(iv) The employer certifies through an officer, director or general counsel that the applicant is employed as a lawyer for said employer, that the applicant is of good moral character, and that the nature of the employment conforms to the requirements of this Rule.

(c) Compliance. A lawyer admitted pursuant to this Rule shall comply with the annual assessments pursuant to R. 1:20-1(b) (Disciplinary Oversight Committee), R. 1:28-2 (New Jersey Lawyers' Fund for Client Protection), and R.1:28B-1(e) (Lawyers Assistance Program).

(d) Limitation. In-house counsel shall not appear as Attorney of Record for his or her employer, its parent, subsidiary, affiliated entities or any of their constituents in any case or matter pending before the courts of this State, except pursuant to R. 1:21-1(c) and R. 1:21-2.

(e) Duration. The limited license to practice law in this State shall expire if such lawyer is admitted to the Bar of this State under any other rule of this Court, or if such lawyer ceases to be an employee for the employer or its parent, subsidiary, or affiliated entities, listed on such lawyer's application, whichever shall first occur; provided, however, that if such lawyer, within ninety days of ceasing to be an employee for the employer or its parent, subsidiary, or affiliated entities listed on such lawyer's application, becomes employed by another employer for which such lawyer shall perform legal services as in-house counsel, such lawyer may maintain his or her admission under this Rule by promptly filing with the Secretary to the Board of Bar Examiners a certification to such effect, stating the date on which his or her prior employment ceased and his/her new employment commenced, identifying his or her new employer and reaffirming that he or she shall not provide legal services, in this State, to any individual or entity other than as described in paragraphs (b)(iii) or (g). The lawyer shall also file a certification of the new employer as described in paragraph (b)(iv). In the event that the employment of a lawyer admitted under this Rule shall cease with no subsequent employment by a successor employer within ninety days, such lawyer shall promptly file with the Secretary to the Board of Bar Examiners a statement to such effect, stating the date that such employment ceased.

(f) Fee. Each applicant for a limited license shall pay the required fees as established by the Board of Bar Examiners and approved by the Supreme Court.

(g) Pro Bono. A lawyer with a limited license to practice pursuant to this rule is exempt from court-appointed pro bono service under *Madden v. Delran*, 126 N.J. 591 (1992). Such lawyer may nevertheless serve as a volunteer pro bono attorney with an entity certified under R. 1:21-11(b)(1) or (3), provided that such pro bono service shall cease upon expiration of the limited license to practice in this State as described in (e). However, when a lawyer with a limited license to practice ceases to be an employee for the employer or its parent, subsidiary, or affiliated entities listed on such lawyer's application, the lawyer may continue any ongoing pro bono representation for a maximum period of one year.

(h) Not Admitted. Lawyers with a limited license to practice pursuant to this rule are not, and should not represent themselves to be, members of the bar of this State.

Note: New R. 1:27-2 adopted November 17, 2003 to be effective January 1, 2004; paragraph (e) amended November 29, 2006 to be effective immediately; first paragraph, subparagraph (b)(iii), and paragraphs (d) and (e) amended July 9, 2008 to be effective September 1, 2008; subparagraph (b)(iii) amended, paragraph (e) amended, and new paragraphs (g) and (h) adopted July 22, 2014 to be effective January 1, 2015.

Rule 1:27-2A. Foreign In-House Counsel Registration

To be eligible to practice foreign law in New Jersey as Foreign In-House Counsel, a foreign lawyer (licensed outside the United States) must comply with the provisions of this Rule. Registration approved by the Supreme Court pursuant to this Rule shall authorize the foreign lawyer to practice solely for the designated employer in New Jersey. Except as specifically limited herein, the rules, rights and privileges governing the practice of law in this State shall be applicable to a foreign lawyer registered under this Rule.

(a) Foreign In-House Counsel Defined. Foreign In-House Counsel is a foreign lawyer who is employed in New Jersey for a corporation, a partnership, association, or other legal entity (taken together with its respective parents, subsidiaries, and affiliates) authorized to transact business in this State that is not itself engaged in the practice of law or the rendering of legal services outside such organization, whether for a fee or otherwise, and does not charge or collect a fee for the representation or advice other than to entities comprising such organization. The hiring company will evaluate and verify the lawyer's foreign credentials when hiring him or her. A lawyer admitted in a foreign jurisdiction may provide legal services through an office or other systematic and continuous presence in this jurisdiction when the services are provided to the lawyer's employer, do not require pro hac vice admission, and do not involve advice on United States or New Jersey law.

