

Texas - Application for Military Service Member or Military Spouse Temporary License

1. Rules

Rules

Rule 23 §2, Military Service Member or Military Spouse Temporary License provides:

A Military Service Member or a Military Spouse is eligible for a three-year temporary license to practice law in Texas if the Military Service Member or the Military Spouse: (a) is admitted to practice law in another State; (b) is in good standing in all jurisdictions where admitted and an active member of the bar in at least one State; (c) is not currently subject to discipline or the subject of a pending disciplinary matter in any jurisdiction; (d) has never been disbarred or resigned in lieu of discipline in any jurisdiction; (e) has never had an application for admission to any jurisdiction denied on character or fitness grounds; (f) meets the law study requirements of Rule 3 or is exempted under Rule 13 §§ 3, 4, or 5; (g) has satisfactorily completed the Texas Law Component; and (h) is residing in Texas.

It is your responsibility to carefully read the Rules Governing Admission to the Bar of to determine whether you qualify. We cannot give any advisory opinions, and we will not make any determination of eligibility before an application is filed.

Do not apply if you do not meet the requirements.

I have read and understand these instructions.

2. Electronic Communications

Electronic Communications

It is important that you check this website and your ATLAS account on a regular basis to review our latest postings. We will correspond with you primarily through your ATLAS account, but we may also correspond with you by e-mail and through the U.S. postal service. You must keep your e-mail address and mailing address updated in your ATLAS account.

You are deemed by the Board to have received and read:

- e-mail we send to the e-mail address you have provided in your ATLAS account
- messages we post in your ATLAS account
- mail we send to you at the mailing address you have provided in your ATLAS account.

TIP: Add @ble.texas.gov and noreply@ble.texas.gov to your contacts or address book to ensure that your internet provider does not filter out e-mails we send you.

I have read and understand these instructions.

3. Filing Fee

Filing Fee

There is no fee for this application.

I have read and understand these instructions.

4. Personal Information

4.1 Identifying Information

If you need to update your full name, as it appears on your government-issued ID, or your place of birth, click the "Personal Info" tab at the top of this screen.

Full legal name, as it is shown on your government-issued driver's license, passport, or comparable government-issued I.D.

Date of birth

Driver's License/ID No/Passport No.

Issuing State

Place of birth

Please type your name as you would like it to appear on your law license.

A law license may be issued only in the name shown on a valid, government-issued identification card, except that a given name may be omitted or represented by an initial if the Applicant so requests in writing. No license may be issued using an alias, assumed name, nickname, or abbreviation of a name. For more information, please see *FAQs – Grade Release, Swearing-In, and Licensing.*

First name, first initial, or blank

Enter first name, first initial, or leave the field blank.

Middle name, middle initial, or blank

Enter middle name, middle initial, or leave the field blank.

Last name

Suffix

4.2 Contact Information

Address 1

Address 2

City

State

Zip

County

Country

Home phone number

Cell phone number

Work phone number

Email Address

5. Educational Information

5.1 Law School Information

Indicate the Law School from which you will receive or have received your J.D. or other **initial** law degree. If your law school is located in the United States, but is not ABA-approved, select NON-ABA APPROVED U.S. LAW SCHOOL. If your law school is located outside of the United States, select FOREIGN LAW SCHOOL. (Do not enter LL.M. information here.)

Name of Law School

City

State

Zip

From

To

Attended

Degree

Date Awarded

Email Address

Phone number

Note: If you attended law school within the last 5 years, provide a signed copy of the application (including all attachments, amendments, and updates) you filed with each law school you have attended.

2.1.2 Are you enrolled in an LL.M. program, or have you received an LL.M. degree?

6. Bar Admissions and Applications

6.1 State Bar Admissions

Are you currently, or have you ever been, licensed or authorized to practice law in any state jurisdiction?

6.2 Foreign Bar Admissions

Are you currently, or have you ever been, licensed or authorized to practice law in any foreign jurisdiction?

6.3 Pending Bar Application

Do you currently have an application for admission to the bar, or an application to take a bar examination, pending in another jurisdiction?

6.4 Past Bar Application or Registration Submitted But Not Admitted

Have you ever initiated the process to become licensed to practice law, or have you ever filed an application to take a bar examination, in any jurisdiction (**including Texas**) and were not licensed in that jurisdiction?

6.5 Hearing or Inquiry

In connection with any application, regardless of admission status, were you required to appear for a hearing or inquiry before any board, committee, or admissions authority?

