

IN THE SUPREME COURT OF TEXAS

9093

Misc. Docket No. 03-_____

ORDER AMENDING I, III, V, VII, VIII, XI, XII, XIII, XV, and XVIII
RULES GOVERNING ADMISSION TO THE BAR OF TEXAS

IT IS ORDERED that the *Rules Governing Admission to the Bar of Texas*, are amended in the following manner:

Amend Rule I to read as follows:

(a) Frequently used terms are defined as follows:

- (1) "Applicant" shall mean a person who files with the Board any Application or Re-application to take the Texas Bar Examination, to be admitted without examination, or for Certification as a Foreign Legal Consultant.
- (2) "Application" shall mean an Application or Re-application to take the Texas Bar Examination, to be admitted without examination to the Texas Bar, or for Certification as a Foreign Legal Consultant.
- (3) "Approved law school" shall mean a law school approved by the American Bar Association.
- (4) "Board" shall mean the Board of Law Examiners.
- (5) "Chemical dependency" shall mean:
 - ~~(i) the abuse of alcohol or a controlled substance;~~
 - ~~(ii) a pathological use of alcohol or a controlled substance that chronically impairs the Applicant's ability to competently provide legal advice or services; or~~
 - ~~(iii) a physiological or physical dependence on alcohol or a controlled substance~~ substance abuse or dependency as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual DSM-IV-TR and any subsequent revisions thereof.
- (6) "Controlled substance" shall have the meaning assigned by Section 462.001, Health and Safety Code.
- (7) "Declarant" shall mean a person who files with the Board a Declaration of Intention to Study Law.
- (8) "Declaration" shall mean a Declaration of Intention to Study Law.
- ~~(9) "District Committee" shall mean a District Committee on Admissions.~~
- ~~(10) 9~~ "State" shall mean any state or territory of the United States, as well as the District of Columbia.
- ~~(11) 10~~ "Supreme Court" shall mean the Supreme Court of Texas.
- ~~(12) 11~~ "Texas Bar Examination" shall mean the full bar examination.
- ~~(13) 12~~ "Treatment" shall have the meaning assigned by Section 462.001, Texas Health and Safety Code.

- (14 13) "Treatment facility" shall have the meaning assigned by Section 462.001, Texas Health and Safety Code.
- (15 14) "Valid law license" shall mean, unless otherwise specified in written policy adopted by the Board, an active law license under which the licensee, at all times during the period of practice for which credit is sought and at the time of filing a Texas application, has been entitled to engage lawfully in the practice of law in the jurisdiction which issued the license.
- (b) The terms "admitted," "admitted to the Bar," "admitted to the Texas Bar," "licensed," and "licensed to practice law in Texas" are used interchangeably in these Rules.
- (c) If any completed document required to be filed hereunder is placed, along with all required fees, in a postpaid envelope properly addressed to the Board and then deposited in a post office or official depository under the care and custody of the United States Postal Service, such document shall be deemed timely filed if the envelope bears a legible U.S. Postal Service postmark which is dated on or before the applicable deadline date.
- (d) ~~Neither the Board nor any District Committee shall~~ The Board shall not disclose to any third party any information obtained with respect to the character or fitness of any Applicant, Declarant, or probationary licensee, except:
- (1) upon written authority of such Applicant or Declarant, or probationary licensee;
 - (2) in response to a valid subpoena from a court of competent jurisdiction; or
 - (3) to the Office of the General Counsel of the State Bar of Texas or to the Texas Unauthorized Practice of Law Committee.

Amend Rule III to read as follows:

- (a) The law study requirement for eligibility of an Applicant to take the Texas Bar Examination, unless otherwise provided by these Rules, is met by:
- (1) graduation with a J.D. degree or its equivalent from an approved law school;
 - (2) satisfaction of all requirements for graduation from an approved law school with a J.D. degree or its equivalent; or
 - (3) study of law in an approved law school or schools by satisfying all requirements for graduation with a J.D. degree or its equivalent, except for not more than four semester hours [from September 1, 2003 through September 1, 2004 not more than twelve semester hours] or its equivalent in quarter hours; provided, however, that no person shall be licensed to practice law until graduation or satisfaction of all requirements for graduation, unless specifically excepted hereunder. If an Applicant under this subsection has not graduated with a J.D. degree or satisfied all requirements for graduation within two years from the date that all parts of the bar examination are satisfactorily completed, the Applicant's examination scores shall be void.
- (b) If a law school was an approved law school at the time the Applicant enrolled, the law school shall be deemed an approved law school as to that Applicant for four years thereafter, regardless of its status at the date of the Applicant's graduation. If a law school was an approved law school at the time the Applicant graduated, the Applicant shall be deemed to be a graduate of an approved law school, regardless of the status of the school at the time the Applicant enrolled.

