

SEP 24 2012

FILED

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8008

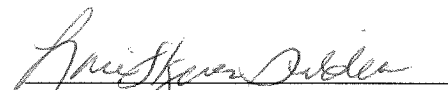
**ORDER ESTABLISHING DEADLINE FOR
SUBMITTING COMMENTS ON PROPOSED AMENDMENTS
TO THE RULES FOR ADMISSION TO THE BAR**

The Minnesota State Board of Law Examiners has submitted a petition proposing changes to Rule 10 of the Rules for Admission to the Bar, to authorize lawyers licensed as house counsel to provide pro bono legal representation to pro bono clients through an approved legal services provider. The Court will consider the proposed changes without a hearing after soliciting and reviewing comments on the petition. A copy of the petition containing the proposed changes is annexed to this order.

IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposed changes shall submit twelve copies in writing, addressed to Bridget Gernander, Clerk of Appellate Courts, 305 Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155. Comments shall be received no later than November 9, 2012.

DATED: September 24, 2012

BY THE COURT:


Lorie S. Gildea
Chief Justice

STATE OF MINNESOTA
In Supreme Court

FILE NO. ADM-10-8008

FILED

July 11, 2012

OFFICE OF
APPELLATE COURTS

Petition of the Minnesota State Board
of Law Examiners for Amendment
of the Rules for Admission to the Bar

**PETITION FOR
RULE AMENDMENT**

TO: THE HONORABLE JUSTICES OF THE MINNESOTA SUPREME COURT:

Petitioner, the Minnesota State Board of Law Examiners ("Board"), respectfully petitions this Court to amend Rule 10 of the Rules for Admission to the Bar ("Rules") to authorize lawyers licensed as house counsel to provide pro bono legal representation to pro bono clients through an approved legal services provider.

1. The Minnesota Supreme Court has the exclusive and inherent power to regulate the practice of law in Minnesota. Minn. Stat. §481.01.
2. Under the supervision of the Court, the Board is responsible for ensuring that lawyers who are admitted to the Bar in Minnesota have the competence as well as the character and fitness required to maintain the trust and confidence of clients, the public, the legal system, and the legal profession. Rule 1 of the State of Minnesota Rules for Admission to the Bar.
3. The Board received a request from the Minnesota State Bar Association (MBSA) to amend the Board's rules to authorize lawyers licensed as house counsel to provide "pro bono legal representation" to a "pro bono client" referred to the lawyer through an "approved legal services provider" as each of those phrases are defined by Rule 2 of the Rules of the Supreme Court for Continuing Legal Education of the Bar (CLE Rules).

4. This Petition for Rule Amendment is a companion to the Petition for CLE Rule Amendments which was filed jointly by the MSBA and the Board of Continuing Legal Education (CLE Board) and is pending before the Court. The CLE Board's Petition seeks amendments to the CLE Rules to permit retired lawyers to provide pro bono services to pro bono clients referred through an approved legal services provider. It was proposed by the MSBA's Legal Assistance of the Disadvantaged (LAD) Committee and is supported by the MSBA's leadership.
5. In order to obtain a house counsel license under Rule 10, applicant lawyer must have provided evidence to the Board that for at least thirty-six months of the sixty months prior to the filing of the application, the lawyer was engaged in the practice of law in one or more of the activities defined as the practice of law by Rule 7A.
6. Lawyers may apply under Rule 10 if they intend to practice in Minnesota longer than 12 months and if they are employed as house counsel solely for a single corporation, association, business, or government entity whose lawful business consists of activities other than the practice of law or the provision of legal services.
7. The attorney must meet the requirements of Rule 10 and complete the character and fitness process in order to be licensed as a lawyer under Rule 10.
8. A lawyer licensed under Rule 10 is only permitted to practice for the corporation for which that lawyer is employed. The rule provision permitting a lesser length of practice experience (36 months) as compared to the length of practice required under Rule 7A (60 months) is based upon the assumption that the corporation is responsible for ensuring that their employee is competent to handle the corporation's legal matters.
9. The Board is proposing that the expansion of Rule 10 be limited to permitting Rule 10 lawyers to provide pro bono legal representation to a pro bono client when that client has been referred through an approved legal services provider. This ensures

that the legal services provider will verify that the client qualifies for pro bono services and that the lawyer has the necessary skills to represent pro bono clients.

The Board respectfully requests that the Court amend the current Rules for Admission to the Bar and adopt the proposed amended Rules attached to this Petition as Exhibit A.

Dated: *July 10, 2012*

Rosanne Nathanson

Hon. Rosanne Nathanson
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RULE 10. ADMISSION BY HOUSE COUNSEL LICENSE

D. Limitation.

A license issued pursuant to this Rule authorizes the holder to practice solely for the employer designated in the Rule 10C(3) affidavit, except that the lawyer is authorized to provide "pro bono legal representation" to a "pro bono client" referred to the lawyer through an "approved legal services provider" as these phrases are defined in Rule 2S, Rule 2R, and Rule 2B, respectively, of the Rules of the Supreme Court for Continuing Legal Education of the Bar.