6.6 Attorney Discipline

Note: if you have been disciplined for professional misconduct in the course of practicing law, or if you have resigned a law license in lieu of disciplinary action, read Rule 4(e) carefully. You may be prohibited from filing this application.

Have you ever been disbarred, suspended from practice, disciplined, disqualified, placed on a diversion program, or allowed to resign in lieu of disciplinary action, or has your license ever been qualified or conditioned in any way, as a member of any profession, licensed occupation, or as the holder of any public office?

6.7 Attorney Complaint or Grievance, Regardless of Discipline

Have there ever been any formal or informal charges, complaints, or grievances filed (regardless of the outcome) concerning your conduct as a member of any profession, licensed occupation, or as the holder of any public office?

7. Legal Employment

Applicability

If you have an ABA-approved J.D., then this section does not apply to you. You may leave it blank.

If you do not have an ABA-approved J.D. and you are applying under Rule 13 §3 (attorneys with non-ABA JDs from state-accredited law schools in the U.S.) or Rule 13 §(4)(a) (attorneys with initial law degrees from foreign law schools based on common law and no qualifying LL.M.), then you must document that you have been actively and substantially engaged in the lawful practice of law as your primary business or occupation for at least 3 of the 5 years immediately preceding the date you submit your application.

If you have a qualifying LL.M. and are applying under Rule 13 §5, then this section does not apply to you. You may leave it blank.

7.1 Legal Employment

Do you have legal employment to disclose?

7.2 Other Legal Employment Outside of Licensing Jurisdiction(s)

Except as set out in response to question 5.2, have you ever practiced law, other than pro hac vice, in any U.S. or foreign jurisdiction without holding a valid, active license issued by the jurisdiction in which the practice occurred?

7.3 Pro Hac Vice

Have you ever received permission to participate in a Texas proceeding as a non-resident attorney under Rule 19?

8. Upload Required Documents

8.1 Government Issued ID

Use the "Gov't Issued ID" link in the Upload Required Documents feature on your ATLAS home page to upload a scan of your current, valid government-issued photo ID. Driver licenses and passports are acceptable.

You will not be able to submit your application until you have uploaded this Required Document.

I have read and understand these instructions.

9. Supplemental Documentation

9.1 Certificate of Good Standing (CGS) and Statement of Discipline

You must arrange for the appropriate authority to mail us a certificate of good standing and a statement of discipline from every state or foreign jurisdiction where you are licensed or authorized to practice law.

Each CGS and statement of discipline must be issued within 30 days of the date that you submit this application.

The CGS and statement of discipline are required even if your license or authorization in a particular jurisdiction is inactive.

You must submit an English translation of any required document that is not written in English.

I have read and understand these instructions.

9.2 Military Service Member or Military Spouse Documentation

Please use the "Upload Required Documents" feature to upload:

- A copy of your Military Service Member or Military Dependent identification documents
 - A copy of Military Service Member's Permanent Change of Station (PCS) military orders
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I have read and understand these instructions.

9.3. Satisfying Practice Time Requirement—Rule 13 §3 and Rule 13 §4(a) only

9.3.1 Applicability

If you have an ABA-approved J.D., then this section does not apply to you.

If you do not have an ABA-approved J.D. and you are applying under Rule 13 §3 (attorneys with non-ABA JDs from state-accredited law schools in the U.S.) or Rule 13 §(4)(a) (attorneys with initial law degrees from foreign law schools based on common law and no qualifying LL.M.), then you must document that you have been actively and substantially engaged in the lawful practice of law as your primary business or occupation for at least 3 of the 5 years immediately preceding the date you submit your application.

If you have a qualifying LL.M. and are applying under Rule 13 §5, then this section does not apply to you.

9.3.2. Determining What Counts as the Active, Substantial, and Lawful Practice of Law

Rule 1(a)(11) describes the practice of law to include:

1. private practice as a sole practitioner or for a law firm, legal services office, legal clinic, public agency, or similar entity;
2. practice as an attorney for an individual or for a corporation, partnership, trust, or other entity with the primary duties of furnishing legal counsel and advice; drafting and interpreting legal documents and pleadings; interpreting and giving advice regarding the law; or preparing, trying, or presenting cases before courts, departments of government, or administrative agencies;
3. practice as an attorney for a local government or the state or federal government, with the same primary duties described in the preceding subsection;
4. employment as a judge, magistrate, referee, or similar official for a local government or the state or federal government, provided that the employment is open only to licensed attorneys;
5. employment as a full-time teacher of law at an approved law school;
6. any combination of the preceding categories.
7. The Board has adopted a Policy Statement on Practice Requirements for Rule 13, which is available at Application Forms – Ancillary Forms Information -- Other.
8. For work as an attorney in (or from within) any jurisdiction without being licensed as an attorney in that jurisdiction, you must provide a written statement, including citation of court rule, statute or binding authority in that jurisdiction, demonstrating to the satisfaction of the Board that the jurisdiction does not regard such activity or practice as unlawful.

