

**AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

The following amendments to the Supreme Court Rules for the Government of the Bar of Ohio (Gov. Bar R. VI, Sections 4, 6, and 15; Gov. Bar. R. X, Section 5; and Appendix I) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

June 17, 2019	Initial publication for public comment
November 13, 2019	Final adoption by conference
February 1, 2020	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

1 RULE VI. REGISTRATION OF ATTORNEYS

2
3 [Existing language unaffected by the amendments is omitted to conserve space]

4
5 Section 4. Obligations of Attorney.

6
7 [Existing language unaffected by the amendments is omitted to conserve space]

8
9 (D) Interest-bearing trust account information

10
11 [Existing language unaffected by the amendments is omitted to conserve space]

12
13 (2) The Office of Attorney Services shall forward the information received pursuant to
14 division (D)(1) of this section to the Ohio ~~Legal Assistance~~ Access to Justice Foundation,
15 which shall maintain the information consistent with R.C. 4705.10(B) and the rules of the
16 foundation.

17
18 [Existing language unaffected by the amendments is omitted to conserve space]

19
20 Section 6. Corporate Counsel Attorney Registration.

21
22 (A) Definitions

23
24 As used in this section:

25
26 (1) “Pro bono legal service” means legal service provided either to a person of
27 limited means or to a charitable organization.

28
29 (2) “Qualified employer” means a nongovernmental employer whose business
30 is lawful and consists of activities other than the practice of law or the provision of
31 legal services. “Qualified employer” shall include the employing entity or its
32 organizational affiliates, including entities that control, are controlled by, or are
33 under common control with the employer and the employees, officers, and directors
34 of such entities.

35
36 (B) Registration requirement

37
38 (1) An attorney who is admitted to the practice of law in another state ~~or~~ the District
39 of Columbia, or a territory of the United States, but not admitted in Ohio, ~~who is employed~~
40 commences employment as an attorney by a nongovernmental in Ohio for a qualified
41 employer, the business of which is lawful and consists of activities other than the practice
42 of law or the provision of legal services, and who, as a result of that employment, has a
43 systematic and continuous presence in Ohio as permitted pursuant to Prof.Cond.R.

44 5.5(d)(1) shall register for corporate counsel status ~~upon commencement of employment~~
45 ~~as an attorney by submitting to the Office of Attorney Services all of the following:~~

46
47 ~~(a) The certificate of registration required for attorneys registering for active~~
48 ~~status pursuant to Section 2 of this rule for the current biennium and each biennia~~
49 ~~during which the attorney is so employed;~~

50
51 ~~(b) The fee required for attorneys registering for active status pursuant to~~
52 ~~Section 2 of this rule;~~

53
54 ~~(c) An application on a form provided by the office;~~

55
56 ~~(d) Documents demonstrating admission to the practice of law and good~~
57 ~~standing in all jurisdictions in which the attorney has been admitted to the practice~~
58 ~~of law and demonstrating that the attorney is on active status in at least one other~~
59 ~~state or the District of Columbia or a territory of the United States;~~

60
61 ~~(e) An affidavit on a form provided by the office completed by an officer,~~
62 ~~director, or general counsel of the employing entity attesting to the attorney's~~
63 ~~employment by the entity, the date of commencement of employment, and the~~
64 ~~capacity in which the attorney is so employed and stating that the employment~~
65 ~~conforms to the requirements of this rule;~~

66
67 ~~(f) Any other documents or information as deemed appropriate by the office~~
68 ~~pursuant to division (C) of this section.~~

69
70 (2) ~~Division (A)(1) of this section shall not apply to an An attorney who is admitted to~~
71 ~~the practice of law in another state ~~or~~ the District of Columbia, or a territory of the United~~
72 ~~States, but not in Ohio, and who is employed by, associated with, or a partner in ~~an Ohio a~~~~
73 ~~law firm shall not be eligible to register for corporate counsel status pursuant to division~~
74 ~~(C) of this section. Until the attorney is admitted to the practice of law in Ohio or~~
75 ~~affirmatively authorized to practice law in Ohio pursuant to a Supreme Court rule or order,~~
76 ~~the attorney may not practice law in Ohio, hold the attorney's self out as authorized to~~
77 ~~practice law in Ohio, or practice before any nonfederal court or agency in Ohio on behalf~~
78 ~~of any person except the attorney's self, unless granted leave by the court or agency. The~~
79 ~~law firm may include the name of the attorney on its letterhead only if the letterhead~~
80 ~~includes a designation that the attorney is not admitted in Ohio.~~