9093

- (c) If a person graduated from a law school that was not an approved law school at either the time the person enrolled or at the time the person graduated, the person is not a graduate of an approved law school even if the law school later became or becomes an approved law school.

Amend Rule V to read as follows:

- (a) No Applicant for admission to the Texas Bar shall be issued a license to practice law in Texas until such person has furnished to the Board evidence that (s)he has passed the Multistate Professional Responsibility Examination (MPRE) with a scaled score of 85.
- ~~(b) A passing MPRE score is valid for five years from the date the MPRE is taken, unless the exceptions set out in (1) or (2) below extend such score.~~
- ~~— (1) If an Applicant has a valid, passing MPRE score on the date (s)he takes the Texas Bar Examination and the Applicant passes that particular examination, the MPRE score is deemed to be valid for licensing purposes for a period of no more than two years from the date the Applicant is notified that (s)he has passed that examination.~~
- ~~— (2) If an Applicant who is eligible for admission without examination under Rule XIII(a)(1) has a valid, passing MPRE score on the date (s)he files his/her application, the MPRE is deemed to be valid for licensing purposes if the Applicant is notified that (s)he has met the requirements of Rule XIII(a)(1) and is eligible to be licensed.~~
- ~~(c) If an Applicant has a valid, passing MPRE score on the date (s)he takes the Texas Bar Examination, the MPRE score is deemed to be valid for licensing purposes if the Applicant passes that particular Texas examination, even if the five-year period set out in (b) above expires before the Texas grades are released.~~

Amend Rule VII to read as follows:

- ~~(a) The District Committee on Admissions in each Bar District in Texas, appointed by the Supreme Court in accordance with applicable law, shall aid the Board in determining the good moral character and fitness of Declarants, to the extent required by the Board.~~
- ~~(b) The Board shall provide to the Chair of each District Committee on Admissions a list of all Declarations filed by the following persons:~~
- ~~— (1) each Texas resident whose Declaration indicates that the Declarant's legal residence, prior to entering law school, was in the geographical area encompassed by such district; and~~
- ~~— (2) each person who was not a resident of Texas when (s)he entered law school, whose Declaration indicates that the Declarant entered law school in the geographical area encompassed by such district.~~
- ~~(c) Upon written request of the Chair of such District Committee, the Board shall provide a copy of any person's Declaration, together with the information received in the Board's preliminary investigation. Upon receipt of such Declaration and preliminary information, the District Committee may conduct a personal interview of the Declarant. Such personal interview shall be before not less than five (5) members of the District Committee.~~

9093

Misc. Docket No. 03 - _____

- ~~(d) The District Committee is authorized to use all reasonable means to satisfy itself that a Declarant possesses the present good moral character and fitness to practice law; provided, however, that in all cases, the District Committee shall treat Declarants uniformly and impartially.~~
- ~~(e) The District Committee, upon completion of its investigation, shall file with the Board, within sixty (60) days of its receipt of the Declaration and preliminary investigation, a written report, on forms provided by the Board, as to whether, in the opinion of the Committee, such Declarant possesses the good moral character and fitness to be a candidate for admission to the Bar.~~
- ~~(f) The Board may, during the period of the District Committee's inquiry, provide to the Committee additional information and suggestions for further investigation; may direct the District Committees to employ such practices and procedures as the Board may deem appropriate; and may require the Committee to provide to the Board such reports and information with respect to the work of the District Committee as the Board may determine necessary.~~

[Repealed effective September 1, 2003]

Amend Rule VIII to read as follows:

