

IN THE SUPREME COURT OF THE STATE OF KANSAS

RULES RELATING TO ADMISSION OF ATTORNEYS

RULE 706

TEMPORARY LICENSURE OF ATTORNEYS
PERFORMING RESTRICTED LEGAL SERVICES FOR
SINGLE EMPLOYERS

Supreme Court Rule 706 is hereby amended, effective the date of this order:

(a) Any applicant for admission to the Bar of Kansas who was duly admitted to and continuously licensed for the practice of law upon written examination by the highest Court of another state's judicial system or that of the District of Columbia, and who has accepted or intends to accept or continue employment by a person, firm, association, corporation, or accredited law school engaged in business in Kansas other than the practice of law, and whose full time is, or will be, limited to the business of such employer, and who receives, or will receive, his or her entire compensation from such employer for the rendering of services, which include legal services, may be granted a special temporary permit to practice law in Kansas and the Courts of this state, without examination, upon showing that the applicant:

- (1) ~~when first admitted in another jurisdiction was fully qualified to have taken the bar examination in Kansas under the Rules of the Supreme Court then in effect~~ would be fully qualified to take the bar examination in Kansas under the Rules of the Supreme Court;
- (2) has satisfied any applicable continuing legal education requirements specified by the rules of the jurisdictions in which applicant has been admitted prior to making application in Kansas; ~~and~~
- (3) is now and has been a person of good moral character and in all respects is a proper person to be granted a special temporary permit to practice law in this state; and
- (4) has never failed a Kansas bar examination.

A special temporary permit granted under the provisions of this rule shall remain in effect for so long as such person remains in the employ of, and devotes his or her full time to the business of, and receives compensation for legal services from no source other than such employer. Upon the termination of such employment, the right of such person to practice law in Kansas shall terminate unless he or she shall have accepted like employment with another Kansas employer. Persons granted a temporary permit under this rule shall be subject to all of the rules for practice in this state, including the

requirements for continuing legal education.

(b) Each applicant for a special temporary permit under this rule shall file in duplicate on forms approved by the Court and procured from the Clerk of the Appellate Courts:

- (1) a verified petition to the Supreme Court;
- ~~(2)~~ a written certificate signed by a judge of a trial court of general jurisdiction and three members of the bar from the jurisdiction where he or she has been admitted, or other evidence satisfactory to the Board that the applicant is a person of good moral character;
- ~~(3)~~(2) a written certificate from the authority charged with the administration of discipline in each jurisdiction in which the applicant holds a license to practice law, certifying that the applicant is in good standing, has not been disciplined by such jurisdiction for violations of the Code of Professional Responsibility, Kansas Rules of Professional Conduct or any other ethical standards therein applicable, and that there are no complaints of such violations then pending against the applicant;
- ~~(4)~~(3) where required by the rules of such jurisdictions, a written certificate from the authority charged with the administration of continuing legal education in the jurisdictions in which the applicant has been admitted to practice, certifying that the applicant has satisfied the continuing legal education requirements of such jurisdictions for any required years prior to making application in Kansas;
- ~~(5)~~(4) a written certificate from the employer of such applicant evidencing the applicant's employment by such employer and that his or her full-time employment will be by such employer in Kansas; and
- ~~(6)~~(5) such other and further information as the Board may require in the consideration of his or her application.

(c) The Board shall review each application for a special temporary permit under this rule and, if deemed necessary, shall interview each applicant for a special temporary permit under this rule, and will report its findings and recommendations in writing to the Supreme Court. If the Board shall recommend granting of the application, the Supreme Court may grant the applicant a special temporary permit to practice law in Kansas and in the courts of this state. The special temporary permit shall recite that it is issued under this rule, and shall limit the licensee to perform only (a) legal services for the employer's business or (b) matters for which a court makes a specific appointment. Such special temporary permit shall expire upon (i) termination of the applicant's employment by his full-time employer, or (ii) admission of the applicant to practice in Kansas under the terms of Rule 703 or 704, or, if the applicant shall fail the bar examination, at the date the results of the examination are announced.

(d) When an application under this rule is granted by the Supreme Court, the applicant shall take the oath, sign a roll of attorneys granted special temporary permits to practice law in this state and the Clerk shall issue to the applicant the permit as provided in subparagraph (c) above.

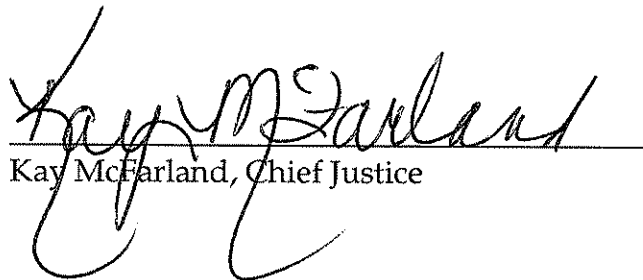
(e) If the Board shall recommend denial of an application made under this rule, it shall file its report with the Clerk of the Appellate Courts, who shall thereupon mail or otherwise furnish a copy to the applicant. The applicant may, within twenty days from the date the report was filed with the Clerk, or such other period as the Supreme Court may prescribe, file with the Clerk exceptions to the Board's report. A copy of such exceptions, if any, shall be forwarded by the Clerk to the secretary of the Board. Within twenty days of the filing of the exceptions of the applicant, the Board may file with the Clerk such additional information or material as it deems appropriate, whereupon the matter shall stand submitted and the Supreme Court shall proceed to consider the same.

(f) Time in practice under a special temporary permit issued pursuant to this rule may not be used to satisfy requirements of any statute or regulation of the State of Kansas.

(g) Any applicant for admission under Rule 706 who withdraws or fails to pursue his or her application within one year of the date of filing thereof, shall thereafter be required to file a new application and pay the same fee required for the initial application. However, if the failure of an applicant to pursue said application during such period is the result of delay attendant to investigation of applicant's fitness and/or character, the need for a hearing thereon, or actions of the Disciplinary Administrator, the Board of Law Examiners, or the Supreme Court, such period shall be extended for such additional time as shall be determined by the Board.

By order of the Court, this 14th day of October, 2005.

FOR THE COURT



Kay McFarland, Chief Justice