(b) Requirements. All applications under this Rule are to be submitted to the Secretary of the Board of Bar Examiners. A Foreign In-House Counsel who is admitted to practice law in a foreign country may register to advise on foreign law in this State under the following conditions:

(i) The applicant certifies that he or she is a member in good standing of the bar of the highest court of each foreign and United States jurisdiction in which the applicant is licensed to practice law and provides a certificate of good standing from each jurisdiction in which the applicant is admitted;

(ii) The applicant certifies that: (a) no disciplinary proceedings are pending against the applicant and that no discipline has previously been imposed on the applicant in any foreign country or United States jurisdiction; or (b) if discipline has been previously imposed, the certification shall state the date, jurisdiction, nature of the violation, and the sanction imposed. If proceedings are pending, the certification shall specify the jurisdiction, the charges, and the anticipated time of their disposition. A lawyer registered under this Rule shall have the continuing obligation during the period of such registration promptly to inform the Director of the Office of Attorney Ethics pursuant to Rule 1:20-14(a) of a disposition made of disciplinary proceedings. Any questions concerning the character or fitness of a lawyer may be referred by the Secretary of the Board of Bar Examiners to the Supreme Court Committee on Character for review and recommendation (Rule 1:25). The submission of an application for registration as Foreign In-House Counsel shall be a consent to such investigation as the Secretary of the Board of Bar Examiners deems appropriate;

(iii) The applicant certifies that he or she performs foreign legal services in this State solely for the identified employer, or that he or she performs foreign legal services in this State solely for the identified employer and its constituents (employees, directors, officers, members, partners, shareholders) in respect or the same proceeding of claim as the employer, provided that the performance of such services is consistent with RPC 1.13 and RPC 1.7;

(iv) The applicant certifies that he or she will not advise the employer company on United States law; and

(v) The employer certifies through an officer, director or general counsel that the applicant is employed as a lawyer for said employer, that the applicant is of good moral character, and that the nature of the employment conforms to the requirements of this Rule.

(c) Compliance. A lawyer registered pursuant to this Rule shall comply with the annual assessments pursuant to Rule 1:20-1(b) (Disciplinary Oversight Committee), Rule 1:28-2 (New Jersey Lawyers' Fund for Client Protection), and Rule 1:28B-1(e) (Lawyers Assistance Program).

(d) Limitation. Foreign In-House Counsel shall not appear as Attorney of Record for his or her employer, its parent, subsidiary, affiliated entities or any of their constituents in any case or matter pending before the courts of this State.

(e) Duration. The registration to practice foreign law in this State shall expire if such lawyer is admitted to the Bar of this State under any other rule of this Court, or if such lawyer ceases to be an employee for the employer or its parent, subsidiary, or

affiliated entities, listed on such lawyer's application, whichever shall first occur; provided, however, that if such lawyer, within ninety days of ceasing to be an employee for the employer or its parent, subsidiary, or affiliated entities listed on such lawyer's application, becomes employed by another employer for which such lawyer shall perform legal services as Foreign In-House Counsel, such lawyer may maintain his or her registration under this Rule by promptly filing with the Secretary to the Board of Bar Examiners a certification to such effect, stating the date on which his or her prior employment ceased and his/her new employment commenced, identifying his or her new employer and reaffirming that he or she shall not provide legal services, in this State, to any individual or entity other than as described in paragraphs (b)(iii). The lawyer shall also file a certification of the new employer as described in paragraph (b)(iv). In the event that the employment of a lawyer registered under this Rule shall cease with no subsequent employment by a successor employer within ninety days, such lawyer shall promptly file with the Secretary to the Board of Bar Examiners a statement to such effect, stating the date that such employment ceased.

(f) Fee. Each applicant for registration as Foreign In-House Counsel shall pay the required fees as established by the Board of Bar Examiners and approved by the Supreme Court.

(g) Pro Bono. A foreign lawyer registered as Foreign In-House Counsel pursuant to this rule may not provide pro bono services in this state.

(h) Not Admitted. Foreign lawyers registered pursuant to this rule are not, and should not represent themselves to be, members of the bar of this State.

Note: Adopted August 1, 2016 to be effective September 1, 2016.

1:27-3. Admission of Law School Teachers

An applicant for admission who has been engaged full time in the teaching of law at an approved law school in the State for 5 years immediately preceding the application may be admitted as an attorney of this State, without examination or completion of a skills and methods course, provided the applicant has been admitted, after examination, as an attorney of another state whose educational qualifications for admission to the bar are equal to those of this State. In determining the 5 year period the Supreme Court may grant credit for time spent on leave of absence from such law school. The application shall be made to the Board of Bar Examiners, in accordance with its rules, and the Board shall expeditiously investigate the application and file its report and recommendations thereon to the Supreme Court for appropriate action by it.

Note: Source -- R.R. 1:20-2(b), adopted as R. 1:27-2; amended July 29, 1977 to be effective September 6, 1977; amended November 7, 1988 to be effective January 2, 1989; renumbered as R. 1:27-3 November 17, 2003 to be effective January 1, 2004.

