

Top Ten Tips to be Successful as a New In-House Counsel (and Beyond) | Association of Corporate Counsel (ACC) & Rule 302 – Limited In House Counsel License

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Top Ten Tips to be Successful as a New In-House Counsel (and Beyond)

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Key Highlights:

- *Build trust and relationships with your supervisor, your clients, and your team.*
- *Ensure alignment of expectations and communications.*
- *Learn about the business and its culture.*
- *Don't say no - be proactive, find solutions and communicate them in a concise, business-like style – bullet points, not memos.*

Introduction

Over the years, we both have hired new attorneys to join our teams. In addition, we have had friends and colleagues become part of in-house organizations. In these situations, we have provided coaching on what we believe will ensure their success. The following are the top ten suggestions we have shared to increase the probability of success in such a transition.

This list is intended to assist:

- Attorneys **new to in-house**;
- Attorneys **taking a different in-house role**;
- A supervisor **on-boarding** a new in-house attorney (the tips can be shared with them before their start date and create a foundation for discussion); and
- Attorneys applying for an in-house role and **preparing for the interview**.

1. Build Relationships

With your supervisor: Depending on the law department's structure and your role within it, **it's very possible that your highest priority client is your general counsel or supervising attorney**. Become invaluable to them. Even when you're new, if you can identify portions of projects that you can assist with, offer to work on that piece. Make them look good. Take note of their style and approach, and particularly if you are ghostwriting for them, try to emulate it.

Learn about them: How they work, and what their idiosyncrasies are. Often you can talk to others

who worked for or with them, and who can give you pointers on how best to work with them. Another good resource is to read any articles they have written, which can provide invaluable insight into their expectations.

With the business clients: Your business clients are usually corporate leaders who most often are not lawyers. **Get to know your clients, before any legal issues arise.** Find out who your key internal business contacts will be and schedule meetings with them right away. Ask them questions about how they interact with legal, what issues they commonly run into, and what their strategic priorities are (long term and short term). Ask them about their interests and values and how to best communicate with them. By understanding their key challenges, legal and otherwise, you will be in a better position to provide value to them. As non-lawyers their communication style will be different—and most likely will not be a formal legal memo. Ask questions and more questions. Don't wait.

With your colleagues within legal: In addition to your supervisor and clients, get to know peers and colleagues within the department and outside of it. **Build your brand as someone who is helpful, easy to work with, and collegial.** As the benefits show, clients and managers notice – “good work gets more good work.”

Like any occupation, much of what will make you successful is who you know, and how you can build relationships with them that help you and the organization. With all your relationships, you want to be clear you are there to assist and support them and their success.

You need to **figure out how members of the team relate to each other** and the power “dynamics” of the different players. Often your supervisor or others can help you understand how various players fit in the organization and the power structure (formal and informal).

As in-house counsel, you are part of a family. You need to **show who you are as a person**, what makes you happy, what you enjoy doing, and what you value. This means you need to cultivate who you are as a person outside of work. In other words, work can't be your whole life. You must do things to make you an interesting human and be open to expressing your personal side, and caring about it in others. Relationships are reciprocal - be a good friend and colleague to others. Go out of your way to help people, it makes a difference.

With all types of relationships, trust is essential. Trust consists of three interrelated components: ability, benevolence, and integrity. Ability requires knowing the business and the law as an in-house lawyer, as clients and colleagues will only trust you if they believe you know what they are talking about. Benevolence concerns doing the right thing by the organization rather than pursuing self-interests. Your clients may not like what they hear, but if they believe you are providing advice that is fair and for the good of the enterprise they will be more likely to trust that advice. Integrity has to do with safeguarding confidential information, abiding by the rules, following through with commitments, treating everyone with respect and your adherence to strong moral and ethical principles and values. Cultivating each of these components will deepen your relationships throughout the organization.