81
82 ~~(B)(C)~~ Registration application

83
84 An attorney who is required to register for corporate counsel status registration pursuant to
85 division (B)(1) of this section shall file all of the following with the Office of Attorney
86 Services:

87
88 (1) An application on a form provided by the office;
89

- 90 (2) A non-refundable application fee of \$500;
91
92 (3) The certificate of registration required for attorneys pursuant to this rule for
93 the current biennium and each biennia during which the applicant is employed by
94 a qualified employer;
95
96 (4) The fee required for Ohio attorneys registering for active status pursuant to
97 Section 2 this rule;
98
99 (5) A certificate of good standing, dated no more than sixty days prior to the
100 submission of the application, from each jurisdiction in which the applicant is
101 admitted to the practice of law, including verification the applicant is active and
102 eligible to practice in at least one jurisdiction;
103
104 (6) An affidavit from the applicant's qualified employer that does all of the
105 following:
106
107 (a) Certifies that it meets the definition of a qualified employer as
108 defined in division (A)(2) of this section;
109
110 (b) Attests to the applicant's employment as an attorney by the
111 employer;
112
113 (c) Attests that the employment conforms to the requirements of this
114 section;
115
116 (d) Confirms the date of commencement of the attorney's employment;
117
118 (e) Attests the employer is aware the attorney is not admitted to the
119 practice of law in Ohio.
120
121 (7) Any other documents or information as deemed necessary by the office to
122 determine eligibility to register for corporate counsel status pursuant to this section.

123
124 **(D)** **Biennial registration**

125
126 An attorney registered for corporate counsel status under this section shall register
127 biennially with the Office of Attorney Services of the Supreme Court pursuant to ~~the~~
128 ~~requirements of Section 2 of this rule~~ and shall be subject to all registration requirements
129 for attorneys, including late registration, suspension, and reinstatement.
130

131 **~~(C)~~(E)** **Failure to register**

132
133 An attorney who is admitted to the practice of law in another state ~~or~~ the District of
134 Columbia, or a territory of the United States, but not in Ohio, and who performs legal
135 services in Ohio for ~~the attorney's~~ a qualified employer, but fails to ~~register~~ file an

136 application for corporate counsel status under this section within one hundred eighty days
137 of commencing employment as an attorney for the qualified employer in compliance with
138 this section or does not qualify to register under this section, ~~may~~ shall be referred for
139 investigation of the unauthorized practice of law under Gov. Bar R. VII and, at the
140 discretion of the Chief Justice, may be precluded from applying for admission without
141 examination under Gov. Bar R. I. An attorney who registers within one hundred eighty
142 days of commencing employment pursuant to this section shall not be deemed to have
143 engaged in the unauthorized practice of law pursuant to Gov.Bar R. VII.
144

145 ~~(D)~~(F) **Scope of practice**

146
147 (1) An attorney who is registered for corporate counsel status under this section may
148 perform legal services for ~~the employing entity or its organizational affiliates, including~~
149 ~~entities that control, are controlled by, or are under common control with the qualified~~
150 ~~employer, and for employees, officers, and directors of such entities,~~ but only on matters
151 directly related to the attorney's work for the ~~entity~~ qualified employer and only to the
152 extent consistent with Prof.Cond.R. 1.7.
153

154 (2) An attorney registered under this section shall not do either of the following:
155
156 (a) Appear before a court or any other tribunal in Ohio on behalf of the
157 attorney's employer or any person except for the lawyer's self, except if granted
158 leave by the court or tribunal as provided in Gov. Bar R. XII;
159
160 (b) Offer or provide legal services or advice to any person other than as
161 described in division ~~(D)(1)~~ (F)(1) of this section, or hold the attorney's self out as
162 being authorized to practice law in Ohio other than as described in division ~~(D)(1)~~
163 (F)(1) of this section.
164

165 ~~(E)~~(G) **Pro bono legal service**

166
167 ~~(1) As used in this rule, "pro bono legal service" means legal service provided either~~
168 ~~to a person of limited means or to a charitable organization.~~

169
170 ~~(2)~~ Notwithstanding division ~~(D)(F)~~ of this section, an attorney registered for corporate
171 counsel status under this section may provide pro bono legal service if the legal service is
172 assigned, verified, and reported to the Commission on Continuing Legal Education by any
173 of the following:
174

175 ~~(a)(1)~~ An organization receiving funding for pro bono programs or services from
176 the Legal Services Corporation or the Ohio ~~Legal Assistance~~ Access to Justice
177 Foundation;

178
179 ~~(b)(2)~~ A metropolitan or county bar association;

180
181 ~~(c)(3)~~ The Ohio State Bar Association;

182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227

~~(4)~~(4) The Ohio ~~Legal Assistance~~ Access to Justice Foundation;

~~(5)~~(5) Any other organization recognized by the Commission pursuant to Gov. Bar R. X, Sec. (5)(H).

