

NOTICE OF COMMENT PERIOD

The Nebraska Supreme Court is considering proposed amendments to the rules pertaining to Limited Liability Professional Organizations promulgated at Neb. Ct. R. § 3-201, § 3-202, and Appendices 1, 2, and 4. The Nebraska Supreme Court directed that the proposed amendments be published for a period of public comment.

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 email to joshua.shasserre@nejudicial.gov, with the rule number listed in the subject line, no later than August 3, 2026.

The full text of the proposed amendment is available below, or a paper copy may be obtained by telephoning the office of the Clerk of the Supreme Court and Court of Appeals at (402) 471-3731.

CHAPTER 3: ATTORNEYS AND THE PRACTICE OF LAW

Article 2: Limited Liability Professional Organizations.

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§ 3-201. Permissible business organizations; name restrictions; membership professional liability; insurance required; dissolution.

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(C) The provisions of this rule shall apply to all foreign and domestic professional organizations (hereinafter collectively referred to as "professional organizations") having as shareholders, officers, directors, partners, employees, members, or managers one or more attorneys who engage in the practice of law in Nebraska, whether such professional organizations are formed under Nebraska law or under laws of another state or jurisdiction. All professional organizations conducting the practice of law in Nebraska shall comply with the following requirements, and the organizing document of any domestic professional organization shall contain provisions complying with the following requirements:

....

(5) The professional organization shall be organized solely for the purpose of conducting the practice of law or a service ancillary to the practice of law, and only through persons qualified to practice law in the State of Nebraska if such persons engage in the practice of law within this state, or through persons qualified to practice law in the states, territories, or other jurisdictions in which such persons engage in the practice of law;

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§ 3-202. Requests for Certificates of Authority; electronic submission of document requirements; ethical obligations; attorney-client privilege.

(A) Beginning July 1, 2023, all professional organizations, both domestic and foreign, shall electronically submit all required documents to obtain a Certificate of Authority from the Nebraska Supreme Court to operate in this state, and electronically pay the \$25 issuance fee as required by statute or this rule through the online portal. All documents shall be submitted electronically to the Clerk of the Supreme Court to the email address certauthority@nejudicial.gov with the firm name in the subject line. All Certificates of Authority shall be issued electronically to the email address provided by the requestor. No paper Certificates shall be issued by the Clerk.

(1) New professional entities. For new professional entities, the professional organization shall electronically submit the following: (a) a cover letter requesting the Certificate of Authority signed by a licensed attorney; (b) the required professional organization form, found as Appendices to this rule which shall list the names and ~~residence~~ addresses of each shareholder, member, or partner, and the names and ~~residence~~ addresses of all persons who are employees of the organization licensed to practice law; (c) a signed copy of the organizing document of such organization; ~~and~~ (d) such additional information as may be required by the Supreme Court; and (e) the \$25 issuance fee paid through the online portal. If such accompanying documents meet with the Supreme Court's approval, the Supreme Court will issue a Certificate of Authority to the domestic professional organization to operate under this rule. Applications by foreign professional organizations shall be submitted as set forth at § 3-202(C).

(2) Expiration and subsequent Certificates. The Certificate of Authority issued by the Supreme Court under this rule shall expire 1 year from its date of issuance. All professional organizations operating under this rule, both domestic and foreign, shall annually electronically request a Certificate of Authority from the Supreme Court to

continue to operate in this state. Beginning July 1, 2023, such request shall be submitted in electronic form to the email address in § 3-202(A). The professional organization shall annually electronically submit: (a) a cover letter requesting the Certificate of Authority signed by a shareholder, member, or partner of the professional organization; (b) the required professional organization form found as an Appendix to this rule which lists the names and ~~residence~~ addresses of shareholders, members, or partners and the names and ~~residence~~ addresses of professional employees authorized to practice law; (c) if not previously submitted, any file-stamped copies required to be submitted pursuant to § 3-202(B); ~~and~~ (d) such additional information as may be required by the Supreme Court; and (e) ~~the~~ a \$25 issuance fee payable through the online portal.

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**SUPREME COURT OF THE STATE OF NEBRASKA
CERTIFICATE OF AUTHORITY**

This registration certificate is hereby issued by the Nebraska Supreme Court to EXACT FIRM NAME for the practice of law as a domestic professional organization in the form of a professional corporation with limited liability.