2. Ensure Clarity of Expectations

Probably the most important factor to ensure your success is **understanding your supervisor's expectations of you**. A good way to accomplish this is to develop a [30/60/90-day plan](#), and share it with your supervisor (or they can draft one for you). Discuss the plan so there is complete clarity of timing and expectations. As part of this conversation make sure you cover how and when to best communicate with them. Understand retention and use of external resources, and use of outside counsel. Schedule regular meetings to discuss status on the plan, and ask for input on how you are doing – what should you do more of, what to do less of, and what to stop doing.

Fortunately, or unfortunately, **hard work matters**. It will be expected that you show you are focused on the work and are spending the time to get great results. That does not mean the old “face time” in an office-place. But whether in an office, remote, flexible, or “off-hours,” you are thinking about the issues and matters you are responsible for. Some people come to work wanting to just “play the game.” Others come to work wanting to “win.” Your organization will want to see you to be in the game and that you want to be a winner.

3. Understand Your Role

Find out why you were hired. Were you hired to fill a gap? If so, what is seen as the most pressing need? And if you were hired to replace someone, determine why that person left the organization. Be inquisitive, and ask what your predecessor did well or not so well.

In-house counsel need to deeply understand they are advisors to the business. Legal risk is just one of many important risks that companies face. **Your role is to identify the various risks, and advise on them in ways that enable your business leaders to make sound, informed decisions.** You will rarely be the ultimate decision-maker on any given issue. The sooner you understand that, the better advisor and business partner you will become. Your job is not just protecting the company, but also enabling the business. Those are not always aligned, so be creative in coming up with ways to address conflicts between these two objectives.

4. Learn the Business and Its Culture

It is imperative that you **learn the company's mission and business**. Ask your colleagues what the core elements of the company's culture are, and what it takes to be successful in that culture. You need to understand the organization's products and services and, if practical, buy or use them yourself. Be a student of your industry - find out who the competitors are, how their strategies compare to your company's, and how the organization differentiates itself from these competitors. Seek out opportunities to learn more about the relevant area of law for the industry, and emerging legal issues. Assess where the areas of learning and growth are, and pursue them.

Great tools are industry publications and listservs that can keep you on top of the latest industry news, including competitive intelligence. Sign up to receive your company's news releases, and the information it posts on sites like Facebook and Twitter. You can do the same with key competitors or thought leaders relating to your area of practice (e.g., Environmental, Social, and Governance issues

(ESG), if that is relevant to your practice). Your practice will look different than in private practice

(think about “mile wide, inch deep” approach, compared to the “mile deep, inch wide”).

If you don't have a business background, it will be valuable to learn the basic ways the executives talk, and the business is measured. **Classes or knowledge** in [accounting, finance](#), statistics, and marketing all have value (such as [ACC's Mini-MBA programs](#) for in-house counsel).

5. Reset Your Perfectionist Tendencies

In private practice, you are paid by the hour, and the expectation is perfection in every aspect. For example, at a law firm, never send a memo to a client with a typo. Hierarchical revision cycles exist in law firms to ensure you catch every little thing before it goes to the client. A mistake is unacceptable. In the in-house counsel's world, it is a little more “messy.” Not everything has to be “perfect” and needs “A” effort. The amount of information, effort and precision to employ takes judgment – **your judgment and Emotional Intelligence (EQ) will likely be more valued than your IQ and legal knowledge**. You do not need to be a great legal expert to be a great in-house lawyer.

Your guidance and work product should be sound, but it is often a lot less formal than at law firm - **think hallway conversations, text messages, and short emails with bullets**. Your judgment as to when to use what format will become invaluable.

Many questions are asked seeking gut checks and common sense, and a more detailed review may or may not follow. The amount of time and effort to get from 95% correct to 100% is often not needed or wanted. But, when the stakes are high, do the work to get the guidance absolutely correct (maybe bounce it off outside counsel too), even if to the internal client the communication or guidance is not the formal memorandum you were taught. **Establish when and how to escalate matters to your supervisor or others** - continuously ask for feedback on this.

