

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT BAR DOC.
STATE OF OKLAHOMA
JUN - 1 2015
MICHAEL S. RICHIE
CLERK

IN RE: APPLICATION OF PAUL RICHARD INGRAM,)
8200 LAKEHURST DRIVE, OKLAHOMA CITY, OK, 73120)
FOR SPECIAL TEMPORARY PERMIT TO PRACTICE)
LAW IN OKLAHOMA UNDER THE PROVISIONS OF)
RULE TWO, SECTION 5, OF THE RULES GOVERNING)
ADMISSION TO THE PRACTICE OF LAW IN THE STATE)
OF OKLAHOMA)

SCBD NO. 5877

ORDER

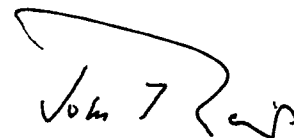
The Board of Bar Examiners of the State of Oklahoma has filed its Report and Recommendation finding that Paul Richard Ingram (Petitioner) should be granted a special temporary permit to practice law in Oklahoma under the provision of rule 2, section 5 of the Rules Governing Admission to the Practice of Law in the State of Oklahoma (RGAPL), 5 O.S.20011, ch. 1, app. 5.

From a review of the Report and Recommendation and the documents attached thereto, this Court finds that the Petitioner is now employed by American Energy Management Services, LLC/American Energy Partners, LP, which is engaged in business in the State of Oklahoma; that the Petitioner's employment is devoted to American Energy Management Services, LLC/American Energy Partners, LP; that the Petitioner receives his entire compensation from American Energy Management Services, LLC/American Energy Partners, LP for the Petitioner's legal services; and that Petitioner receives no compensation for legal services from any source other than American Energy Management Services, LLC/American Energy Partners, LP. This Court further finds that Petitioner previously petitioned and was granted a Special Temporary Permit in SCBD 5877, on May 14, 2012, with his employer at that time, Chesapeake Energy Corporation. This Court further finds that Petitioner was admitted to the Texas Bar on November 7, 2008, and is an active member in good standing. Also based on the Report and

Recommendation, this Court finds that the Petitioner is fully qualified to take the bar examination in Oklahoma under the rules of this Court.

It is ordered that Paul Richard Ingram be granted a special temporary permit to practice law in the State of Oklahoma pursuant to rule 2, section 5 of the RGAPL for the purpose of employment with American Energy Management Services, LLC/American Energy Partners, LP, as provided above. The permit granted herein will be valid for so long as Paul Richard Ingram is so employed; devotes full time employment to American Energy Management Services, LLC/American Energy Partners, LP, and receives no other compensation for legal services from other than from American Energy Management Services, LLC/American Energy Partners, LP. The right of Paul Richard Ingram to practice law in the State of Oklahoma under the special temporary permit granted herein shall terminate upon the termination of the above stated employment or upon transfer outside the State of Oklahoma, and Petitioner is required to so inform the Oklahoma Bar Association of such a change in his employment. The Special Temporary Permit shall be subject to Rule 10 of the RGAPL which revokes the permit if Petitioner takes the Oklahoma bar examination and fails the examination.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE this 1st DAY OF JUNE, 2015.



CHIEF JUSTICE

Reif, C.J., Kauger, Winchester, Edmondson and Taylor, JJ., concur
Combs, V.C.J., Watt (by separate writing), Colbert and Gurich, JJ., dissent.

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IN RE: APPLICATION OF PAUL)
RICHARD INGRAM, 8200 LAKEHURST)
DRIVE, OKLAHOMA CITY, OK 73120)
FOR SPECIAL TEMPORARY PERMIT TO)
PRACTICE LAW IN OKLAHOMA UNDER)
THE PROVISIONS OF RULE TWO, SECTION)
5, OF THE *RULES GOVERNING ADMISSION*)
TO THE PRACTICE OF LAW IN OKLAHOMA)

SCBD No. 5877

WATT, J., with whom COMBS, V.C.J., COLBERT, and GURICH, JJ. join,
DISSENTING:

¶1 Before the Court today is Mr. Ingram's request for a special temporary permit pursuant to Rule 2, Section 5 of the Rules Governing Admission to the Practice of Law in the State of Oklahoma, 5 O.S. Supp. 2015, Ch. 1, App. 5. On January 7, 2015, Mr. Ingram signed an Application for Special Temporary Permit, advising that he accepted a position in September, 2014, with American Energy Services, LLC/American Energy Partners, LP (AEP) to provide necessary legal services. He stated he will receive his entire compensation from AEP and from no other source. It is also noted he was admitted to the Texas Bar on November 7, 2008, where he is a member in good standing.

THIS IS NOT MR. INGRAM'S FIRST REQUEST
FOR A TEMPORARY PERMIT.

¶2 Mr. Ingram's current application states he was granted Special Temporary Permit #30954 by this Court on May 14, 2012, to work for Chesapeake Operating,

Inc./Chesapeake Energy Corporation (Chesapeake). Indeed, Mr. Ingram's initial Order granting his 2012 permit provides in part:

The right of Paul Richard Ingram to practice law in the State of Oklahoma under the special temporary permit granted herein shall terminate upon the termination of the above stated employment or upon transfer outside the State of Oklahoma, and **Petitioner is required to so inform the Oklahoma Bar Association of such a change in his employment. Any time accrued in Oklahoma by Petitioner under this special temporary permit shall not be permitted to be "tacked on" to his time of "active practice" for future purposes of attempting to gain full Rule 2 admission by reciprocity. Rule 2, section 1(f).** (Emphasis added)

¶3 It is interesting to note that Mr. Ingram's 2012 application for temporary permit was supported by a certificate signed by a vice president at Chesapeake stating that he had been employed by Chesapeake since September 2010, yet waited almost two years before seeking a temporary permit to practice law in Oklahoma. In support of his application for his initial temporary permit, the vice president certified that they depended on Mr. Ingram daily for advice on corporate and security matters which were vital to the day-to-day operations of a company such as Chesapeake.

