

THE LOUISIANA BAR ADMISSIONS PROCESS

Preface

- ❑ **Each state or US territory has its own requirements.**
- ❑ **Check NCBE website for links to each state's bar admissions office.**
- ❑ **This presentation speaks to the process in Louisiana which is similar to that in many other jurisdictions.**

The Law

3

- The LAW governing the bar admissions process is Louisiana Supreme Court Rule XVII.
- As your first step in seeking admission in any jurisdiction, you should READ and FOLLOW the law governing bar admissions.

The Committee

4

- **The Committee on Bar Admissions is comprised of 15 members of the bar appointed by the Louisiana Supreme Court to carry out part of the court's constitutional duty to regulate lawyers.**
- **The Committee reports to the Supreme Court.**

Duties of the Committee

Duties of the Committee: (La. Sup. Ct. Rule XVII, Sec. 2)

The Committee shall:

- ❑ Receive and review applications for admission to the Bar
- ❑ Inquire into the qualifications of applicants, including whether each applicant possesses the good moral character and fitness required to practice law in this state (“character and fitness screening process”)
- ❑ Conduct regular written examinations, at least twice per year.
- ❑ Report to the Court the names who have met the requirements.

Character and Fitness

6

The purpose of the character and fitness screening process is set forth in La. Sup. Ct. Rule XVII, Sec. 5: . . . **to assure the protection of the public and to safeguard the administration of justice.**

Investigation

7

- As part of the screening process, the Committee requires applicants to submit a Request for Preparation of Character Report (aka Character and Fitness Application) to the NCBE (National Conference of Bar Examiners).
- The NCBE conducts the initial investigation based on responses provided by an applicant on his or her C&F Application.
- The Committee may conduct additional investigation.

Committee Determination

- Based on the results of the investigation, the Committee makes a determination as to whether an applicant has shown the requisite character and fitness for admission.

Failure to Meet Requirements

- If the Committee determines that an applicant lacks the requisite character and fitness, it will not certify the applicant to the Court for admission.
- The applicant may seek relief from the Court.
- The Court may appoint a Commissioner to conduct a hearing and make a recommendation or it may issue an immediate ruling.

Good Moral Character and Fitness; Definitions

10

- **“Good moral character”** includes, but is not limited to, the qualities of honesty, fairness, candor, trustworthiness, observances of fiduciary responsibility and of the laws of the State of Louisiana and of the United States of America, and a respect for the rights of other persons.
- **“Fitness”** includes, but is not limited to, the mental or emotional suitability of the applicant to practice law in this state.

Categories of Suspect Conduct

The categories of conduct that are pertinent to the character and fitness inquiry can be generally categorized as:

- ❑ academic, employment, professional, military or criminal misconduct;
- ❑ abuse of the legal process or failure to comply with legal obligations;
- ❑ fraud, deceit, dishonesty or misrepresentation;
- ❑ mental illness, impairment or substance abuse.

The Big Four

12

- **Criminal Conduct (including DWI's)**
- **Financial Irresponsibility (excessive, unaddressed debt)**
- **Substance Abuse**
- **Mental Illness**

Other Possible Pitfalls:

13

Candor in the Application Process; (La. Sup. Ct. Rule XVII, Sec. 4(G))

- ❑ Lack of candor during the application process may be independent grounds for a finding of lack of good moral character by the Committee and refusal to certify the applicant to the Court for admission. . . .
- ❑ Applicants shall provide complete and candid responses to all inquiries, whether on the Bar Examination Application, the NCBE's Request for the Preparation of a Character Report or Supplemental Report, or as part of any investigation, inquiry or proceeding.

Cooperation

14

Cooperation; (La. Sup. Ct. Rule XVII, Sec. 5(I))

An applicant whose character and fitness is under investigation shall cooperate with the investigation. An applicant who fails to cooperate in the investigation may be denied admission due to his or her lack of cooperation.

The Application Process

15

(La. Sup. Ct. Rule XVII, Sec. 4)

The Written Exam consists of two parts:

- The nine subject essay exam (Part 1)
and
- The MPRE (Part 2)
(Multistate Professional Responsibility Exam)

Two Part Application

16

An applicant must apply to sit for the written exam (Part 1) by filing:

- a **Bar Examination Application** with the Committee
- AND**
- a **Request for Preparation of Character Report with the NCBE.**

Law Student Registration Program

17

Available to 2nd year law students in the fall semester.

Students who attend law school in Louisiana “shall participate in the Law Student Registration Program.”

