

NOTICE OF COMMENT PERIOD

The proposed amendments to Neb. Ct. R. § 3-119 would create a process for the admission of military spouse attorneys to the Nebraska Bar. The Nebraska Supreme Court invites interested persons to comment on the proposed amendments. Anyone desiring to comment on the proposed amendments should do so in writing to the office of the Clerk of the Supreme Court and Court of Appeals, P.O. Box 98910, Lincoln, Nebraska 68509-8910, or via e-mail to ashley.nolte@nebraska.gov, no later than December 1, 2017.

The full text of the proposed amendments is available below, or a hard copy may be obtained from the office of the Clerk of the Supreme Court and Court of Appeals upon request.

§ 3-119. Application for admission by attorney/Class 1-A, 1-B, and 1-C motion applicants.

Each applicant will be required to execute under oath a thorough application and to sign an authorization and release form that extends to the Commission and to any persons or institutions supplying information thereto. The applicant will be informed of the consequences of failing to produce information requested by the application and of making material omissions or misrepresentations (Appendix A).

(A) **Class 1-A applicants.** Class 1-A applicants are motion applicants who may be admitted to practice in Nebraska upon approval of a proper application and:

(1) who have been licensed and are active and in good standing before the highest court of another state, the District of Columbia, or of any jurisdiction where the Common Law of England constitutes the basis of jurisprudence;

(2) who, at the time of their admission, had attained educational qualifications at least equal to those required at the time of application for admission by examination to the bar of Nebraska;

(3) who have passed a non-UBE examination equivalent to the examination administered in Nebraska with a score which is at least equivalent to the UBE passing score established by the Court and set forth in § 3-117(F); and

(4) who have passed the MPRE with the minimum score established by the Court and set forth in § 3-117(F).

(B) **Class 1-B applicants.** Class 1-B applicants who may be admitted to practice in Nebraska upon approval of a proper application are those:

(1) who have been licensed and are active and in good standing before the highest court of another state, territory, or district of the United States preceding application for admission to the bar of Nebraska and have actively and substantially engaged in the practice of law in another state, territory, or district of the United States for 3 of the 5 years immediately preceding application for admission; and

(2) who, at the time of their admission, had attained educational qualifications at least equal to those required at the time of application for admission by examination to the bar of Nebraska.

(C) **Class 1-C applicants.** Class 1-C applicants who may be admitted to practice in Nebraska upon approval of a proper application are those:

(1) who have taken the UBE in another jurisdiction and have earned at least the minimum score established by the Court and set forth in § 3-117(F);

(2) have attained educational qualifications by the time of application that are at least equal to those required by the time of application for admission by examination to the bar of Nebraska; and

(3) who have passed the MPRE with the minimum score established by the Court and set forth in § 3-117(F).

(D) **Military spouses.** Any Class 1-A or Class 1-B applicant who is the spouse or domestic partner of an active duty service member of the U.S. Uniformed Services, as defined by the U.S. Department of Defense, and is stationed within Nebraska, shall receive expedited license processing and a 50-percent reduction in the application fees charged pursuant to § 3-114(C).

(DE) **Other applicants.** Any applicant who does not qualify under § 3-119(A) through (C) is a Class 2 examination applicant.

(EF) Applicants who meet the requirements of Class 1-A, Class 1-B, or Class 1-C shall not be permitted to apply for examination without the prior approval of the Commission, which approval may be given on good cause shown.

(FG) Applications for admission on motion and the required fees shall be submitted as provided under § 3-114(A) and (C).

(GH) **Fingerprints.** All applicants are required to submit fingerprints as provided under § 3-114(H).

(HI) **Reciprocity.** Reciprocity is not an essential element of admission by motion in Nebraska.