

# In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO SECTIONS )  
OF THE IDAHO BAR COMMISSION ) ORDER  
RULES (I.B.C.R.) )  
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The Board of Commissioners of the Idaho State Bar having presented proposed changes to the Idaho Bar Commission Rules (I.B.C.R.), and the Idaho Supreme Court having reviewed and approved the recommendations;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Idaho Bar Commission Rules (I.B.C.R.), as they appear in the Idaho State Bar Desk Book and on the Idaho State Bar website be, and they are hereby, amended as follows:

1. That Rule 200 of SECTION II be, and the same is hereby, amended as follows:

**RULE 200. Definitions.**

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- (b) **Admissions Rules.** Idaho Bar Commission Rules 200 through ~~228~~ 229.

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2. That Rule 203 of SECTION II be, and the same is hereby, amended as follows:

**RULE 203. Application for Admission. – proposed amendments**

(a) **Form and Content of Application.** Applications shall be on forms prescribed by the Board and shall include authorizations and releases to enable the Board to obtain information concerning the Applicant. All forms of authorization and release executed by the Applicant shall terminate:

- (1) Upon the Bar's receipt of notice of withdrawal of the Application;
- (2) Upon the Applicant's receipt of notice that the Bar has denied the Application; or

- (3) Upon admission to the Bar.
- (b) **Time for Filing Application.**
- (1) Except as provided in subsections (2) and (3) below, Applications must be received by the Bar no later than March 1 for the July bar examination and October 1 for the February bar examination.
- (2) Late Applications will be accepted on or before April 15 for the July bar examination and on or before November 15 for the February bar examination. No Applications shall be accepted after the late Application deadline.
- (3) A reciprocal or house counsel Application may be filed at any time.
- (c) **Fees.** Applications for bar examination and admission must include all the required fees.
- (1) **Application Fees.**
- (A) Student Applicant: \$600
- (B) Attorney Applicant: \$800
- (C) Reciprocal Applicant: \$1000
- (D) House Counsel Applicant: \$800
- (2) **Additional Fees.**
- (A) Late Application Fee. The late Application fee is \$200.
- (B) Investigation Fee. In the event the Board or CF Committee determines that an investigation of any Applicant beyond the usual investigation provided for in Rule 208 is required, the Board or CF Committee may require the payment of an additional investigation fee, including but not limited to, the cost of any record or document required by the Board or CF Committee related to its investigation of the Applicant. The Board and CF Committee shall not proceed with further investigation and the Applicant may not ~~take the bar examination~~ be admitted until the additional investigation fee is paid and the investigation of the Applicant's character and fitness is completed.
- (C) Administrative Fees. The Board may assess additional administrative fees to be paid by Applicants for test-taking options.
- (3) **No Refunds.** No refund, in whole or in part, shall be made of any fee.
- (d) **Withdrawal.** An Application may be withdrawn at any time prior to the first day of the bar examination. Reciprocal Applicants, UBE Score Transfer Applicants and House Counsel Applicants may withdraw their Application at any time before admission. Once an Application is withdrawn, a new Application and required fees must be submitted.

2. That Rule 206 of SECTION II be, and the same is hereby, amended as follows:

**RULE 206. Reciprocal Applicants.**

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(b) **Legal Intern or Pro Hac Vice.** The time an attorney practices or practiced in Idaho under Rule 226 or ~~228~~ 227 does not independently qualify as time substantially engaged in the Active Practice of Law.

(c) **Time and Manner for Admission.** Reciprocal Applicants shall be admitted as provided in Rule 220.

~~(d) **Continuing Legal Education.** Reciprocal Applicants admitted to practice law shall, no later than six months following the Reciprocal Applicant's admission to practice law, certify completion of at least fifteen hours of continuing legal education on Idaho practice, procedure and ethics, in courses administered by and/or approved by the Bar. Reciprocal Applicants admitted to practice under this rule shall complete the Practical Skills Seminar approved by the Bar. Credits for self study programs applicable to the mandatory continuing legal education requirements under this rule shall be limited to one half of the fifteen required hours.~~

3. That Rule 209 of SECTION II be, and the same is hereby, amended as follows:

**RULE 209. Character and Fitness Committee.**

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(c) **Powers and Duties.** The CF Committee and designated subcommittees of the CF Committee shall have the power and duty to:

- (1) Receive and consider Applications and supporting materials;
- (2) Request or require other documentation, evaluation or testing and other materials relevant to Applications;
- (3) Receive and consider Rule ~~224~~ 211 objections referred by the Board;
- (4) Conduct Rule 208 examinations; and
- (5) Submit to the Board its findings of facts, conclusions of law and recommendation regarding any denial or conditional admission.

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4. That Rule 227(j) of SECTION II be, and the same is hereby, amended as follows:

**RULE 227. Pro Hac Vice Admission.**

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(j) **Form of Motion.** The pro hac vice motion should be in substantially the following form:

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Undersigned counsel certify that a copy of this motion has been served on all other parties in this case and that a copy of the motion, accompanied by a \$200 ~~\$325~~ fee and a certificate of good standing, have been submitted to the Idaho State Bar.

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5. That Rule 229(d) of SECTION II be, and the same is hereby, amended as follows:

**RULE 229. Military Spouse Provisional Admission.**

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~~(d) **Continuing Legal Education.** Provisional Admission Applicants admitted to practice law shall, no later than six (6) months following the Provisional Applicant's admission to practice law, certify completion of at least fifteen (15) hours of continuing legal education on Idaho practice, procedure and ethics, in courses administered by and/or approved by the Bar. Provisional Applicants admitted to practice under this rule shall complete the Idaho practice and procedure and ethics sections of the Practical Skills Seminar approved by the Bar. Credits for self study programs applicable to the mandatory continuing legal education requirements under this rule shall be limited to one half (1/2) of the fifteen (15) required hours.~~

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6. That Rule 302(a)(3) of SECTION III be, and the same is hereby, amended as follows:

**RULE 302. Licensing Requirements.** Following admission as a member of the Bar, an attorney may maintain membership as follows:

(a) **Active or House Counsel Member.** An Active or House Counsel Member shall:

- (1) Pay the annual license fee required by Rule 304;
- (2) Comply with trust account requirements;
- (3) Comply with all applicable MCLE requirements under I.B.C.R. ~~206~~ and 402;

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IT IS FURTHER ORDERED that the amendments shall be effective the 1<sup>st</sup> day of June, 2014.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Rules.

DATED this 2<sup>nd</sup> day of May, 2014.

By Order of the Supreme Court

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.

WITNESS my hand and the Seal of this Court 5/8/14

ATTEST:

Stephen Kenyon  
Clerk

By: Kimber Grove Deputy

R. Burdick  
Roger Burdick, Chief Justice