

Supreme Court of Georgia  
Rules Governing Admission to the Practice of Law

**PART C**  
**ADMISSION ON MOTION WITHOUT EXAMINATION**

**Section 1. General**

The Board of Bar Examiners may admit on motion without examination any attorney licensed in a United States jurisdiction other than Georgia if that attorney satisfies the criteria set out in Section 2 of this Part. The attorney must also be certified for fitness, pursuant to Part A of these Rules.

**Section 2. Eligibility**

In order to petition the Board of Bar Examiners to be admitted without examination, an attorney licensed in a state other than Georgia must meet the following eligibility criteria. The attorney:

- (a) Must meet the educational eligibility requirements established in Part B, Section 4 of these **Rules**, including holding a first professional degree in law (JD or LL.B) from a law school approved by the American Bar Association;
- (b) Has been admitted by examination to membership in the bar of the highest court of another United States jurisdiction which has reciprocity for bar admissions purposes with the State of Georgia; provided, however, that if the former jurisdiction of the applicant permits the admission of Georgia judges and lawyers upon motion but that jurisdiction's rules are more stringent and exacting and contain other limitations, restrictions and conditions or the fees required to be paid are higher, the admission of the applicant from that jurisdiction shall be governed by the same rules and the applicant shall pay the same fees (if higher than the fees under these Rules) which would apply to an applicant from Georgia seeking admission to the Bar in the applicant's former jurisdiction;
- (c) Has never been denied certification of fitness to practice law in Georgia or any other state;
- (d) Has never taken and failed the Georgia Bar Examination or the Georgia Attorneys' Examination;
- (e) Has been primarily engaged in the active practice of law for five of the seven years immediately preceding the date upon which the application is filed;
- (f) Is currently or resigned while in good professional standing in every jurisdiction in which the applicant has been licensed to practice law;
- (g) Must receive Certification of Fitness to Practice Law in Georgia from the Board to Determine Fitness of Bar Applicants.
- (h) Must state that he or she intends to engage in the practice of law in Georgia.
- (i) Must state that he or she has not engaged in the unauthorized practice of law in Georgia.

**Section 3.****Definition of Practice of Law**

(a) For the purposes of this Rule, the “active practice of law” shall include the following activities, if performed in a jurisdiction in which the applicant is admitted, or if performed in a jurisdiction that affirmatively permits such activity by a lawyer not admitted to practice in that jurisdiction; however, in no event shall any activities that were performed in advance of bar admission in some state, territory, or the District of Columbia be accepted toward the durational requirement:

- (1) representation of one or more clients in the practice of law;
- (2) service as a lawyer with a local, state or federal agency, including military service;
- (3) teaching law at a law school approved by the American Bar Association;
- (4) service as a judge in a federal, state or local court of record;
- (5) service as a judicial law clerk; or
- (6) service as in-house counsel provided to the lawyer’s employer or its organizational affiliates.

(b) For purposes of this Rule, the “active practice of law” shall not include work that, as undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located.

**Section 4.****Fees and Filing Instructions**

(a) Applications for Certification of Fitness to Practice Law for admission pursuant to this Rule shall be made in accordance with the requirements established in Part A of these Rules and shall be accompanied by a non-refundable fee of \$900.

(b) Simultaneously with the Application for Certification of Fitness, the applicant must file a petition with the Board of Bar Examiners requesting admission on motion without examination. The petition from the applicant must be accompanied by a non-refundable fee of \$600. Such petition will be approved if the applicant documents to the satisfaction of the Board compliance with Section 2 of this Part and satisfies the Board that the jurisdiction in which the applicant has been admitted and practiced will admit Georgia lawyers without examination.

(c) Once the Board of Bar Examiners has approved the petition, and the Board to Determine Fitness of Bar Applicants to Practice Law has certified the applicant for fitness, the applicant shall be issued a Certification of Eligibility for Admission to the Practice of Law. The applicant shall follow the procedures specified in Part B, Sections 14, 15, 16 and 17 of these Rules in order to be sworn in by a judge of the Superior Court.