

option under subsection (c) to seek professional evaluation of any confidential information supplied by Applicants.

Rule 13 **Applicants From Other Jurisdictions**

§1 Exemption from the Texas Bar Examination Based on a Transferred Uniform Bar Examination Score

An Applicant who has earned a score of at least 270 on the Uniform Bar Examination in another State must meet the requirements imposed on any other Applicant under these Rules, except that the Applicant is exempt from the requirement of successfully completing the Texas Bar Examination if the Uniform Bar Examination score was earned:

- (a) within two years immediately preceding the filing of the Application; or
- (b) within the five years immediately preceding the filing of the Application, and the Applicant has been actively and substantially engaged in the lawful practice of law as the Applicant's principal business or occupation for at least two of the last three years immediately preceding the filing of the Application.

§2 Exemption from the Texas Bar Examination for Applicants Who Are Authorized to Practice Law in Another State

An Applicant who is authorized to practice law in another State must meet the requirements imposed on any other Applicant under these Rules, except that the Applicant is exempt from the requirement of successfully completing the Texas Bar Examination if the Applicant has been actively and substantially engaged in the lawful practice of law as the Applicant's principal business or occupation for at least five of the last seven years immediately preceding the filing of the Application.

§3 Exemption from the Law Study Requirement for Applicants Who Are Authorized to Practice Law in Another State

An Applicant who is authorized to practice law in another State is exempt from the law study requirement prescribed by Rule 3 if the Applicant:

- (a) has been actively and substantially engaged in the lawful practice of law as the Applicant's principal business or occupation for at least three of the last five years immediately preceding the filing of the most recent Application; and
- (b) either;
 - (1) holds a J.D. degree, from an unapproved law school that is accredited in the State where it is located; or

- (2) holds the equivalent of a J.D. degree from a law school that is accredited in the State where it is located and that requires a course of study that is substantially equivalent in duration and substance to the legal education provided by an approved law school.

§4 Exemption from the Law Study Requirement for Foreign Applicants With a Common-Law Legal Education or Who Are Authorized to Practice Law in a Common-Law Country

An Applicant is exempt from the law study requirement prescribed by Rule 3 if the Applicant satisfies the requirements of subsection (a), (b), or (c) below:

(a) the Applicant:

- (1) has completed a course of study at a foreign law school that is accredited in the jurisdiction where it is located, and the course of study is:
 - (A) based on the principles of English common law; and
 - (B) substantially equivalent in duration to the legal education provided by an approved U.S. law school;
- (2) is authorized to practice law in a foreign jurisdiction or another State; and
- (3) has been actively and substantially engaged in the lawful practice of law for at least three of the last five years immediately preceding the Applicant's most recent Application;

(b) the Applicant:

- (1) has completed a course of study at a foreign law school that is accredited in the jurisdiction where it is located, and the course of study is:
 - (A) based on the principles of English common law; and
 - (B) at least two years in duration; and
- (2) has completed an LL.M. degree that meets the curricular requirements of Section 9 at an approved U.S. law school; or

(c) the Applicant:

- (1) is authorized to practice law in a foreign jurisdiction, the jurisprudence of which is based on the principles of English common law; and
- (2) has completed an LL.M. degree that meets the curricular requirements of Section 9 at an approved U.S. law school.

§5 Exemption from Law Study Requirement for Foreign Applicants Without a Common-Law Legal Education

An Applicant is exempt from the law study requirement prescribed by Rule 3 if the

Applicant satisfies the requirements of subsections (a)-(c) below:

- (a) the Applicant has completed a course of study at a foreign law school that is accredited in the jurisdiction where it is located, and the course of study is:
 - (1) not based on the principles of English common law; and
 - (2) substantially equivalent in duration to the legal education provided by an approved U.S. law school;
- (b) the Applicant has completed an LL.M. degree that meets the curricular requirements of Section 9 at an approved U.S. law school; and
- (c) the Applicant is authorized to practice law in a foreign jurisdiction or in another State.

§6 No Degree By Correspondence

A J.D. degree or an equivalent degree completed at a foreign law school that is earned primarily through online courses or other distance-learning programs does not satisfy the requirements of this Rule.

§7 Credits Earned at Foreign Law Schools

An Applicant may be exempt from the law study requirement under Sections 4 or 5 even if the Applicant completed his or her course of study at a different foreign law school than the school at which the Applicant began, provided that all coursework and credit hours that count towards the applicable durational requirement are based on the same type of legal system—English common law or other—and are earned at a school accredited in the jurisdiction where it is located.

§8 Accreditation of Foreign Law Schools

- (a) If a law school was accredited when the Applicant enrolled, the law school is deemed to be an accredited law school as to that Applicant for four years thereafter, regardless of its status at the date of the Applicant's graduation. If a law school was accredited when the Applicant graduated, the Applicant is deemed to be a graduate of an accredited law school, regardless of the status of the school when the Applicant enrolled.
- (b) If an Applicant graduated from a law school that was not accredited when the Applicant enrolled and was not accredited when the Applicant graduated, the Applicant is not a graduate of an accredited law school even if the law school later became or becomes an accredited law school.
- (c) Notwithstanding Sections 4 and 5, an Applicant is excused from demonstrating that a foreign law school is accredited if the Applicant demonstrates that no entity

accredits or approves law schools in the jurisdiction in which the school is located.