~~(F)~~(H) **Application of rules**

(1) An attorney registered for corporate counsel status under this section shall be subject to all rules and requirements governing the practice of law in Ohio, including the Ohio Rules of Professional Conduct.

(2) Upon admission to the practice of law in Ohio pursuant to Gov. Bar R. I, an attorney registered for corporate counsel shall not be subject to the requirements of this section.

~~(G)~~(I) **New lawyers training and continuing legal education requirements**

An attorney registered for corporate counsel status under this section shall comply with the new lawyers training and continuing legal education requirements of Gov. Bar R. X.

~~(H)~~(J) **Obligation to provide and update contact information**

An attorney registered for corporate counsel status under this section shall provide the Office of Attorney Services with the attorney's current residence address, office address, office telephone number, and office or residence e-mail address and shall notify the office of any change in the information recorded on the certificate of registration pursuant to division ~~(B)~~(C) of this section.

~~(I)~~(K) **Obligation to report**

An attorney registered for corporate counsel status under this section shall notify the Office of Attorney Services within ten days of any of the following:

- (1) Termination of the attorney's employment that was the basis for the attorney's registration as corporate counsel;
- (2) Any change in the attorney's license status in another jurisdiction, including the attorney's resignation from the practice of law;
- (3) The imposition of any disciplinary finding or sanction in any state ~~other than Ohio or~~ the District of Columbia, or a territory of the United States where the attorney has been admitted to the practice of law.

228 ~~(D)~~(L) Termination of registration

229

230 The limited authority to practice law of an attorney registered for corporate counsel status
231 under this section shall automatically terminate upon the occurrence of any of the
232 following:

233

234 (1) The employment that was the basis for the attorney's registration for
235 corporate counsel terminates;

236

237 ~~(2) The attorney is admitted to the practice of law in Ohio pursuant to Gov. Bar~~
238 ~~R. 1;~~

239

240 ~~(3)~~ (2) The attorney ceases to maintain active status in at least one other state or
241 the District of Columbia or a territory of the United States;

242

243 ~~(4)~~(3) The attorney fails to maintain current good standing in at least one other
244 state or the District of Columbia or a territory of the United States in which the
245 attorney is admitted to the practice of law;

246

247 ~~(5)~~(4) The attorney is suspended or disbarred for disciplinary reasons in any state
248 ~~or~~ the District of Columbia, or a territory of the United States or by any federal
249 court or agency in which the attorney has been admitted to the practice of law.

250

251 ~~(K)~~(M) Reinstatement of registration

252

253 An attorney registered for corporate counsel status under this section whose registration is
254 terminated pursuant to division ~~(D)~~(L) of this section may ~~be reinstated upon submission of~~
255 ~~reapply for such status by submitting~~ an application ~~for reinstatement in a manner required~~
256 ~~by the Office of Attorney Services pursuant to division (C) of this section.~~

257

258 [Existing language unaffected by the amendments is omitted to conserve space]

259

260 Section 15. Public Access to Records.

261

262 (A) General

263

264 Except for residence addresses, residence telephone numbers, e-mail addresses, and social
265 security numbers, information maintained by the Office of Attorney Services, provided by
266 the office to another office of the Supreme Court, or provided by the office to the Ohio
267 ~~Legal Assistance~~ Access to Justice Foundation pursuant Section 4(D)(2) of this rule shall
268 be available for public access pursuant to Sup. R. 44 through 47.

269

270 [Existing language unaffected by the amendments is omitted to conserve space]

271

272

273 [Not analogous to former Rule VI, effective February 28, 1972; amended effective January 1,
274 1981; November 17, 1982; July 1, 1983; May 13, 1985, July 1, 1986; January 1, 1989; July 1,
275 1991; September 1, 1991; January 1, 1992; July 1, 1992; July 1, 1993; January 1, 1995; July 1,
276 1995; November 1, 1995; July 1, 1997; July 1, 1999; November 28, 2000; June 1, 2002; August
277 19, 2002; November 1, 2002; July 1, 2003; July 1, 2005, September 1, 2005; July 1, 2007;
278 September 1, 2007; January 1, 2008; May 1, 2009; September 1, 2010; January 1, 2012; January
279 1, 2013; November 1, 2013; January 1, 2015; April 1, 2015; December 1, 2015; July 1, 2016;
280 September 15, 2016; November 1, 2017; November 1, 2018; July 1, 2019; February 1, 2020.]

