

# Supreme Court of Texas

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Misc. Docket No. 25-9063

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## **Order Approving Amendments to Rule 23 of the Rules Governing Admission to the Bar of Texas, Article XIV of the State Bar Rules, Rule 3.4 of the Rules of the Judicial Branch Certification Commission**


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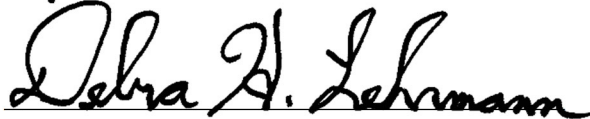
### **ORDERED** that:

1. The Court preliminarily approves amendments to Rule 23 of the Rules Governing Admission to the Bar of Texas, Article XIV of the State Bar Rules, and Rule 3.4 of the Rules of the Judicial Branch Certification Commission.
2. To effectuate the Act of June 20, 2025, 89th Leg., R.S., ch. 686 (H.B. 5629), the amendments are effective September 1, 2025. But they may later be changed in response to public comments. The Court requests public comments be submitted in writing to [rulescomments@txcourts.gov](mailto:rulescomments@txcourts.gov) by November 1, 2025.
3. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

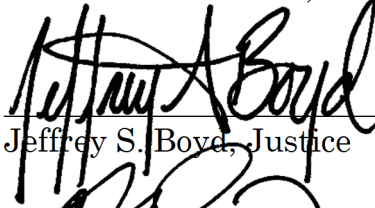
Dated: August 29, 2025.




James D. Blacklock, Chief Justice



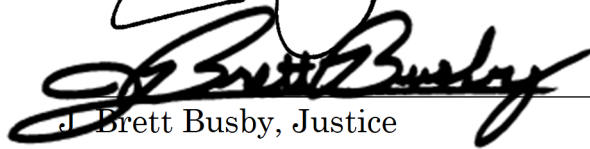
Debra H. Lehrmann, Justice




Jeffrey S. Boyd, Justice



John P. Devine, Justice



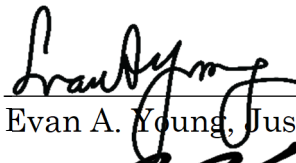
J. Brett Busby, Justice



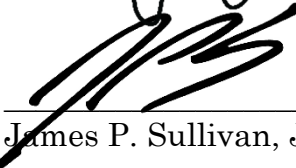
Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



James P. Sullivan, Justice

# Rules Governing Admission to the State Bar of Texas

## Rule 23

### Temporary License for Military Service Member or Military Spouse

#### §1 Definitions

(a) “Jurisdiction” means any state or U.S. territory.

(~~a~~b) “Military Service Member” means an active-duty military service member.

(~~b~~c) “Military Spouse” means the spouse of a Military Service Member.

#### §2 Eligibility

A Military Service Member or a Military Spouse is eligible for a ~~three~~five-year temporary license to practice law in Texas if the Military Service Member or the Military Spouse:

(a) is admitted to practice law in another ~~State~~jurisdiction;

(b) is in good standing in all jurisdictions where admitted and an active member of the bar in at least one ~~State~~jurisdiction;

(c) is not currently subject to discipline or the subject of a pending disciplinary matter in any jurisdiction;

(d) has never been disbarred or resigned in lieu of discipline in any jurisdiction;

(e) has never had an application for admission to any jurisdiction denied on character or fitness grounds;

(f) meets the law study requirements of Rule 3 or is exempted under Rule 13 §§ 3, 4, or 5; and

(g) has satisfactorily completed the Texas Law Component;~~and.~~

~~(h) is residing in Texas.~~

#### §3 Application

A Military Service Member or a Military Spouse must submit to the Board:

- (a) an application for temporary licensure on a form prescribed by the Board that includes a statement that the applicant has read and agrees to comply with Article XIV of the State Bar Rules;
- (b) a copy of the Military Service Member's military orders;
- (c) a certificate of good standing from the entity with final jurisdiction over professional discipline in each jurisdiction of admission; ~~and~~
- (d) if the applicant is a Military Spouse, a copy of the Military Spouse's marriage license; and
- ~~(de)~~ any other evidence demonstrating that the Military Service Member or the Military Spouse satisfies the eligibility requirements of Section 2 that the Board may require.

#### **§4 ~~Certification to Supreme Court~~Board Action**

Within 10 days after the application is submitted, If the Board must either:

- (a) notify the Military Service Member or the Military Spouse that the application is incomplete;
- (b) notify the Military Service Member of the Military Spouse that the application is denied and the reason for the denial; or
- (c) if the Board determines that a the Military Service Member or a the Military Spouse has satisfied the requirements of Sections 1-3, the Board must recommend to the Supreme Court the temporary licensure of the Military Service Member or the Military Spouse, and notify the Military Service Member or the Military Spouse.