Be flexible. Unfortunately, business needs and priorities frequently shift. Even if you have spent a lot of time and effort on something the business said or thought they wanted, you may need to be able to pivot quickly as priorities change. **Ongoing communication is key**, so that you do not spend too much time on something that isn't yet fully developed”

6. Be Practical, Creative and Clear

As mentioned in the previous tip, in private practice, lawyers often think that the goal and their role is to get it right - be precise, be nuanced, caveat everything. You're now in a new organization that is not in the business of providing legal advice. With that in mind, it will no longer be the case that you are called on for only the legal question. **Take a critical eye to your advice and make sure you are answering the question the business really cares about**, even if the question posed may seem like a legal question, you may have to do a little digging to find out what the real concern or issue and the ultimate goal are.

Remove the word “no” from your vocabulary. Take a lesson from improv classes – say “yes and” – even when the answer is “no way.” There's usually an intention that can be built on to a constructive end. **Business leaders aren't looking for you to say “yes or no” on a deal but instead how to**

structure a deal or transaction to advantage the business and mitigate risk. You are an advocate for

the business, so, ask your clients what they want to accomplish, and look for ways to get them there. Always ask yourself, before you provide guidance, whether the practical implications of such advice are clear and actionable. What will be the effect on the people who actually do the work?

For example, if you are asked whether your company can state something in marketing materials, and the legal answer is no, it is misleading. Take the extra step of engaging the creative side of your brain and **provide your internal clients with an alternative that could satisfy their objectives while mitigating the legal risks**. Simply offering a parade of horrible potential scenarios with no solutions will be the fastest way to ensure that the business does not value your contributions and they will stop coming to you, and if forced to, will do late in the process. And absolutely avoid being overly pedantic.

Non-lawyer professionals do not communicate the way you were taught in law school or private practice. Indeed, very few people communicate that way. You need to relearn the way you communicate, with a focus on plain and simple language. You need to reverse the order of - introduction, facts, legal analysis, and recommendation. **Lead with the punchline and then back up after, if desired. Communicate in short two-to-four sentence paragraphs and bullet points**. An e-mail with long, dense paragraphs is counterproductive, since it is unlikely to be read.

Get rid of the silly unclear legal jargon. No more “herein,” heretofore,” infra, and id. And no one really knows what “might,” “possible,” “probable,” “likely,” mean and it doesn’t help the business make decisions. Much preferred is the **quantification of probabilities and potential outcomes**. In private practice there is a desire to write down and document your advice. **In the in-house environment, “less is more”, often with no memo or document at all, but a short conversation.**

At times you will be asked “what would you do?” **Be willing to weigh in on the non-legal question, but clearly separate legal risk and business advice**, and warn the businesspersons that they should make the business decisions. Or you will hear in the halls (when we had halls) – “Legal said we can’t do that.”

Do not overplay or think you can rely on the “attorney-client privileged argument” you were taught in law school or private practice for your various communications and advice. It really is a limited privilege, often doesn’t apply, and can be waived, especially in dealing with government or regulatory issues or investigations. So be careful what and how you communicate.

There may be actions your clients can legally take but shouldn’t. **The legally correct answer may not always be the right answer**. At times you may hear, “but everyone else is doing it” (which often isn’t true) and your response will be, “but should we?” For example, during the COVID-19 pandemic, medical device companies had patents on how to design ventilators. The legal answer to whether they were required to permit the availability of such patented information to the broader public was, of course, no. However, with the help of wise legal counsel, some medical device companies nevertheless released those plans to aid in the public good. **Always maintain your integrity and your ethical and moral compass.**

7. You Are Now Part of a Larger Team

You are now part of a larger team, all working together to advance the business. If you see something broken, fix it. If a process can be improved, improve it. If it adds value to the team, be willing to make the coffee. Don't wait to be told by your supervisor what to do, and don't turn away matters that aren't strictly legal. Be an advocate for the business and use law to advance the company's objectives – don't "wait" for problems, legal issues, or work. Do not get stuck in reactive mode. **Being in proactive mode will be greatly appreciated by your colleagues and your supervisor.**

As you have opportunities to surround yourself with others, make sure your teams are diverse and that you create an inclusive environment. You will show you need and value all perspectives, and your teams will be more creative, see more potential risks and opportunities, make better decisions, and simply get better results.