Purpose

The purpose of the Law Student Registration Program is to allow a student to get started early with the C&F screening process so that if any problems are discovered or disclosed, the applicant may have time to address these problems prior to the time he or she applies to sit for the bar examination. Waiting until third year to start the process could mean that the applicant must address the C&F inquiry while also trying to prepare for the bar examination.

Dates: Law Student Registration

19

No later than **October 1st** of the fall semester of the second academic year of law school, students shall file a

- **Law Student Registration** form with the **Committee**
and
- **Request for Preparation of Character Report** with the **NCBE**.

Law Student Registration opens on August 1 and closes on Oct.1 (received by).

Filing Deadlines: Law Student Registration

20

No later than **October 1st** of the fall semester of the second academic year of law school, students shall file a

- **Law Student Registration** form with the **Committee**
and
- **Request for Preparation of Character Report** with the **NCBE**.

Law Student Registration opens on August 1 and closes on Oct.1 (received by).

“Received by”

21

Rule XVII requires that registration forms, applications, requests for character reports be:

“RECEIVED BY”

the Committee and the NCBE by the deadline dates.

Law Student Registrants: Time to sit for the Bar

22

When it is time for a Law Student Registrant to apply to sit for the bar examination (a few months prior to the exam), he or she must submit a:

- a **BAR EXAMINATION APPLICATION** with the Committee. (This is different than Law Student Registration!)

AND

- a **Supplemental** Request for the Preparation of Character Report with the NCBE.

Supplemental Investigation

23

The NCBE picks up its “supplemental” investigation where it left off when the applicant registered as a law student.

First Time Applicants

- **Those applicants who do not register as law students** must file a Bar Examination Application with the Committee and a Request for Preparation of a Character Report with the NCBE at the time they wish to sit for the written exam.
- First Time Applicants do not get the “head start” available to Law Student Registrants.
- If they could have registered as law students, they will also be penalized with a \$200 “late law student fee.”

Filing Deadlines

25

The **filing deadlines** for the **bar examination application** and either the **supplemental or first time NCBE C&F applications** are:

Examination date	Filing Deadline	Late Filing Period	Reapplication Deadline
February Exam	November 1	November 2 - December 15	December 15
July Exam	February 1	February 2 – May 15	May 15

Other Requirements and Deadlines

During the application process you will be notified of other requirements and deadline dates (such as Laptop Registration, ADA Accommodations requests, and the like). **Pay attention to these requirements and deadlines.** Failure to comply may result in your being prohibited from using your laptop computer, denial of ADA accommodations, etc.

Communications

27

- The Committee may communicate with applicants via U.S. mail or e-mail message.
- Be sure to keep your e-mail address and mailing address current with the Committee. Report all address changes in writing (preferably by e-mail message).
- The Committee posts important information on

www.lascba.org

Fees

28

Make yourself familiar with the fees set forth in LA Sup. Ct. Rule XVII, Appendix:

- I. Bar Examination Application Fee \$550.
- II. Law Student Registration Fee \$25.
- III. Any and all fees assessed by the National Conference of Bar Examiners.
- IV. Late Filing Fee \$750.
- V. Late Law Student Application Fee bar applicants who were enrolled in one of the ABA accredited law schools in this state, and who could have, but did not, participate in the Law Student Registration Program \$200.
- VI. Laptop fees (\$105).

The Penalties

Bar exam fees are set forth by law in the appendix of Rule XVII. Be advised that

- If you do not file as a law student and you are eligible to do so, you will be penalized \$200.**
- If you file late when it comes time to file your bar examination application you will be penalized \$750.**

Fees are Non-Refundable

30

All fees are non-refundable and non-transferable except that a member of the military who is called to service after submitting fees may request a refund.

NCBE Fees

31

I: LAW STUDENT REGISTRANT	\$150
II: FIRST BAR ADMISSION <u>OR</u>	\$225
III: ATTORNEY/BAR ADMISSION	\$300
IV: FOREIGN	\$600

NCBE Supplemental Report

32

A character report previously prepared by NCBE be supplemented. NCBE will investigate the period from the completion of the original NCBE report to the present, including attempting to contact references

- **V(a): SUPPLEMENTAL REPORT * \$150**
Made previous application to a jurisdiction for which NCBE prepared the original report.
- **V(b): SUPPLEMENTAL REPORT * \$75**
This report is for the same jurisdiction for which NCBE prepared the original Law Student Registrant report.
- **V(c): SUPPLEMENTAL REPORT \$225**
The original NCBE report was processed as a Category IV Foreign report.