- (a) After completing its own investigation and ~~considering the reports, if any, received from the applicable District Committee on Admissions,~~ the Board shall thereupon determine whether, on all the documentation before it at this stage, the Board is satisfied that the Declarant possesses the good moral character and fitness necessary for admission to the Texas Bar and shall advise the Declarant accordingly, no later than the 270th day after the date the Declaration and fees were filed with the Board. If the determination is that the Declarant does not have the requisite good moral character and fitness, such notice shall include:
 - (1) a detailed analysis of the results of the investigation; and
 - (2) an objective list of actions, if any, which the Declarant may take to correct the deficiencies and become qualified for admission to the bar after passing the Texas Bar Examination.
- (b) A hearing may be set on any such preliminary negative determination, in accordance with the provisions of Rule XV.
- (c) If the Board determines that a Declarant may suffer from chemical dependency, the Board shall direct the Declarant to meet with representatives of the Lawyers Assistance Program of the State Bar of Texas or a similar program of the State Bar, and may require that the Declarant submit to a treatment facility for evaluation.
- (d) If the Board determines that a Declarant does suffer from chemical dependency, the Board shall assist the Declarant in working with the Lawyers Assistance Program of the State Bar of Texas or a similar program of the State Bar in order to address the dependency.

Amend Rule XI to read as follows:

- (a) The Supreme Court, by separate order, has established a list of the subjects for the Texas Bar Examination which shall be open to public inspection at all reasonable times.¹

¹A list of such subjects, established by the Supreme Court as of the time of publication, is included in Appendix A to these Rules. In the event the Court changes such list, the Board will provide a copy of the revised list upon request.

- (b) The Texas Bar Examination shall be given at such places as the Board may direct.
- (c) The Texas Bar Examination shall be given two times each year, beginning on the Tuesday before the last Wednesday of the months of February and July, unless the Board otherwise directs.
- (d) The approved Applicants for an examination are required to be in attendance at the time and place designated by the Board.
- (e) ~~The provisions of this subsection (e) shall apply to each Applicant who takes all portions of the Texas Bar Examination in February 1994 or thereafter.~~ The Texas Bar Examination shall last two and one-half days and shall consist of the Multistate Performance Test (MPT), given on Tuesday morning; the Procedure and Evidence Questions (P&E), given on Tuesday morning; the Multistate Bar Examination (MBE), given on Wednesday; and the Texas Essay Questions (Essays), given on Thursday. After grading the answers to the MPT, the P&E, and the Essays, the resulting raw scores on each of these portions will be scaled to the Multistate Bar Examination, using the equipercentile method. Scores on the various portions of the examination will be weighted as follows: MPT, 10%; P&E, 10%; MBE, 40%; and Essays, 40%. Applicants who earn a combined scaled score of 675 (out of a possible 1000 points) shall pass the examination.
- (f) An Applicant may take no more than five (5) examinations.
- (g) Any Applicant who has failed the examination at least two times may submit a written request, within two weeks of the release of the examination results, for a Formal Review of the Applicant's performance on the immediately preceding examination (excluding the multistate portion). Such Formal Review shall take place in Austin, Texas at a time selected by the Board and shall consist of an individual oral review of such examination papers by the examining members of the Board. Regardless of the number of examinations taken, an Applicant may receive only one Formal Review under the provisions of this paragraph, provided, however, that no Applicant may obtain both a Formal Review and Informal Review of the same examination.
- (h) Any Applicant who has failed the examination may submit a written request, within two weeks of the release of the examination results, for an Informal Review of the Applicant's performance on his/her failed parts of the immediately preceding examination (excluding the multistate portion). The form of such Informal Review shall be either oral or written, at the discretion of the examining members of the Board. An Applicant may request an Informal Review each time (s)he fails all or part of an examination.
- (i) The Board shall keep, for one year from the date of every examination, all failing parts of such examination. The Board shall not be required to keep any passing parts of any examination.

Amend Rule XII to read as follows:

- (a) The Texas Bar Examination shall be administered to all eligible Applicants in a reasonable manner, while maintaining the integrity of the examination. In each city in which an examination is administered, the Board shall provide facilities that are reasonably accessible and which enable persons having disabilities to take the examination.
- (b) Any Applicant who desires special testing accommodations based upon a disability shall submit a written request to the Board on forms designated by the Board, such request to be submitted at the same time as the Application is submitted.

- (c) A request for special testing accommodations must be accompanied by written proof evidencing the existence of the disability. Statements from licensed physicians or a professional specialist that specifically set forth the physical, mental or emotional handicap or disability and the relationship between the disability and the inability to take the examination under standard conditions shall be required. The Board may require additional information or evidence from the Applicant and may, at its option, seek professional evaluation of such data. The Applicant will be responsible for the cost of obtaining documented medical evidence and other required information.
- (d) After considering the written request of the Applicant and the evidence submitted, the Board shall determine what reasonable special testing accommodations will be granted.
- (e) Board deliberations and determinations regarding the request of an applicant for testing accommodations on the Texas Bar Examination shall be closed to the public and associated records are confidential. However, this does not limit the Board's option under (c) above to seek professional evaluation of any confidential information supplied by applicants.