9.3.3. Documenting the Active, Substantial, and Lawful Practice of Law

Proof of Income. You must provide proof of income you earned from the practice of law for at least 3 of the last 5 years immediately preceding the filing of your application.

1. For income you earned from the practice of law as an employee (Form 1040, Line 8), upload:
 1. Form 1040 and all relevant W-2s; or
 2. A Wage & Income Transcript (if available).
2. For income you earned from the practice of law through sole proprietorship, single-member LLC, or other small business that reports on Form 1040, Line 12, upload:
 1. Form 1040 and Schedule C; or
 2. A Wage & Income Transcript (if available).
3. For income you earned from the practice of law through a Partnership, S Corporation, or other entity that reports on Form 1040, Line 17, upload:
 1. Form 1040, Schedule E, and all relevant K-1s; or
 2. A business return and all relevant K-1s; or
 3. A Wage & Income Transcript (if available).
4. For income you earned in another country from the practice of law, upload:
 1. A copy of each income tax form and schedules required to be filed by you in that country.

Wage & Income Transcript. To request a Wage & Income Transcript, submit Form 4506T to the IRS. Under Step 6, you must select Option C – Record of Account. The IRS will only provide transcripts for the current year and returns processed during the prior 3 processing years. If a Wage & Income Transcript is not available for a particular calendar year, you must provide the other documentation set out above.

No tax returns. For any of the 5 calendar years during which you are claiming employment as an attorney but for which you have not filed a federal income tax return or other form, provide documentation of your total adjusted gross income and the portion of that income attributable to your law practice.

Authorization to Practice Law. Generally, at all times during the period of practice for which credit is sought, you must have had an active law license under which you have been, lawfully entitled to practice law in the issuing jurisdiction, unless controlling federal or foreign law provides otherwise.

For each jurisdiction in which you practiced law without holding a valid, active license issued by the jurisdiction in which the practice occurs, you must have the jurisdiction in which the practice occurs to confirm in writing to the Board that it regards such practice as lawful in order for it be considered for purposes of any practice requirement of Rule 13, Rules Governing Admission to the Bar of Texas. Only when it is demonstrated that written confirmation of lawful practice has been sought from the jurisdiction and cannot be obtained, alternate proof of lawfulness can be provided in the form of a verifiable written statement citing court rule, statute or other authority in the jurisdiction, demonstrating to the satisfaction of the Board that the jurisdiction does not regard such activity or practice as unlawful.

Proof of authorization to practice law may be satisfied by proof that you were lawfully engaged in the practice of law as an in-house counsel in a foreign jurisdiction that requires a person to surrender the person's license in order to practice in-house.

Military Lawyers. If you are seeking to count practice as a military lawyer, you must submit copies of all officer evaluation performance reports for the period of time you are claiming, in addition to your DD Form 214, as applicable, at the time you file your application.

Part-Time Practice. Demonstrated practice of at least 30 hours per week is necessary to establish active and substantial practice. If your practice experience includes part-time law practice, or time that may not be counted under the Policy Statement on Practice Requirements for Rule 13, you may be required to establish the actual number of hours per week you rendered legal services for that period of time to count toward the Rule 13 requirements.

No credit will be given for practice unless the required documentation is provided. You must submit an English translation of any required document that is not written in English.

10. Verification of Application

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I have completed an application for submission to the Board of Law Examiners through my ATLAS account on the Board's website, seeking licensure or certification under the Rules Governing Admission to the Bar of Texas adopted by the Supreme Court of Texas. I hereby verify that my responses in the application are full, frank, true, and correct. All documents I provided to the Board with the application are to the best of my knowledge true and correct copies of the original documents.

While my application is pending, I am bound by the Rules Governing Admission to the Bar of Texas and Sec. 82.001 et seq. of the Texas Government Code, as well as any subsequent amendments.

While my application is pending, I am obligated to promptly amend my application as needed so that my responses remain full, frank, true, and correct, and to promptly furnish any additional information and documentation requested by the Board.

I have read and understand these instructions.
