

1 **SENATE FLOOR VERSION**

2 February 26, 2019

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 514

By: Brooks of the Senate

and

Kannady of the House

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9 [ attorneys - motion to practice law in this state -  
10 application fees and costs - rules of reciprocal  
jurisdictions - codification - effective date ]  
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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 act,

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,  
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- 1 (2) service as a lawyer with a local, state,  
2 territorial, or federal agency, including  
3 military service,  
4 (3) teaching at an American Bar Association law  
5 school,  
6 (4) service as a judge in a federal, state,  
7 territorial, or local court of record,  
8 (5) service as a judicial clerk,  
9 (6) service as corporate counsel, or  
10 (7) any combination of the above.

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

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

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

1 Oklahoma without examination requirements. "Reciprocal state"  
2 includes other states, the District of Columbia, and the  
3 territories, districts, commonwealths or possessions of the United  
4 States.

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

7 1. Is a graduate of a law school approved by the American Bar  
8 Association;

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

11 3. Is a member in good standing on active status in a  
12 reciprocal state;

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

16 5. Has been engaged in the practice of law for a period of five  
17 of the seven years immediately preceding the date upon which the  
18 application is filed; and

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

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

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

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

11 F. Any applicant that has been denied Admission by Motion -  
12 Reciprocity by the Oklahoma Board of Bar Examiners under the Rules  
13 Governing Admission to the Practice of Law in the State of Oklahoma  
14 in effect as of January 1, 2019, within two (2) years of the date of  
15 the effective date of this act shall not be required to pay a fee  
16 for reapplication under this section.

17 SECTION 2. This act shall become effective November 1, 2019.

18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
19 February 26, 2019 - DO PASS AS AMENDED  
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