Amend Rule XIII to read as follows:

- (a) An attorney holding a valid law license issued by another state shall meet the requirements imposed on any other Applicant under these Rules, unless such attorney qualifies for an exemption from a particular requirement under one of the following ~~exceptions~~ provisions:
 - (1) Such attorney is eligible for admission without examination, if the attorney:
 - (A) at the time the Texas law license is issued, meets the requirements of Rule II(a)(5);
 - (B) satisfies the Board of his/her good moral character and fitness after furnishing to the Board such evidence as the Board may require;
 - (C) has been actively and substantially engaged in the lawful practice of law in any state as his/her principal business or occupation for at least five of the last seven years immediately preceding the filing of the Application;
 - (D) has a J.D. degree from an approved law school; and
 - (E) has failed neither the last Texas Bar Examination taken in Texas, nor the last Short Form Examination taken in Texas.
 - (2) An attorney who does not meet the criteria set out above for admission without examination is eligible for admission after passing the **Texas Bar Examination**, if the attorney:
 - (A) at the time the Texas law license is issued, meets the requirements of Rule II(a)(5);
 - (B) satisfies the Board of his/her good moral character and fitness after furnishing to the Board such evidence as the Board may require;
 - (C) has been actively and substantially engaged in the lawful practice of law in any State as his/her principal business or occupation for at least three of the last five years immediately preceding the filing of the Application; **and**
 - (D) (1) holds a J.D. degree, not based on study by correspondence, from an unapproved law school **or**

- (2) holds the equivalent of a J.D. degree, not based on study by correspondence, from a law school accredited in the jurisdiction where it exists and which requires the equivalent of a three-year course of study that is the substantial equivalent of the legal education provided by an approved law school.
- (b) An Attorney holding a *valid* law license issued by a foreign nation is eligible for admission after passing the Texas Bar Examination and after meeting all other requirements for admission imposed on any other Applicant under these Rules, **except that**:
 - (1) The attorney is deemed to have fulfilled the law study requirement without the attorney holding a J.D. degree from an approved law school upon proof of active and substantial engagement in the lawful practice of law in such foreign nation as his/her principal business or occupation for at least five of the last seven years immediately preceding the filing of the application, if such attorney:
 - (A) has been licensed for at least five years to practice law in the highest court of the foreign nation;
 - (B) holds the equivalent of a J.D. degree, not based on study by correspondence, from a law school accredited in the jurisdiction where it exists and which requires the equivalent of a three-year course of study that is the substantial equivalent of the legal education provided by an approved law school; **and**
 - (C) meets one of the following criteria:
 - (i) demonstrates to the Board that the law of such foreign nation is sufficiently comparable to the law of Texas that, in the judgment of the Board, it enables the foreign attorney to become a competent attorney in Texas without additional formal legal education; **or**
 - (ii) holds an L.L.M. from an approved law school.
 - (2) The attorney is deemed to have fulfilled the law study requirement without the attorney holding a J. D. degree from an approved law school upon proof of active and substantial engagement in the lawful practice of law in such foreign nation as his/her principal business or occupation for at least three of the last five years immediately preceding the filing of the Application, if such attorney:
 - (A) has been licensed for at least three years to practice law in the highest court of the foreign nation;
 - (B) holds the equivalent of a J.D. degree, not based on study by correspondence, from a law school accredited in the jurisdiction where it exists and which requires the equivalent of a three-year course of study that is the substantial equivalent of the legal education provided by an approved law school;
 - (C) demonstrates to the Board that the law of such foreign nation is sufficiently comparable to the law of Texas that, in the judgment of the Board, it enables the foreign attorney to become a competent attorney in Texas without additional formal legal education; **and**
 - (D) holds an L.L.M. from an approved law school.
- (c) An attorney applying under this Rule XIII shall furnish to the Board such proof of his/her active and substantial engagement in the practice of law as his/her principal business as the Board may require.
 - (1) The phrase practice of law shall include:

