

# Revised 112A

## ADOPTED AS REVISED

### RECOMMENDATION

1 RESOLVED, That the American Bar Association adopts the Model Rule for Registration  
2 of In-House Counsel dated August 2008, for those jurisdictions that elect to impose  
3 registration requirements on lawyers practicing therein under Model Rule 5.5(d).  
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#### **Model Rule for Registration of In-House Counsel**

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##### 7 GENERAL PROVISIONS:

8 A. A lawyer ~~not~~ admitted to the practice of law in ~~this jurisdiction but admitted in~~  
9 ~~any other~~ another United States jurisdiction who is employed as a lawyer and  
10 has a continuous presence in this jurisdiction [name of jurisdiction] on a  
11 continuing basis, and who is employed exclusively by an organization as  
12 permitted pursuant to Rule 5.5(d)(1) of the Model Rules of Professional Conduct,  
13 ~~a corporation, association, or other non-governmental entity,~~ the business of  
14 which is lawful and consists of activities other than the practice of law or the  
15 provision of legal services, shall register as in-house counsel within [180 days]  
16 ~~[xx] days~~ of the commencement of employment as a lawyer or if currently so  
17 employed then within [180 days] ~~[xx] days~~ of the effective date of this rule, by  
18 submitting to the [registration authority] the following:  
19 ...

##### 20 21 PRO BONO PRACTICE:

22 C. Notwithstanding the provisions of paragraph B above, a lawyer registered under  
23 this section is authorized to provide pro bono legal services ~~to qualified clients of~~  
24 ~~a legal services program to the extent authorized by the [registration authority]~~  
25 through an established not-for-profit bar association, pro bono program or legal  
26 services program or through such organization(s) specifically authorized in this  
27 jurisdiction.  
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29 ...

##### 30 31 AUTOMATIC TERMINATION:

32 F. A registered lawyer's rights and privileges under this section automatically  
33 terminate when:  
34 1. The lawyer's employment terminates;  
35 2. The lawyer is suspended or disbarred from practice in any jurisdiction or  
36 any court or agency before which the lawyer is admitted; or  
37 3. The lawyer fails to maintain active status in at least one jurisdiction as  
38 ~~described in paragraph A.~~

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**(Deletions struck-through; Additions underlined)**