One of the unique aspects of in-house law departments is that, unlike private practice, there can be meaningful repetition, and you don't need to do it all. **Delegate work to non-lawyer professionals, and leverage technology** where you can to automate repetitive work and reduce risk. This could even result in savings, or a positive return on investment. You are no longer billing for this.

For example, if your role is to review contracts, you will likely see repetition (i.e., clauses or negotiation points). Document these and how you were advised to handle it. That way, when you have an issue arise, you can ensure you're not asking a question of your boss or business partner that they have already answered. As issues become repetitive, you will be expected to be more efficient. **In-house teams should endeavor to keep their budgets flat year over year.** So, if you like pay increases, you better find 3%+ efficiencies every year!

In private practice, "responsiveness" is usually measured in hours and minutes. Although the same may not be true in-house, being responsive as in-house counsel means always **delivering to your clients exactly what you promised on the timeline you promised.** If an issue has a return date in the future, keep your clients updated, so they don't worry about whether you will deliver on time. That takes the issue out of their mind and reduces the likelihood that they will make "suggestions" that you may need to back them down from.

8. Embrace the Need to Add Value Outside of Your Legal Role

Your value is more than just law. High quality responsive legal work is just "the ticket to entry." Because law firms bill by the hour, it can sometimes become instinctual to try to avoid what used to be viewed as non-billable work. Leave that mentality at the door when coming in-house. The greatest asset an in-house lawyer brings over external counsel is **knowing the business, its strategies, decision-makers, how decisions are made, and how the law practically applies to and advances the business imperatives.**

Of course, you are hired to do legal work and you need to protect against too much scope creep; but it can be valuable to find at least one or two projects that help your business partners that aren't purely legal. Don't be rigid. Lawyers are smart problem-solvers - **if you can find a couple of processes or projects outside of the purely legal world that you can add some value to, do it.**

9. Adopt a "Coachable Spirit"

No matter where you are at in your career, when you take your first in-house role, you will have much to learn. The business, the culture, the cadence, the expectations. It's all new and it's all going to be company and business dependent. **Don't be afraid to ask a lot of questions. Routinely ask for feedback.** Feedback in corporate settings is not an attack, but a gift – view it that way, and be grateful for it. DO NOT be defensive, even if you feel you are correct. We were told by several general counsel this should be the top tip, because all these tips require additional focus and potentially changing your current methods of practice.

If your law department has a formal mentoring program, sign up for it. If not, find your own – fast! Give yourself long enough to see who the rockstar leaders are within the department and ask them out to lunch or coffee. Find someone you can build a relationship with and call when you're trying to discern the corporate language, structure, or navigate corporate policies and politics. Ideally, this is an individual outside of your direct reporting structure, and someone who has been there for a while. **Outside of the law department, find a business leader who might be willing to mentor you.** The Chief Financial Officer (CFO) or directors of finance or strategy/corporate development can be great partners in this. These people become your “moles” into what can make you successful.

Don't forget administrative assistants. They often have been with the company for years, know the people, the culture, and how best to operate. Ask them for help and feedback on how you are doing. They can be great resources and extremely helpful.

10. Your Business Does Not Sell “Law” - You Are Now a Cost Center that Needs to Efficiently Add Value

In law firm life, you are the revenue generator. When you're not billing, the law firm isn't making money. **Try now to find and execute some projects that bring revenue** to the company. As an advocate, become a revenue generator if possible, not a cost center.

From a purely financial standpoint, you are now **trying to save the company money on legal and outside counsel fees.** Bring matters in-house if possible, and don't use outside counsel if not necessary. For every dollar you spend, the business generally must find at least ten dollars in new revenue. You do not fly first class or stay at a luxury hotel.

Know your budget and deliver on it. This is new to many external lawyers who never need to think about it, and most in-house lawyers only realize as they get more seasoned.