- (A) private practice as a sole practitioner or for a law firm, legal services office, legal clinic, public agency, or similar entity;
 - (B) practice as an attorney for an individual, a corporation, partnership, trust, or other entity, with the primary duties of furnishing legal counsel and advice, drafting and interpreting legal documents and pleadings, interpreting and giving advice regarding the law, or preparing, trying or presenting cases before courts, departments of government or administrative agencies;
 - (C) practice as an attorney for local, state, or federal government, with the same primary duties described in the preceding subsection;
 - (D) employment as a judge, magistrate, referee, or similar official for the local, state, or federal government, provided that such employment is open only to licensed attorneys;
 - (E) employment as a full-time teacher of law at a law school approved by the American Bar Association;
 - (F) any combination of the preceding categories.
- (2) The requirement of active and substantial engagement in the practice of law as his/her principal business or occupation cannot be satisfied with practice by an attorney under Rule XIX.
- (d) Any attorney applying and qualifying under this Rule XIII is required to take and pass the Multistate Professional Responsibility Examination (MPRE) as required under Rule V.

Amend Rule XV to read as follows:

- (a) The Board shall set a time and place for a ~~public~~ hearing on the question of the requisite moral character and fitness of an Applicant or Declarant, under the following circumstances:
 - (1) When any Applicant or Declarant who is the subject of a preliminary negative character and fitness determination files a written request for such a hearing within thirty (30) days of his or her receipt of the Board's letter containing the notice of such determination; or
 - (2) When the Board determines that, in the interest of fairness, such a hearing is necessary regardless of whether the ~~Declarant~~ Applicant or ~~Applicant~~ Declarant files a timely request for hearing.
- (b) If there are pending proceedings involving the ~~Declarant~~ Applicant or ~~Applicant~~ Declarant, the resolution of which could impact the determination of his/her character and fitness, the Board may exercise its discretion to defer the hearing until such time as the pending proceeding is resolved.
- (c) Board hearings, deliberations, and determinations relating to the moral character and fitness of an Applicant or Declarant shall be closed to the public and records relating to these subjects are confidential. On written request of an Applicant or Declarant, however, the Applicant or Declarant is entitled to have the hearing open to persons designated by the Applicant or Declarant.
- (e d) The Applicant or Declarant shall be given reasonable notice, by registered or certified mail, return receipt requested, of the time and place of the hearing.

9093

- (d e) An Applicant or Declarant, either before or after receiving notice of a hearing, may agree to waive the hearing, stipulate to the facts regarding good moral character and fitness, and allow the Board to proceed with making a final determination as to the Applicant's moral character and fitness under these Rules. An Applicant may additionally agree to a Probationary License and to any conditions imposed by the Board to protect the public.
- (e f) At the hearing:
- (1) The Board or any opponent of approval of the moral character and fitness of the Applicant or Declarant, shall have the burden of proof and be required to present evidence that the Applicant or Declarant does not have the requisite good moral character or fitness. Upon the admission of such evidence, the burden of proof shall shift to the Applicant or Declarant to show that the Applicant possesses good moral character and fitness as defined in these Rules. However, in a redetermination hearing on a Probationary License, the burden of proof shall be on the Probationary Licensee to demonstrate that (s)he has complied with the conditions of the Probationary License.
 - (2) The Applicant or Declarant shall be given the opportunity to be present in person and by attorney, to present evidence, to confront and to cross-examine adverse witnesses, and to present argument to the Board on the issues of law and fact; provided, however, that evidence otherwise inadmissible may be admitted if the evidence is of a type on which a reasonably prudent person commonly relies in the conduct of the person's affairs.
 - (3) Evidence and argument for or against the ~~Declarant~~ Applicant or ~~Applicant~~ Declarant may be presented by the Board or any other interested party.
- (f g) In connection with hearings conducted under this Rule, the Board shall have the authority to administer oaths, issue subpoenas, take depositions, and employ court reporters.
- (g h) After the hearing, in closed deliberations, the Board may:
- (1) determine that an Applicant or Declarant has the requisite present good moral character and fitness and, in the case of an Applicant, should be recommended for admission to the Texas Bar;
 - (2) determine that a Declarant should be granted conditional approval of his or her present good moral character and fitness and be required to meet such conditions as the Board deems appropriate;
 - (3) determine that an Applicant should be granted conditional approval of his or her present good moral character and fitness and be recommended for a Probationary License subject to the terms of Rule XVI, after meeting all other requirements of these Rules;
 - (4) determine that an Applicant or Declarant does not possess the requisite present good moral character and fitness required for admission to the Texas Bar; or
 - (5) defer a decision until such time as the Board has the opportunity to consider further information, evaluations, or documentation as deemed necessary by the Board;
 - (6) in the case of either a temporary or probationary license, recommend to the Supreme Court that the license should be renewed in its present form, renewed

9093

with additional or amended conditions, or revoked and no regular license be issued.