#### **§5 Fee Waiver**

A Military Service Member or a Military Spouse is not required to pay:

- (a) the fees required by Rule 18; or
- (b) the licensing fee to the Supreme Court Clerk.

## State Bar Rules

### ARTICLE XIV

#### **MILITARY SERVICE MEMBER AND MILITARY SPOUSE** **TEMPORARY LICENSE**

##### **Section 1. Definitions**

A “temporary licensee” is an attorney who:

- is ~~the spouse of~~ an active-duty military service member ~~who has been ordered stationed in Texas~~ or the spouse or an active-duty military service member; and
- has been issued a ~~three~~five-year temporary license to practice law in Texas by the Court in accordance with the Rules Governing Admission to the Bar of Texas.

##### **Section 2. Licensure**

The Texas Board of Law Examiners is responsible for determining whether an applicant seeking a military service member or military spouse temporary license meets the conditions set by the Court under the Rules Governing Admission to the Bar of Texas.

##### **Section 3. Rights and Obligations; Discipline**

**A.** A temporary licensee is entitled to all the rights and privileges and subject to all the obligations and responsibilities of active members of the State Bar that are set forth in the State Bar Act, the State Bar Rules, the Texas Disciplinary Rules of Professional Conduct, the Texas Rules of Disciplinary Procedure, and any other Texas laws or rules governing the conduct or discipline of attorneys.

**B.** A temporary licensee may be sanctioned or disciplined by a court or the State Bar in the same manner as an active member of the State Bar.

##### **Section 4. Education**

**A.** No later than six months after temporary licensure, a temporary licensee must complete the *Justice James A. Baker Guide to Ethics and Professionalism in Texas* course, administered by the Texas Center for Legal Ethics.

**B.** A temporary licensee is subject to the MCLE requirements in Article XII.

## Section 5. Membership Fees

A temporary licensee must pay the State Bar membership fees required of an active member of the State Bar, unless waived under Article III, Section 8.

## Section 6. Renewal Prohibited

A temporary licensee cannot renew a military service member or military spouse temporary license.

## Section 7. Expiration; Notice

A. A military spouse temporary license expires on the ~~third~~fifth anniversary of the date of issuance, unless terminated earlier pursuant to Section 8.

B. No later than 60 days before the expiration of a temporary license, a temporary licensee must:

1. file a notice in each matter pending before any court, tribunal, agency, or commission that the temporary licensee will no longer be involved in the matter; and
2. provide written notice to all the temporary licensee's clients that the temporary licensee will no longer represent them.

## Section 8. Termination; Notice

A. A military service member or military spouse temporary license will terminate and a temporary licensee must cease the practice of law in Texas on the earlier of the temporary license's expiration or:

1. ~~31 days~~3 years after any of the following events:

- a. ~~1.~~ the service member's separation or retirement from military service;
- ~~2. the service member's permanent relocation to another jurisdiction, unless the service member's assignment specifies that dependents are not authorized to accompany the service member;~~
- ~~3. the temporary licensee's permanent relocation outside of Texas;~~
- b. ~~4.~~ the temporary licensee's spousal relationship to the service member ends;

c. the temporary licensee's regular admission to practice law in Texas;  
or

2. 31 days after any of the following events:

a. ~~5.~~—the denial by the Texas Board of Law Examiners of the temporary licensee's application for regular admission to practice law in Texas ~~for reasons related to character and fitness;~~

~~6.~~—the temporary licensee's regular admission to practice law in Texas;

b. ~~7.~~—the imposition of a disciplinary sanction, other than a private reprimand or a referral to the State Bar's Grievance Referral Program, in any jurisdiction;

c. ~~8.~~—the conviction in any jurisdiction of a serious crime or intentional crime as defined in the Texas Rules of Disciplinary Procedure; or

d. ~~9.~~—the temporary licensee's written request filed with the Texas Board of Law Examiners and the State Bar.

**B.** In the event of a terminating event under (A)(1)(a)-(b), a temporary licensee must:

1. provide written notice to the State Bar within 30 days after the terminating event; and

2. at least 60 days before termination:

a. file a notice in each matter pending before any court, tribunal, agency, or commission that the temporary licensee will no longer be involved in the matter; and

b. provide written notice to all the temporary licensee's clients that the temporary licensee will no longer represent them.

**BC.** Within 30 days after a terminating event in (AB), ~~except (A)(6),~~ a temporary licensee must:

1. provide written notice to ~~the Texas Board of Law Examiners and~~ the State Bar;
2. file a notice in each matter pending before any court, tribunal, agency, or commission that the temporary licensee will no longer be involved in the matter; and
3. provide written notice to all the temporary licensee's clients that the temporary licensee will no longer represent them.

**CD.** Upon receipt of a notice required under (B) or (C), the State Bar must forward the notice to the Clerk for revocation of the military service member or military spouse temporary license.

