

# NOTICE FROM SUPREME COURT OF NEW JERSEY

## Re: Mandatory Licensing of In-House Counsel Pursuant to *Rule 1:27-2*

The Supreme Court has adopted a new [Rule 1:27-2](#), which governs the mandatory limited licensing of in-house counsel who work in New Jersey and who are not already members of the Bar of this State. Although the new Rule takes effect January 1, 2004, the mechanics of the licensing process are still being developed. As soon as possible, we will have the required forms and instructions placed on the web site of the Board of Bar Examiners ([www.njbarexams.org](http://www.njbarexams.org)).

Applicants will be required to provide the following:

1. A certified application for a limited license to practice law under the Rule;
2. A certification by the applicant that he or she performs legal services solely for the identified employer, is a member in good standing in all jurisdictions to which he or she has ever been admitted, and has either never been the subject of disciplinary proceedings in any jurisdiction or, if the attorney cannot certify to that, full documentation on all completed or pending disciplinary proceedings;
3. A completed character and fitness Statement of Applicant;
4. A driver's license abstract from every jurisdiction from which the applicant has received a driver's license within the last seven years;
5. An approved credit report;
6. Fingerprints for a criminal record check (Fingerprinting in New Jersey will be undertaken through a scanning system approved by the N.J. State Police). The fingerprinting and criminal records checks are subject to fees that are separate from the application fee;
7. A completed authorization and release;
8. A certification from the applicant's employer confirming his or her employment as a lawyer and that the employment conforms to the Rule;
9. A certificate of good standing from every jurisdiction to which the applicant has been admitted;
10. Verification from the appropriate disciplinary authority of each jurisdiction to which the applicant has been admitted in respect of any grievances filed or disciplinary action taken against the applicant; and
11. An application fee of \$750, in the form of a business check or money order payable to the Board of Bar Examiners. (Note: personal checks will not be accepted.)

**Currently employed in-house attorneys must file a completed application no later than March 31, 2004. A late fee of \$150 must accompany applications postmarked after that date.** Lawyers who fail to make a timely application for licensure under the Rule may be referred to the Committee on Character or the Unauthorized Practice of Law Committee.

Due to the large number of applicants who will be filing at the same time, the processing of applications will be significantly affected by incomplete submissions. Applicants must be certain that all required documentation is both attached and complete.

On satisfactory completion of the application process, each attorney will receive instructions on the taking of the required oaths. Properly completed oath cards will generate a certificate evidencing the lawyer's limited license. The limited license will remain in effect while the lawyer works for the same business entity. If the attorney leaves that position, he or she will have thirty days within which to register a new in-house counsel position or the limited license will expire.

Lawyers who receive a limited license under *Rule* 1:27-2 are obligated to pay the same annual assessments (to support the attorney disciplinary system, the Lawyers' Fund for Client Protection, and the New Jersey Lawyer's Assistance Program) as lawyers with a plenary license.

While the Bar Admissions Unit processes the initial group of applications, in-house counsel shall continue to be subject to the requirements of the Supreme Court's Unauthorized Practice of Law Committee Opinion 14, which can be found at the Rutgers-Camden Law School website at <http://lawlibrary.Rutgers.edu/cgi-bin/ethics.cgi>. A lawyer who files a timely application for limited licensure may continue to work for his or her employer under the dictates of UPLC Opinion 14 until the applicant either receives a limited license under the Rule or is informed that the application has been rejected. Notification of rejection will be sent to the applicant's employer contemporaneously.

[A copy of Rule 1:27-2 is being published with this Notice.](#) As soon as the forms and instructions have been posted on our website, a further Notice will be issued. Questions about the limited licensing process should be addressed to me at:

Clerk of the Supreme Court  
Hughes Justice Complex  
P.O. Box 970  
Trenton, New Jersey 08625-0970

I thank all affected attorneys in advance for their cooperation and assistance in making the application process proceed as expeditiously as possible.

Stephen W. Townsend, Esquire  
Clerk of the Supreme Court

December 11, 2003