(~~h~~ i) Within a reasonable period of time after the decision is made, the Board shall furnish to the Applicant or Declarant a written order setting forth the decision of the Board. If the decision is adverse, such order shall specify the bases of the Board's determination and shall include an objective list of actions, if any, the Applicant or Declarant may take to become qualified for a license to practice law in Texas. Any such order containing a determination that the Applicant or Declarant suffers from chemical dependency shall include provisions setting out the rights under Section 82.038, Texas Government Code.

(~~i~~ j) An individual who has been the subject of a Board order containing a negative character and fitness determination may petition the Board in writing for a redetermination hearing subject to the provisions of Rule XV herein on the issue of character and fitness, as follows:

(1) No petition for redetermination may be filed earlier than the date specified in the Board's order (or if none, then no earlier than twelve months from the date of the hearing), nor more often than once every twelve months.

(2) Such individual shall have the burden of proof as to rehabilitation and the possession of present good moral character and fitness.

(3) Such individual shall complete and file with the Board a Supplemental Investigation Form and pay the requisite fees therefore within thirty (30) days of the filing of the redetermination petition.

(4) This subsection (~~h~~ j) shall not apply to character and fitness redeterminations in Probationary License cases, which are governed under the provisions of Rule XVI.

(~~j~~ k) The following provisions shall govern judicial review of the Board's decisions:

(1) The affected Applicant or Declarant shall institute, in the district courts of Travis County, Texas proceedings for review of such decision within sixty (60) days after the date the written decision is mailed to the Applicant.

(2) The petition for review shall name the Board as defendant and shall be served on the Executive Director of the Board.

(3) After service of such petition, and within the time permitted for filing an answer, the Board shall file with the district court a certified copy of the record of the Board's proceedings.

(4) The review of the Board's decision shall be tried by the court without a jury.

(5) The court shall determine from the certified record on file whether or not the Board's decision is reasonably supported by substantial evidence. The reviewing court may affirm the action complained of or remand the matter to the Board for further proceedings.

(6) Appeals from any final judgment of the court may be taken by either party in the manner provided for in civil actions generally, but no appeal bond shall be required of the Board.

(~~k~~ l) The Board shall have the authority to adopt such other rules of procedure for hearings, not inconsistent with these Rules, as the Board deems necessary or appropriate to implement these Rules.

(~~l~~ m) The Board may assess costs against any ~~Declarant~~ Applicant or Applicant ~~Declarant~~ who has been sent reasonable notice of a hearing before the Board and who does not appear.

9093

Misc. Docket No. 03 - _____

Amend Rule XVIII to read as follows:

(a) The following provisions shall govern the fees charged by the Board:

FEES RELATING TO DECLARATIONS

Declaration Investigation Fee	\$150
Fingerprint Card Processing Fee ²	<u>\$ 40</u>
	\$190
Late Filing Fee	\$150
Fee for Check Returned for Insufficient Funds.....	\$ 25

FEES RELATING TO ELIGIBILITY & EXAMINATIONS

Texas law student:

\$150	Application Fee
75	Examination Fee
<u>75</u>	Investigation Fee
\$300	

Out-of-state law student:

\$ 150	Application Fee
40	Fingerprint Card Processing Fee ³
75	Examination Fee
<u>150</u>	Investigation Fee
\$ 415	

Attorneys licensed in another state:

\$ 700	Application Fee
40	Fingerprint Card Processing Fee ²
150	Examination Fee
<u>150</u>	Investigation Fee
\$ 1,040	

Attorneys qualified for admission without examination under Rule XIII:

\$ 700	Application Fee
40	Fingerprint Card Processing Fee ²
<u>150</u>	Investigation Fee
\$ 890	

²⁴ ~~This fee shall be effective with Declarations filed on or after September 1, 2002.~~

³² ~~This fee shall be effective with Applications filed on or after September 1, 2002.~~

Foreign nation attorney:

\$ 700	Application Fee
40	Fingerprint Card Processing Fee ²
150	Examination Fee
150	Investigation Fee
<u>100</u>	Foreign Nation Inquiry Fee
\$ 1,140	