1:27-4. Temporary Admission of a Military Spouse During Military Assignment in New Jersey

(a) Qualifications. An applicant who is the spouse of an active member of the United States Uniformed Services ("servicemember"), assigned to serve in the State of New Jersey, may be temporarily admitted as an attorney of this State, without examination, provided that the applicant:

(1) has been admitted, after examination, as an attorney of another state, commonwealth, or territory of the United States with educational qualifications for admission to the bar equivalent to those of this State; and

(2) possesses the moral character and fitness required of all applicants for admission in this State; and

(3) has not failed the New Jersey bar examination; and.

(4) resides in New Jersey due to the servicemember's military orders; and

(5) is at the time of application an active member of the bar in good standing in at least one jurisdiction of the United States; and

(6) is a member of the bar in good standing in every jurisdiction to which the applicant has been admitted to practice, or has resigned or been administratively revoked while in good standing from every jurisdiction without any pending or later disciplinary actions.

(b) Application for Temporary Admission. An application for temporary admission shall be made to the Board of Bar Examiners, in accordance with its rules, and the Board shall expeditiously present the application to the Clerk of the Supreme Court for appropriate disposition. In addition to the completed application, the applicant must submit:

(1) the application fee as established by the Board of Bar Examiners and approved by the Supreme Court;

(2) the character questionnaire;

(3) a copy of the Applicant's Military Spouse Dependent Identification;

(4) documentation evidencing a spousal relationship with the servicemember; and

(5) a copy of the servicemember's military orders to a military installation in New Jersey authorizing dependents to accompany the servicemember to New Jersey;

(6) is a member of the bar in good standing in every jurisdiction to which the applicant has been admitted to practice, or has resigned or been administratively revoked while in good standing from every jurisdiction without any pending or later disciplinary actions

(7) all other documentation as required in the character application process.

(c) Duration and Renewal. Oath Card. Within thirty days of taking the attorney's oath, attorneys must file the completed Roll of Attorneys oath card with the Clerk of the Supreme Court. If the oath card is not properly filed within that period, the attorney's admission shall not be effective. Subject to paragraph (d) of this Rule, an attorney who has not timely filed an oath card must re-take the oath of admission and complete a new card. Except by leave of the Supreme Court, the date of admission to the bar of such an attorney shall not relate back to the original administration of the oaths.

(1) A temporary license to practice law issued under this rule will be valid for two years provided that the temporary attorney remains a spouse of the servicemember and resides in New Jersey due to military orders or continues to reside in New Jersey after the servicemember is relocated from New Jersey due to unaccompanied orders for a permanent change of station outside of New Jersey. The temporary license may be renewed for two additional two-year periods.

(2) A renewal application must be submitted with the appropriate fee as established by the Board of Bar Examiners and approved by the Supreme Court and all other documentation required by the Board, including a copy of the servicemember's military orders.

(d) Practice Requirements. The temporary attorney shall comply with the registration requirements and payment of annual assessments as required of all New Jersey licensed attorneys during the duration of the temporary license, and shall also:

(1) be employed by a New Jersey licensed attorney who is in good standing and actively practicing in this State or by a law firm comprised of at least one attorney who is in good standing and actively practicing in this State; or

(2) be employed by the federal government, the State of New Jersey, or a subdivision of the State of New Jersey; or

(3) have been engaged in the practice of law in another state, commonwealth, or territory of the United States for a cumulative total of five out of the last eight years.

(e) Termination. The temporary license shall expire:

(1) upon the temporary attorney's failure to meet any licensing requirements applicable to all active attorneys possessing plenary license to practice law in this state; or

- (2) upon the request of the temporary attorney; or
- (3) upon the issuance to the temporary attorney of a New Jersey plenary license; or
- (4) upon receipt by the temporary attorney of a failing score on the New Jersey bar examination; or
- (5) upon the permanent relocation of the servicemember outside of New Jersey, except when such relocation is due to unaccompanied orders for a permanent change of station outside of New Jersey; or
- (6) upon the termination of the temporary attorney's spousal relationship to the servicemember; or
- (7) six months following the date of the servicemembers's death, separation or retirement from the United States Uniformed Services; or
- (8) one year following the date of the servicemember's death, separation or retirement from the United States Uniformed Services provided the temporary attorney applies during the first six months of that year to sit for the New Jersey bar examination.

Note: Adopted July 22, 2014 to be effective September 1, 2014.

1:27-5. Oath or Affirmation on Admission

No person shall be admitted as an attorney of this State without first taking the oath to support the Constitution of the United States and the Constitution of New Jersey, the oath of allegiance to this State, and the oath of office as an attorney. An affirmation may be given in lieu of oath.

Note: Source -- R.R. 1:22-3; adopted as R. 1:27-3; amended July 13, 1994 to be effective September 1, 1994; renumbered as R. 1:27-4 November 17, 2003 to be effective January 1, 2004; renumbered as R. 1:27-5 July 22, 2014 to be effective September 1, 2014.