Law firms will invest in rapid response IT teams to prioritize your needs, and there will likely be more administrative staff to help ensure you are working at the top of your license. In-house, you are a cost center. And for internal resources, **it is not uncommon for only the general counsel or a few deputies to have any administrative support at all.** So, make sure you know how to set up a calendar invite, use the company intranet to try and troubleshoot an IT issue before you make a call, and get used to tracking your own [Continuing Legal Education](#) credits (CLEs).

Conclusion

Of course, while you are implementing the ten points in this article, you need to **keep providing high quality responsive work on the legal issues** for which you are responsible. While the ideas above are formed from our own experiences, you will need to adapt them in light of your individual circumstances and your own personality and style. That said, if you follow these tips, we believe you will be successful. We sure hope so. Please provide us your feedback – it is a gift!

Finally, to support your in-house career, we encourage you to consider the wealth of resources that ACC offers for the global in-house counsel community, from the practical resources (such as this one) in ACC's [Resource Library](#), to hundreds of [online educational programs](#), [ACC events](#), and networking opportunities through ACC's member-led [practice networks](#).

Authors: Sarah Karlgaard, [General Counsel of Vital Images](#) and [Mark Roellig](#), former General Counsel of four Fortune 500 companies and recipient of the 2012 Association of Corporate Counsel Excellence in Corporate Practice Award

Check Out Additional ACC Resources:

- [“5 Attributes for a Successful Career”](#), by Mark Roellig, *ACC Docket*, November 1, 2019
- [“Are You A New General Counsel? Top Ten Actions to Ensure Your Success”](#), by Mark Roellig, *ACC Top Ten*, June 24, 2021, [ACC Resource Library](#)
- [“Personal Leadership Philosophy”](#), by Mark Roellig, June 24, 2021, [ACC Resource Library](#)
- [“Leadership Lessons”](#), by Mark Roellig, *ACC Docket*, November 26, 2019
- [“Why Diversity and Inclusion Will Advance Your Business and Your Career”](#), by Mark Roellig, *ACC Docket*, April 3, 2019.
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Rule 302

Limited In-House Corporate Counsel License

(a) General Rule. Every attorney not a member of the bar of this Commonwealth, who is employed by and performs legal services in this Commonwealth for a corporation, company, partnership, association or other non-governmental business entity, shall obtain a Limited In-House Corporate Counsel License in order to provide such services if such services are performed in this Commonwealth on more than a temporary basis by the attorney or if the attorney maintains an office or other systematic and continuous presence in this Commonwealth.

(b) Scope of Legal Activities. Attorneys issued a Limited In-House Corporate Counsel License may provide advice or legal services to the employer named in the application subject to the following qualifications:

- (1) The legal services provided to the employer shall be limited to:
 - (a) giving legal advice to the directors, officers, employees, and agents of the business organization with respect to its business affairs;
 - (b) negotiating and documenting all matters for the business organization;
 - (c) representing the business organization in its dealings with any administrative agency or commission if authorized by the rules of the agency or commission.
- (2) In providing legal services, attorneys practicing under a Limited In-House Corporate Counsel License shall not:
 - (a) represent their employer in any case or matter pending before the courts of this Commonwealth, unless they have been admitted pro hac vice;
 - (b) represent or give advice to any shareholder, owner, partner, officer, employee or other agent with respect to any personal matter or transaction;
 - (c) offer legal services or advice to any third party having dealings with the attorney's employer; or
 - (d) offer legal services or advice to the public or hold themselves out as authorized to offer legal services or advice to the public.
- (3) Notwithstanding the fact that the practice of law by a lawyer licensed under this rule is limited to the practice of law for the employer furnishing the statement required by this rule, a lawyer licensed under this rule may participate in the provision of pro bono services offered under the auspices of organized legal aid societies or state/local bar association projects, or provided under the supervision of an attorney licensed to practice law in Pennsylvania who is also working on the pro bono representation.