### **Rules of the Judicial Branch Certification Commission**

#### **3.4 Alternative ~~Application—Procedure~~Certification for Military Spouses, Military Service Members, and Veterans**

- (a) Pursuant to Chapter 55 of the Occupations Code, the Commission must grant ~~credit toward~~ certification, registration, ~~and licensing requirements for relevant verified military service education, training, and experience earned by~~ a license to a military service member ~~or a~~ military veteran, or military spouse who ~~applies for certification, registration, or licensure. The Commission may withhold credit from a military service member or veteran who~~ currently holds, in good standing, a restricted certification, registration, or license, similar in scope of practice, issued by another jurisdiction or has an unacceptable criminal history jurisdiction. The Commission must issue a certification, registration, or license to a military service member, military veteran, or a military spouse who within the five years preceding the application date, held a certification, registration, or license in this State.
- (b) The Commission must expedite applications for certification, registration, and licensure which are filed by military service members, military veterans, and military spouses.
- ~~(c) The Commission may issue a certification, registration, or license to an applicant who is a military service member, the spouse of a military service member, or a military veteran and:~~



- ~~(1) — holds a current certification, registration, or license issued by another state that has requirements that are substantially equivalent to the requirements for the certification, registration, or license; or~~
- ~~(2) — within the five years preceding the application date, held a certification, registration, or license in this State.~~
- ~~(d) — The Commission may allow an applicant who meets the requirements of (e) to demonstrate competency by alternative methods or credentials in order to meet the requirements for obtaining a particular certification, registration, or license issued by the Commission. For purposes of this Section, the standard methods of demonstrating competency are the specific exam, education, and experience required to obtain a particular certification, registration, or license.~~
- ~~(e) — In lieu of the standard methods of demonstrating competency for a particular certification, registration, or license and based on the applicant's circumstances, the alternative methods for demonstrating competency may include any combination of the following as determined by the Commission:~~
  - ~~(1) — education;~~
  - ~~(2) — continuing education;~~
  - ~~(3) — examinations (written or skills);~~
  - ~~(4) — letters of good standing;~~
  - ~~(5) — letters of recommendation;~~
  - ~~(6) — work experience; or~~
  - ~~(7) — other methods or credentials required by the Commission.~~
- ~~(f)~~ (c) The applicant must:
  - (1) submit an application and proof of the requirements under this rule and for that particular certification, registration, or license on a form and in a manner prescribed by the Commission; and

- (2) be subject to the same criminal history background check required of the persons applying for that particular certification, registration, or license.

(gd) A person who applies for a certification, registration, or license under this rule is exempt from paying an application fee.

(he) Military Service Member and Military Spouse Temporary Authorization.

- (1) The Commission must, within 10 business days, issue a military service member or a military spouse written confirmation that the military service member or military spouse may engage temporarily in a regulated practice without certification, registration, or licensure, upon submitting:

(A) ~~receipt of written notice from the military spouse of the intentan application for temporary authority~~ to engage in the regulated practice in Texas;

(B) a copy of military orders showing the military service member relocation to Texas;

(BC) ~~receipt of if the applicant is a military spouse, a copy of the military spouse's military identification card and proof of residency in Texas, including a copy of the permanent change of station order for the military service member to whom the spouse is married, including a copy of the permanent change of station order for the military service member to whom the spouse is married~~marriage license; and

(CD) ~~verification that a~~ notarized affidavit affirming under penalty of perjury that the applicant is the person identified in the application, the ~~military spouse~~applicant is certified, registered, or licensed in good standing in each jurisdiction where the applicant holds or has held certification, registration, or licensure; and the applicant understands the scope of practice for which the applicant seeks certification, registration, or licensure and will not exceed the scope of practice another jurisdiction, ~~that has certification,~~

~~registration, or licensing requirements that are substantially equivalent to the Commission's requirements.~~

(2) If the application is incomplete or the Commission is unable to recognize the applicant's out-of-jurisdiction license because the agency does not issue a license similar in scope of practice to the applicant's license, the Commission must notify the applicant within 10 business days.

(23) A military service member or military spouse engaging temporarily in a regulated practice is entitled to all the rights and privileges and subject to all the obligations and responsibilities of a regulated person, and may be sanctioned or disciplined in the same manner as a regulated person.

(34) ~~Written authorization to engage~~A military service member or military spouse engaging temporarily in a regulated practice without certification, registration, or licensure ~~is valid~~may do so until the earliest of the following:

(A) the military service member or the military service member to whom the military spouse is married is no longer stationed at a military installation in Texas;

(B) ~~the end of three years after the date of application submittal under (1)(A), if~~ the military spouse's marriage to the military service member ends; or

(C) the imposition of a disciplinary sanction; ~~or,~~

~~(D) three years from the date of issuance of written confirmation.~~

(45) A military spouse cannot renew a temporary authorization but may obtain a certification, registration, or license from the Commission pursuant to these Rules.