¶4 Although Mr. Ingram's initial temporary permit was granted by this court, I had serious concerns that he had possibly been practicing law without a license in Oklahoma for almost two years prior to his initial application for a temporary permit which is clearly contra to our rules.

THE PRACTICE OF LAW IN THIS JURISDICTION
IS A PRIVILEGE AND NOT A RIGHT.

¶5 In subsequent applications for temporary permits that have come before the Court since Mr. Ingram's initial application, I have dissented in cases where facts were similar to the ones we face today.

¶6 We had previously amended our rules to cover cases like this by adding the language which prohibits the holder of a temporary permit from using that time to tack on to his/her time of active practice for future purposes of attempting to gain full Rule 2 admission by reciprocity, Rule 2, §1 (f).

¶7 I also dissent to the Court's approval of this temporary permit because today's proceedings under SCBD #5877 are a nullity and became so at the moment Mr. Ingram terminated his employment with Chesapeake in September of 2014, some eight months ago. It is clear that under our rules, as well as under the order granting the initial temporary permit on May 14, 2012, that Mr. Ingram's permit expired immediately when he left Chesapeake. An application for a subsequent special temporary permit should be assigned a new SCBD number.

¶8 Our rules further provide that it is the duty of the applicant (Mr. Ingram) to immediately report to the Oklahoma Bar Association his termination of employment with Chesapeake and, coincident thereto, seek a new special temporary

permit to practice law for his new employer, in this case, "AEP", **both of which he clearly did not do.** Although he has requested a "continuing" Special Temporary Permit, our rules do not provide for such permits to be transferred from employer to employer. Our prior order granting his 2012 special temporary permit is perfectly clear on that issue.

¶9 It is clear under these facts that Mr. Ingram did not comply with these rules and, in my opinion, began the unauthorized practice of law in the State of Oklahoma as an employee of AEP until he belatedly filed his application for a new temporary permit in January 2015, some 3-4 months after his initial employment by AEP. The certificate proffered by Mr. Ingram for this second temporary permit, on its face, states that Mr. Ingram had been employed by AEP since September 2014 and that he received his total and sole compensation from said employer since September of 2014.

¶10 While Mr. Ingram was a member and continues to be a member of the State Bar of Texas at all times mentioned above, **he did not have the requisite number of years of continuous practice in Texas** to qualify for full Rule 2 admission on motion (nor does he have today because he may not tack on his practice under a temporary permit). Mr. Ingram has again chosen the only way he can practice in Oklahoma: via a temporary permit. Rule 2, §§1 and 5.

¶11 Rules are promulgated for a reason – **THEY ARE TO BE FOLLOWED AND NOT ABUSED AS THIS APPLICANT HAS CLEARLY DONE.**

¶12 Accordingly, I would not vote to grant Mr. Ingram any future special permit based upon his clear violation of the rules at both Chesapeake and AEP, as set out above.

¶13 Because of the undisputed facts under these applications for a temporary permit, I am both shocked and disheartened that any of my colleagues would vote to approve such a permit in light of a clear reading of the rules which are both simple and unambiguous. I am likewise disheartened that the Board of Bar Examiners would forward this application for the Court's consideration under these facts.

¶14 In addition to denial of his application for a special temporary permit, I would issue a show cause order to allow Mr. Ingram to show cause, if any he has, why this matter should not be referred to the Oklahoma Bar Association's General Counsel for investigation and possible imposition of discipline for his unauthorized practice of law which I believe he has clearly done under the undisputed facts before us today.

¶15 It is my further opinion that the Board of Bar Examiners should consider convening for the purpose of conducting a character and fitness hearing for Mr. Ingram, or in the alternative, that Mr. Ingram only be allowed to continue to practice

law in Oklahoma by standing for and passing the Oklahoma bar exam at his earliest opportunity.

¶16 Because my oath of office commands me to support, obey, and defend the Constitution of the United States and the Constitution of the State of Oklahoma (and its statutes and rules), I must respectfully dissent to the issuance of any future applications by this applicant for any temporary permit to practice law within the State of Oklahoma.

CONCLUSION

¶17 When Mr. Ingram terminated his employment with Chesapeake, his special temporary permit also terminated. He failed to advise the Oklahoma Bar Association when his employment with Chesapeake ended. Moreover, he began his new employment with AEP without first seeking the required special temporary permit for that employment. In my opinion, Mr. Ingram has been engaging in the unauthorized practice of law since he assumed his new position with AEP. Although he has requested a “continuing” Special Temporary Permit, our rules do not provide for such permits to be transferred from employer to employer. Our prior order granting his 2012 special temporary permit is perfectly clear on that issue.

¶18 Until Mr. Ingram provides an adequate explanation for his actions to either the Oklahoma Bar Association or the Board of Bar Examiners, I respectfully dissent to the approval of his application.