The Clerk of the Supreme Court of the State of Nebraska does hereby certify that the officer(s), director(s), ~~and~~ shareholder(s), and professional employee(s) of above-named professional corporation with limited liability are those persons named by the law firm in its application for this certificate and set forth in the records maintained by the Clerk of the Supreme Court of the State of Nebraska, to wit:

NAME, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAME, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAME, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAME, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

PLEASE ATTACH SEPARATE LIST IF NEEDED

is/are duly licensed to practice law in the State of Nebraska and/or one or more other states or territories of the United States or the District of Columbia and that the above-named professional corporation with limited liability complies with the provisions of the Nebraska Professional Corporation Act and the canons, rules, and regulations imposed by the Nebraska Supreme Court for professional corporations with limited liability.

The address of professional corporation with limited liability at which the applicant proposes to perform professional services is ADDRESS, CITY, STATE, ZIP.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the Court, in the City of Lincoln, this ____ day of _____, 20 ____.

Clerk, Supreme Court of Nebraska

This certificate expires one year from the date of issuance.

Appendix 1 (Neb. Ct. R. Chapter 3 Article 2)

Effective May 10, 2023.

**SUPREME COURT OF THE STATE OF NEBRASKA
CERTIFICATE OF AUTHORITY**

This registration certificate is hereby issued by the Nebraska Supreme Court to EXACT FIRM NAME for the practice of law as a domestic professional organization in the form of a limited liability company.

The Clerk of the Supreme Court of the State of Nebraska does hereby certify that the member(s), manager(s), professional employee(s), and agent(s) of above-named limited liability company are those persons named by the law firm in its application for this certificate and set forth in the records maintained by the Clerk of the Supreme Court of the State of Nebraska, to wit:

NAME, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

PLEASE ATTACH SEPARATE LIST IF NEEDED

is/are duly licensed to practice law in the State of Nebraska and/or one or more other states or territories of the United States or the District of Columbia, and the above-named limited liability company, complies with the provisions of the Nebraska Uniform Limited Liability Act and the canons, rules, and regulations imposed by the Nebraska Supreme Court for limited liability professional organizations.

The address of limited liability company at which the applicant proposes to perform professional services is **ADDRESS, CITY, STATE, ZIP.**

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the Court, in the City of Lincoln, this ____ day of _____, 20 ____.

Clerk, Supreme Court of Nebraska

This certificate expires one year from the date of issuance.

**SUPREME COURT OF THE STATE OF NEBRASKA
CERTIFICATE OF AUTHORITY**

This registration certificate is hereby issued by the Nebraska Supreme Court to EXACT FIRM NAME.
for the practice of law as a foreign professional organization in the form of a foreign CORPORATE TYPE.

The Clerk of the Supreme Court of the State of Nebraska does hereby certify that the
officer(s), director(s), ~~and~~ member(s), and professional employee(s) of above-named foreign CORPORATE
TYPE are those persons named by the law firm in its application for this certificate and set forth in the records
maintained by the Clerk of the Supreme Court of the State of Nebraska, to wit:

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP

NAMES, ~~RESIDENCE~~ ADDRESS, CITY, STATE, ZIP
PLEASE ATTACH SEPARATE LIST IF NEEDED

is/ are duly licensed to practice law in the State of Nebraska and/or in one or more other states, territories of the
United States, or the District of Columbia and that the above-named law firm complies with the provisions of the
Nebraska Revised Statutes and the canons, rules, and regulations imposed by the Nebraska Supreme Court for
foreign CORPORATE TYPE :

The professional employees of said _____ (CORPORATE TYPE) are those persons named by the law firm in its
application for this certificate and set forth in the records maintained by the Clerk of the Nebraska Supreme Court
and are hereby certified as duly licensed to practice law in the State of Nebraska and/or in one or more other states,
territories of the United States, or the District of Columbia. [PLEASE ATTACH SEPARATE LISTING]
The address of the registered office of this foreign CORPORATE TYPE in the State of Nebraska is _

ADDRESS, CITY, STATE, ZIP.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed
the Seal of the Court, in the City of Lincoln, this ____ day of _____, 20 ____.

Clerk, Supreme Court of Nebraska

This certificate expires one year from the date of issuance.