

NOTICE TO THE BAR

AMENDMENT TO RULE 1:27-2(e) – IN-HOUSE COUNSEL LICENSURE – JOB CHANGES – TIME BEFORE TERMINATION OF IN-HOUSE LICENSE

In March of 2004 the Supreme Court issued a Supplemental Administrative Determination with regard to in-house counsel (“IHC”) licensure. (That document is posted at <http://www.judiciary.state.nj.us/notices/reports/SupAdminDet.pdf> .) One of the decisions included in that Determination related to those IHCs who change jobs after licensure. As adopted in November 2003, Rule 1:27-2(e) provided that an IHC had thirty days within which to obtain new employment before his or her in-house license was terminated. However, in its March 2004 Supplemental Determination, the Court indicated that it had reconsidered that time limitation and that the "Rule will be amended to provide that [IHCs] will have ninety days" within which to obtain and report new employment as an in-house counsel. While the extended 90-day window has been applied in practice since that time based on the Supplemental Administrative Determination, the conforming amendments to Rule 1:27-2(e) had not been formally adopted. Accordingly, attached in that regard is the Court’s November 29, 2006 order adopting those conforming amendments to Rule 1:27-2(e).

/s/ Philip S. Carchman

Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts

Dated: December 8, 2006

SUPREME COURT OF NEW JERSEY

IT IS ORDERED that the attached amendments to Rule 1:27-2(e) are adopted, to be effective immediately.

For the Court:

/s/ James R. Zazzali

Chief Justice

Dated: November 29, 2006

1:27-2. Limited License; In-House Counsel.

To be eligible to practice law in New Jersey as an in-house counsel, a lawyer must comply with the provisions of this Rule. A limited license issued by the Supreme Court pursuant to this Rule shall authorize the lawyer to practice solely for the designated employer in New Jersey. Except as specifically limited herein, the rules, rights and privileges governing the practice of law in this State shall be applicable to a lawyer admitted under this Rule.

(a) ... no change

(b) ... no change

(c) ... no change

(d) ... no change

(e) Duration. The limited license to practice law in this State shall expire if such lawyer is admitted to the Bar of this State under any other rule of this Court, or if such lawyer ceases to be an employee for the employer or its parent, subsidiary, or affiliated entities, listed on such lawyer's application, whichever shall first occur; provided, however, that if such lawyer, within ninety [thirty] days of ceasing to be an employee for the employer or its parent, subsidiary, or affiliated entities listed on such lawyer's application, becomes employed by another employer for which such lawyer shall perform legal services as in-house counsel, such lawyer may maintain his or her admission under this Rule by promptly filing with the Secretary to the Board of Bar Examiners a certification to such effect, stating the date on which his or her prior employment ceased and his/her new employment commenced, identifying his or her new employer and reaffirming that he or she shall not provide legal services, in this State, to any other

individual or entity. The lawyer shall also file a certification of the new employer as described in (b)(iv). In the event that the employment of a lawyer admitted under this Rule shall cease with no subsequent employment by a successor employer within ninety [thirty] days, such lawyer shall promptly file with the Secretary to the Board of Bar Examiners a statement to such effect, stating the date that such employment ceased.

(f) ... no change

Note: New R. 1:27-2 adopted November 17, 2003 to be effective January 1, 2004; paragraph (e) amended November 29, 2006 to be effective immediately.