Foreign Legal Consultant:

\$ 700	Application Fee
40	Fingerprint Card Processing Fee ²
150	Investigation Fee
<u>100</u>	Foreign Nation Inquiry Fee
\$ 990	

Foreign Legal Consultant Re-Application Fee:

\$ 150	Re-Application Fee
<u>150</u>	Supplemental Investigation Fee (every second renewal year only)
\$ 300	(\$150 in alternate years)

Supplemental Investigation (S.I.) Fee (as required under Rule IX)	\$150
Fingerprint Card Processing Fee ⁴	<u>\$ 40</u>
	\$190

Miscellaneous Fees:

Late Filing Fee	\$150
Re-Application Fee	\$150
Investigation on Re-Application.....	\$150
Fee for Check Returned for Insufficient Funds	\$ 25
MBE Transfer Fee	\$ 25
Application Deposit Fee ^{5 1}	\$ 30
Incompleteness Fee ^{6 2}	\$ 75
Examination Typing Fee	\$ 50

(b) No refund or transfer of fees will be made in the event of the withdrawal of any Declaration or Application, nor in the event a determination is made by the Board that the Applicant or Declarant does not meet the requirements imposed under these Rules.

⁴³ ~~This fee shall be effective with Supplemental Investigations filed on or after September 1, 2002.~~

^{54 1} One deposit fee shall be credited toward the filing fee if the application is filed within one (1) year of the date the deposit is received.

^{65 2} This fee shall be imposed when a document (Declaration, Application, etc.) is received, for the second and subsequent times, which is determined to be incomplete (e.g., unanswered questions, not signed, not notarized, incorrect fees, etc.).

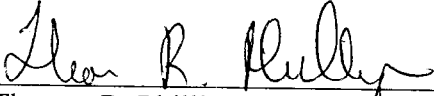
9093

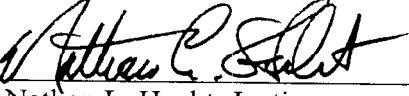
Misc. Docket No. 03 - _____

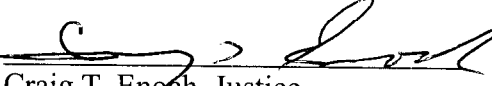
- (c) Any fee required under these Rules may be waived or lowered by the Board upon written request and proof of ~~indigency~~ indigence.

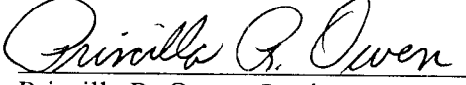
IT IS FURTHER ORDERED THAT this order shall be effective immediately.

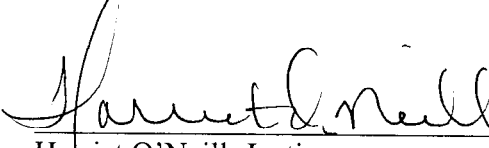
SIGNED AND ENTERED this 9th day of July, 2003.

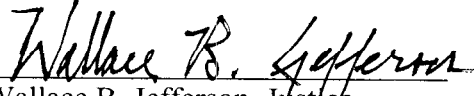

Thomas R. Phillips, Chief Justice


Nathan L. Hecht, Justice


Craig T. Enoch, Justice

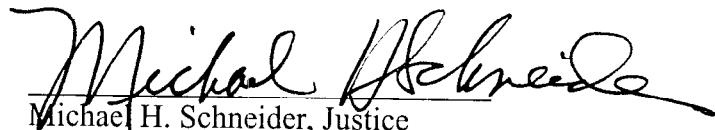

Priscilla R. Owen, Justice

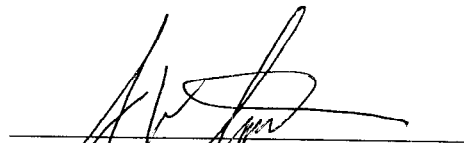

Harriet O'Neill, Justice

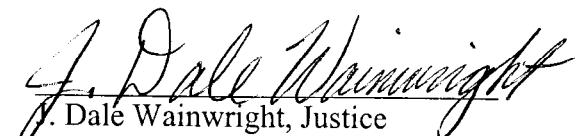

Wallace B. Jefferson, Justice

9093

Misc. Docket No. 03 - _____


Michael H. Schneider, Justice


Steven W. Smith, Justice


J. Dale Wainwright, Justice