

1 ENGROSSED HOUSE
2 BILL NO. 2542

By: Stinson and Moore of the
House

3 and

4 Brooks of the Senate
5

6 An Act relating to attorneys; defining terms;
7 authorizing admission on motion to practice law in
8 Oklahoma under certain conditions; providing
9 exception; requiring payment of certain application
10 fees and costs; applying rules of reciprocal
11 jurisdictions under certain circumstances; providing
12 for codification; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 19 of Title 5, unless there is
16 created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. a. "Practice of law" means:

19 (1) representation of one or more clients in the
20 practice of law, whether as a solo practitioner,
21 in a law firm, or for a legal clinic or similar
22 entity,

23 (2) service as a lawyer with a local, state,
24 territorial, or federal agency, including
military service,

- 1 (3) teaching full time at an American Bar Association
2 accredited law school,
3 (4) service as a judge in a federal, state,
4 territorial, or local court of record,
5 (5) service as a judicial clerk,
6 (6) service as corporate counsel, or
7 (7) any combination of the above.

8 b. "Practice of law" shall not include work that, as
9 undertaken, would constitute the unauthorized practice
10 of law in the jurisdiction in which it was performed
11 or in which the clients receiving the unauthorized
12 services were located.

13 c. "Practice of law" shall not be required to occur
14 outside of Oklahoma, providing that any practice of
15 law within this state did not include work that, as
16 undertaken, would constitute the unauthorized practice
17 of law; and

18 2. "Reciprocal state" means a state which grants judges and
19 lawyers licensed in Oklahoma the right of admission on motion,
20 without the requirement of taking an examination and whose
21 requirements for admission are similar to admission on motion in
22 Oklahoma without examination requirements. Reciprocal state
23 includes other states, the District of Columbia, and the
24

1 territories, districts, commonwealths or possessions of the United
2 States.

3 B. An applicant may, upon motion, be admitted to the practice
4 of law in this state if the applicant:

5 1. Is a graduate of a law school approved by the American Bar
6 Association;

7 2. Has been admitted to practice law in another state,
8 territory or the District of Columbia;

9 3. Is a member in good standing on active status in a
10 reciprocal state;

11 4. Establishes that the applicant is not currently subject to
12 lawyer discipline or the subject of a pending disciplinary matter in
13 any jurisdiction;

14 5. Has been engaged in the practice of law for a period of five
15 (5) of the seven (7) years immediately preceding the date upon which
16 the application is filed; and

17 6. Establishes that the applicant possesses the character and
18 fitness to practice law in this state.

19 C. An applicant who has failed a bar examination administered
20 in this state within five (5) years of the date of filing an
21 application under this section shall not be eligible for admission
22 on motion.

23 D. The applicant shall pay such application fees and costs as
24 may be established by the Supreme Court of Oklahoma.

1 E. Notwithstanding the provisions of this section, if a
2 reciprocal state imposes more stringent and exacting limitations on
3 the ability of Oklahoma practitioners to obtain admission by motion,
4 or if the fees required to be paid are higher, the admission of the
5 applicant shall be governed by the same rules and the applicant
6 shall pay the same fees that would apply to an applicant from this
7 state seeking admission to the bar in the state or territory from
8 which the applicant is claiming reciprocity.

9 F. Any applicant that has been denied Admission by Motion -
10 Reciprocity by the Oklahoma Board of Bar Examiners under the Rules
11 Governing Admission to the Practice of Law in the State of Oklahoma
12 in effect as of January 1, 2021, within two (2) years of the date of
13 the effective date of this act shall not be required to pay a fee
14 for reapplication under this section.

15 SECTION 2. This act shall become effective November 1, 2021.

16 Passed the House of Representatives the 9th day of March, 2021.

17

18

Presiding Officer of the House
of Representatives

19

20

Passed the Senate the ____ day of _____, 2021.

21

22

23

Presiding Officer of the Senate

24