§9 LL.M. Curriculum Criteria

- (a) Unless subsection (b) or (c) applies, for an LL.M. degree to satisfy the requirements of this Rule, the course of study for which the degree is awarded must meet each of the following requirements:
- (1) the program must consist of minimum of 24 semester hours of credit—or the equivalent, if the law school is on an academic schedule other than a conventional semester system—which must consist of courses in substantive and procedural law or professional skills;
 - (2) the program must require at least 700 minutes of instruction time, exclusive of examination time, for the granting of one semester of credit;
 - (3) the program must include a period of instruction consisting of no fewer than two semesters of at least 13 calendar weeks each, or the equivalent thereof, exclusive of reading periods, examinations, and breaks;
 - (4) the program must not be completed exclusively during summer semesters, but a maximum of four semester hours of credit may be earned in courses completed during summer semesters;
 - (5) the program must be completed within 24 months of matriculation;
 - (6) all coursework for the program must be completed at the campus of an approved law school in the United States, except as otherwise permitted by paragraph 8 or subsection (b);
 - (7) the program must include:
 - (A) at least two semester hours of credit in professional responsibility;
 - (B) at least two semester hours of credit in legal research, writing, and analysis, which may not be satisfied by a research-and-writing requirement in a substantive law course;
 - (C) at least two semester hours of credit in a course designed to introduce students to distinctive aspects and fundamental principles of United States law, which may be satisfied by an introductory course in the American legal system or a course in United States constitutional law, civil procedure, or contract law—additional credit hours earned in a course that meets the requirements of this subparagraph may be applied towards the requirements of subparagraph (D); and
 - (D) at least six semester hours of credit in subjects tested on the Texas Bar Examination;
 - (8) the program may also include, towards satisfaction of the 24 semester hours

of credit required by this Rule:

- (A) up to four semester hours of credit in clinical coursework, if:
 - (i) the coursework includes a classroom instructional component that incorporates discussion, review, and evaluation of the clinical experience;
 - (ii) the clinical work is performed under the direct supervision of a member of the law school faculty or instructional staff; and
 - (iii) the time and effort required and the anticipated educational benefit are commensurate with the credit awarded; and
 - (B) up to six semester hours of credit in other coursework related to the law or legal training taught in conjunction with a joint degree program by a member of the law school faculty, a faculty member of the university or college with which the law school is affiliated, or a faculty member of a university or college with which the law school offers a joint degree program—provided that the coursework is completed at the U.S. campus of the law school, university, or college; and
- (9) courses completed online or by other distance-learning programs must not count toward the required minimum 24 semester hours of credit.

- (b) A law school may petition the Board for an exception to the requirements of paragraph (a)(6). The law school must demonstrate to the satisfaction of the Board that the quality of education provided at the school's campus abroad is substantially equivalent to the quality of education provided at the school's U.S. campus.
- (c) An Applicant who completed an LL.M. degree before October 1, 2016 is exempt from demonstrating that the degree meets the curricular requirements of subsection (a).

§10 Proof of Active and Substantial Engagement in the Practice of Law and Authorization to Practice Law in a Foreign Jurisdiction

- (a) An Applicant who seeks exemption from the Texas Bar Examination or the law study requirement under a section of this Rule that requires a period of active and substantial engagement in the practice of law preceding the Application must furnish to the Board proof of active and substantial engagement in the practice of law. But this requirement may not be satisfied by proof of practice *pro hac vice* under Rule 19.
- (b) Unless subsection (c) or (d) applies, an Applicant who seeks exemption from the Texas Bar Examination or the law study requirement under a section of this Rule that requires that the Applicant be authorized to practice law in a foreign jurisdiction or another State must submit written proof of the authorization from

the entity with final jurisdiction over professional discipline in the foreign jurisdiction or State where the Applicant is authorized to practice. The document must certify:

- (1) that the Applicant is authorized to practice law in the jurisdiction or State;
 - (2) the date that the Applicant became authorized to practice law in the jurisdiction or State; and
 - (3) that the Applicant remains in good standing as an attorney or counselor at law in the jurisdiction or State.
- (c) The Board may waive the requirements of subsection (b) if an Applicant demonstrates good cause for failing to obtain the certificate required by that subsection.
- (d) Proof of authorization to practice law may be satisfied by proof that the Applicant is lawfully engaged in the practice of law as an inhouse counsel in a foreign jurisdiction that requires a person to surrender that person's law license in order to practice in-house.

Rule 14

Foreign Legal Consultants

§1 General Requirements for Certification

In its discretion, the Supreme Court may certify to practice in Texas as a legal consultant (a "Foreign Legal Consultant"), without examination, an Applicant who satisfies the requirements of subsection (a) or (b):

(a) the Applicant:

- (1) for at least three of the five years immediately preceding the Application, has been a member in good standing of a recognized legal profession in a foreign country, the members of which are authorized to practice as attorneys or counselors at law or the equivalent and are subject to effective regulation and discipline by a duly constituted professional body or a public authority;
- (2) possesses the present good moral character and general fitness requisite for a member of the Bar;
- (3) is at least 26 years of age; and
- (4) intends to practice as a Foreign Legal Consultant in Texas and to maintain an office in Texas for that purpose; or

(b) the Applicant:

- (1) for at least three of the five years immediately preceding the Application: