

**Rule 16. Conditional Admission**

**A. Conditional Admission.** The Board, upon its own initiative or the initiative of the applicant, may recommend to the Court that the applicant be admitted on a conditional basis.

**B. Circumstances Warranting Conditional Admission.** The Board may consider for conditional admission an applicant whose past conduct raises concerns under Rule 5, but whose current record of conduct evidences a commitment to rehabilitation and an ability to meet the essential eligibility requirements of the practice of law. The Board shall prescribe the terms and conditions of conditional admission in a consent agreement entered into by the Board and the applicant.

**C. Consent Agreement.** The consent agreement shall set forth the terms and conditions of conditional admission, shall be signed by the president or designee and by the applicant, and shall be made a part of the conditionally admitted lawyer's application file. The consent agreement shall remain confidential subject to the provisions of these Rules and of the Rules on Lawyers Professional Responsibility.

**D. Transmittal to the Office of Lawyers Professional Responsibility.** A list of conditionally admitted lawyers shall be transmitted each month to the Office of Lawyers Professional Responsibility (OLPR). In the event a complaint of unprofessional conduct or violation of the consent agreement is filed against the conditionally admitted lawyer, the application file shall be transmitted to the OLPR upon the request of that office.

**E. Length of Conditional Period.** The initial conditional admission period shall not exceed 60 months, unless a complaint for a violation of the consent agreement or a complaint of unprofessional conduct has been filed with the OLPR. The filing of any complaint with the OLPR shall extend the conditional admission until disposition of the complaint by the OLPR.

**F. Consequences of Failure to Fulfill the Conditional Terms.** Failure to fulfill the terms of the consent agreement may result in the suspension or revocation of the conditional admission license, or such other action as is appropriate under the Rules on Lawyers Professional Responsibility.

**G. Monitoring of Consent Agreement by Conditional Admission Committee.** During the conditional admission period, the conditionally admitted lawyer's compliance with the terms of the consent agreement shall be monitored by a Conditional Admission Committee (CAC), a committee of no fewer than three Board members appointed by the president. The CAC shall conduct such investigation and take such action as is necessary to monitor compliance with the terms of the consent agreement, including, but not limited to, requiring the conditionally admitted lawyer to:

- (1) submit written verification of compliance with conditions;
- (2) appear before the CAC; and
- (3) respond to any requests for evidence concerning compliance.

**H. Procedure After Finding of Violation of Consent Agreement.** If the CAC finds that a term or terms of the consent agreement have been violated, the CAC may request that the President convene the Board for the purpose of determining whether to file a complaint with OLPR or take other action to address the violation. The Board shall notify the conditionally admitted lawyer of the Board's decision if a complaint is filed.

**I. Complaint for Violation of Consent Agreement; Disposition of Complaint.** Any complaint for violation of the consent agreement filed with the OLPR shall set forth the basis for finding that a term or terms of the consent agreement have been violated.

**J. Appeal.** Appeal rights are limited to those set forth in Rule 15 and Rule 17.

(Added effective September 1, 2004; amended effective July 1, 2007; amended effective September 1, 2011; amended effective July 1, 2017.)