(c) Application. An applicant for a Limited In-House Corporate Counsel License shall file with the board a written application, in the form of a verified statement on the form prescribed by the board, setting forth those matters which the board deems necessary, and pay an application fee fixed by the board. The application shall be processed in accordance with the provisions of Rules 212 through 231.

(d) Requirements. The general requirements for issuance of a Limited In-House Corporate Counsel License are:

- (1) Completion of the study of law at and receipt without exception of an earned Bachelor of Laws or Juris Doctor degree from a law school;
- (2) Admission to practice law in another state, territory of the United States or the District of Columbia on active status at the time of filing the application;
- (3) Absence of prior conduct by the applicant which in the opinion of the board indicates character and general qualifications (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth;

(4) Presentation of a certificate of good standing from the highest court or the agency having jurisdiction over admission to the bar and the practice of law in every jurisdiction in which the applicant has been admitted to practice law, stating that the applicant is in good professional standing at the bar of such court or such state. An applicant who is disbarred or suspended for disciplinary reasons from the practice of law in another jurisdiction at the time of filing an [application](#) shall not be eligible for a Limited In-House Corporate Counsel License;

(5) Presentation of a sworn statement by the applicant certifying that he/she will perform legal services in this Commonwealth solely for the employer identified in the application, and that such employer's lawful business consists of activities other than the practice of law or the provision of legal services;

(6) Presentation of a statement signed by an officer, director or general counsel of the applicant's employer stating that the applicant is an employee for such employer and performs legal services in this Commonwealth for such employer.

(e) Duration. The Limited In-House Corporate Counsel License shall expire if:

(1) such attorney is admitted to the bar of this Commonwealth under any other rule,

(2) fails to fulfill the obligations required of active members of the bar of this Commonwealth,

(3) is suspended or disbarred from the practice of law in another jurisdiction,

(4) fails to maintain active status for admission to the practice of law in at least one state, territory of the United States or the District of Columbia; or

(5) such attorney ceases to be employed by the employer listed on such attorney's application; provided, however, that if such attorney, within 30 days of ceasing to be an employee for the employer listed on such attorney's application, becomes employed by another employer within this Commonwealth for which such attorney shall perform legal services, such attorney may apply for a new certificate recommending the issuance of a Limited In-House Corporate Counsel License under this Rule by filing with the board, within 30 days of commencing the new employment, a statement identifying his or her new employer, and the date on which his prior employment ceased and his new employment commenced, and submitting the documents required by sections [\(d\)\(5\)](#) and [\(6\)](#) of this rule with respect to the new employer.

(f) Issuance of License. At any time within six months of the receipt of a certificate from the board recommending the issuance of a Limited In-House Corporate Counsel License, an applicant may file a motion with the Prothonotary, on a form prescribed by the board for issuance of a Limited In-House Corporate Counsel License. The motion shall be accompanied by the certificate from the board recommending issuance of the license and the fee required by the Prothonotary. Upon receipt of the appropriate documents and fee, the Prothonotary shall enter the name of the applicant upon the docket of persons issued a Limited In-House Corporate Counsel License, notify the Administrative Office of the issuance of a limited license to such attorney and issue an engrossed Limited In-House Corporate Counsel License under seal.

(g) Status. When a license is required under this rule for the performance of legal services in this Commonwealth solely for an attorney's employer, the performance of such services by the attorney shall be considered to be the active engagement in the practice of law for all purposes and shall subject the attorney to all duties and obligations of active members of the Pennsylvania bar including, but not limited to the Rules of Professional Conduct, the Rules of Disciplinary Enforcement and the Rules of Continuing Legal Education. Prior to the effective date of this rule, when an attorney performed legal services in this Commonwealth solely as an employee of a business organization, whose business consisted of activities other than the practice of law or the provision of legal services, the rendering of such legal services shall be deemed for all purposes to have been the authorized active engagement in the practice of law in this Commonwealth, if such attorney, at the time of the performance of such legal services met the requirements set forth in sections [\(d\)\(1\)](#), [\(2\)](#), [\(3\)](#) and [\(4\)](#) of this rule.

Adopted March 30, 2004, effective Sept. 27, 2004.