

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

The following amendments to the Supreme Court Rules for the Government of the Bar of Ohio (Gov.Bar R. VI, Section 3) and Ohio Rules of Professional Conduct (Prof.Cond.R. 5.5.) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

|                   |                              |
|-------------------|------------------------------|
| December 22, 2014 | Published for public comment |
| February 24, 2015 | Final adoption by conference |
| April 1, 2015     | Effective date of amendments |

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

**RULE VI. REGISTRATION OF ATTORNEYS**

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

**Section 3. Corporate Counsel Attorney Registration.**

**(A) Registration**

(1) An attorney who is admitted to the practice of law in another state or the District of Columbia or a territory of the United States, but not in Ohio; who is employed as an attorney by a nongovernmental employer, the business of which is lawful and consists of activities other than the practice of law or the provision of legal services; and who, as a result of that employment, has a systematic and continuous presence in Ohio as permitted pursuant to Prof.Cond.R. 5.5(d)(1) shall register for corporate counsel status upon commencement of employment as an attorney by submitting to the Office of Attorney Services all of the following:

- (a) The certificate of registration required for attorneys registering for active status pursuant to Section 1 of this rule for the current biennium and each biennia during which the attorney is so employed;
- (b) The fee required for attorneys registering for active status pursuant to Section 1 of this rule;
- (c) An application on a form provided by the office;
- (d) Documents demonstrating admission to the practice of law and good standing in all jurisdictions in which the attorney has been admitted to the practice of law and demonstrating that the attorney is on active status in at least one other state or the District of Columbia or a territory of the United States;

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

(f) Any other documents or information as deemed appropriate by the office.

(2) Division (A)(1) of this section shall not apply to an attorney who is admitted to the practice of law in another state or the District of Columbia or a territory of the United States, but not in Ohio, and who is employed by, associated with, or a partner in an Ohio law firm. Until the attorney is admitted to the practice of law in Ohio, the attorney may not practice law in Ohio, hold the attorney's self out as authorized to practice law in Ohio, or practice before any nonfederal court or agency in Ohio on behalf of any person except the attorney's self, unless granted leave by the court or agency. The law firm may include the name of the attorney on its letterhead only if the letterhead includes a designation that the attorney is not admitted in Ohio.

**(B) Biennial registration**

An attorney registered for corporate counsel status under this section shall register biennially with the Office of Attorney Services of the Supreme Court pursuant to the requirements of Section 1 of this rule.

**(C) Failure to register**

An attorney who is admitted to the practice of law in another state or the District of Columbia or a territory of the United States, but not in Ohio, and who performs legal services in Ohio for the attorney's employer, but fails to register in compliance with this section or does not qualify to register under this section, may be referred for investigation of the unauthorized practice of law under Gov. Bar R. VII and, at the discretion of the Chief Justice, may be precluded from applying for admission without examination under Gov. Bar R. I.

**(D) Scope of practice**

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

(2) An attorney registered under this section shall not do either of the following:

(a) Appear before a court or any other tribunal in Ohio on behalf of the attorney's employer or any person except for the lawyer's self, except if granted leave by the court or tribunal as provided in Gov.Bar R. XII;

(b) Offer or provide legal services or advice to any person other than as described in division (D)(1) of this section, or hold the attorney's self out as being authorized to practice law in Ohio other than as described in division (D)(1) of this section.

**(E) Pro bono legal service**

Notwithstanding division (D) of this section, an attorney registered for corporate status under this section may provide pro bono legal service if the legal service is provided to either a person of limited means or a charitable organization and the legal service is assigned or verified by any of the following:

(1) An organization receiving funding for pro bono programs or services from the Legal Services Corporation or the Ohio Legal Assistance Foundation;

(2) A metropolitan or county bar association;

(3) The Ohio State Bar Association;

(4) The Ohio Legal Assistance Foundation;

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

**(F) Application of rules**

An attorney registered for corporate 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.

**(G) 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) Obligation to provide and update contact information**

An attorney registered for corporate 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) of this section.

**(I) Obligation to report**

An attorney registered for corporate 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.

**(J) Termination of registration**

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

- (1) The employment that was the basis for the attorney's registration for corporate counsel terminates;
- (2) The attorney is admitted to the practice of law in Ohio pursuant to Gov.Bar R. I;
- (3) The attorney ceases to maintain active status in at least one other state or the District of Columbia or a territory of the United States;
- (4) The attorney fails to maintain current good standing in at least one other state or the District of Columbia or a territory of the United States in which the attorney is admitted to the practice of law;
- (5) The attorney is suspended or disbarred for disciplinary reasons in any state or the District of Columbia or a territory of the United States or by any federal court or agency in which the attorney has been admitted to the practice of law.

**(K) Reinstatement of registration**

An attorney registered for corporate status under this section whose registration is terminated pursuant to division (J) of this section may be reinstated upon submission of an application for reinstatement in a manner required by the Office of Attorney Services.

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

[Not analogous to former Rule VI, effective February 28, 1972; amended effective January 1, 1981; November 17, 1982; July 1, 1983; May 13, 1985, July 1, 1986; January 1, 1989; July 1,

1991; September 1, 1991; January 1, 1992; July 1, 1992; July 1, 1993; January 1, 1995; July 1, 1995; November 1, 1995; July 1, 1997; July 1, 1999; November 28, 2000; June 1, 2002; August 19, 2002; November 1, 2002; July 1, 2003; July 1, 2005, September 1, 2005; July 1, 2007; September 1, 2007; January 1, 2008; May 1, 2009; September 1, 2010; January 1, 2012; January 1, 2013; November 1, 2013; April 1, 2015.]

**RULE XX. TITLE AND EFFECTIVE DATES**

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

**Section 2. Effective Dates.**

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

(WWW) The amendments to Gov.Bar R. VI, Section 3, adopted by the Supreme Court on February 24, 2015, shall take effect on April 1, 2015.

## OHIO RULES OF PROFESSIONAL CONDUCT

### RULE 5.5 UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW

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

(d) A lawyer admitted and in good standing in another United States jurisdiction may provide legal services in this jurisdiction in any of the following circumstances:

(1) the lawyer is registered in compliance with Gov. Bar R. VI, Section 3 and is providing services to an employer or its organizational affiliates for which the permission of a *tribunal* to appear *pro hac vice* is not required;

(2) the lawyer is providing services that the lawyer is authorized to provide by federal or Ohio law;

(3) the lawyer is registered in compliance with and is providing pro bono legal services as permitted by Gov. Bar R. VI, Section 3.

### FORM OF CITATION, EFFECTIVE DATE, APPLICATION

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

(j) The Supreme Court of Ohio adopted amendments to Prof. Cond. Rule 5.5 effective April 1, 2015.