281
282

283 **RULE X. CONTINUING LEGAL EDUCATION**

284
285

[Existing language unaffected by the amendments is omitted to conserve space]

286
287

Section 5. Allowance of Credit Hours.

288
289

[Existing language unaffected by the amendments is omitted to conserve space]

290
291

(H) *Pro bono credit.*

292
293

(1) As used in this rule, “pro bono legal service” means legal service provided either to a person of limited means or to a charitable organization.

294
295

(2) The Commission may allow one credit hour for every six hours of pro bono legal service performed, with a maximum of six credit hours for service performed during a biennial compliance period, provided the legal service is assigned, verified, and reported to the Commission by any of the following:

296
297

(a) An organization receiving funding for pro bono programs or services from the Legal Services Corporation or the Ohio ~~Legal Assistance~~ Access to Justice Foundation;

300
301

(b) A metropolitan or county bar association;

302
303

(c) The Ohio State Bar Association;

304
305

(d) The Ohio ~~Legal Assistance~~ Access to Justice Foundation;

306
307

(e) Any other organization recognized by the Commission as providing pro bono programs or services in Ohio.

308
309

[Existing language unaffected by the amendments is omitted to conserve space]

310
311

[Effective: July 1, 1988 and January 1, 1989; amended effective January 1, 1989; July 1, 1989; December 15, 1989; May 28, 1990; September 1, 1990; January 1, 1991; February 18, 1991; September 1, 1991; January 1, 1992; July 1, 1992; January 1, 1994; January 1, 1995; January 1, 1996; January 1, 1998; November 1, 1998; January 1, 2000; May 8, 2000; July 1, 2001; January

319 21, 2002; July 1, 2002, September 1, 2004, November 7, 2005; November 1, 2007; November 1,
320 2008; December 1, 2011; January 1, 2014; January 1, 2015; July 1, 2017; November 1, 2017;
321 January 1, 2019; July 1, 2019; February 1, 2020.]

322
323

324 **RULE XX. TITLE AND EFFECTIVE DATES**

325
326
327

[Existing language unaffected by the amendments is omitted to conserve space]

328 **(Insert division letter)** The amendments to Gov. Bar R. VI, Sections 4, 6, and 15;
329 Gov. Bar R. X, Section 5; and Appendix I, adopted by the Supreme Court on November 13, 2019,
330 shall be effective February 1, 2020.

331 **APPENDIX I: ATTORNEY CONTINUING LEGAL EDUCATION REGULATIONS**

332

[Existing language unaffected by the amendments is omitted to conserve space]

334

Regulation 415: Credit for Pro Bono Legal Service

336

An Attorney or Judge may receive up to one hour of CLE Credit for each six hours of pro bono legal services performed. An Attorney or Judge may receive a maximum of six hours CLE Credit for such services performed during a biennial compliance period, provided the legal service is assigned, verified, and reported to the Commission by any of the following:

341

(A) An organization receiving funding for pro bono programs or services from the Legal Services Corporation or the Ohio ~~Legal Assistance~~ Access to Justice Foundation;

344

(B) A metropolitan or county bar association;

346

(C) The Ohio State Bar Association;

348

(D) The Ohio ~~Legal Assistance~~ Access to Justice Foundation;

349

(E) Any other organization recognized by the Commission as providing pro bono programs or services in Ohio.

351

352

[Existing language unaffected by the amendments is omitted to conserve space]

353

Regulation 1001: Effective Date of Regulations

356

[Existing language unaffected by the amendments is omitted to conserve space]

357

358

359

(Insert division letter) Amendments to the Regulations adopted by the Supreme Court on November 13, 2019, shall be effective February 1, 2020.
[Effective: January 1, 1989; amended effective December 15, 1989, May 29, 2000, August 7, 2000; July 1, 2001, July 1, 2002, September 1, 2004, November 7, 2005; December 26, 2005; November 1, 2007; November 2008; January 1, 2013; January 1, 2014; November 1, 2017; September 1, 2018; July 1, 2019; February 1, 2020.]

362

363

364

365

366