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i. An applicant must pass a professional responsibility examination, which shall be the Multistate Professional Responsibility Examination prepared by the National Conference of Bar Examiners or an alternate professional responsibility examination, as deemed appropriate by the Court. An applicant seeking to take the Multistate Professional Responsibility Examination shall file an application directly with, and pay the fees specified by, the National Conference of Bar Examiners.

ii. The Court shall establish the minimum acceptable score for the Multistate Professional Responsibility Examination.

iii. An applicant must submit proof satisfactory to the Committee on Examinations that the applicant has taken the Multistate Professional Responsibility Examination and receive a minimum acceptable score within 8 years of a successful Bar Exam or within the time frame for taking the oath of admission after the successful Bar Exam to have the applicant's score accepted by the Committee on Examinations.

2. An applicant may be allowed to sit for the Bar Exam prior to the award of a juris doctor degree if the applicant:

- A. [No change]
- B. is expected to graduate with a juris doctor degree within 120 days of the first day of early exam administration;
- C. has satisfied all requirements for graduation with a juris doctor except for not more than 8 semester hours or its

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equivalent in quarter hours at the time of early exam administration;

D. will not be enrolled in more than two semester hours or its equivalent in quarter hours during the month of early bar examination testing and the immediately preceding month;

E. through F. [No change]

No applicant shall be recommended to practice law until graduation or satisfaction of all requirements for graduation, and completion of all requirements for admission to the practice of law under these rules. If an applicant under this subsection has not graduated with a juris doctor within 120 days of the first day of early exam administration, all parts of the Bar Exam, including the score, are void and the applicant's examination scores shall not be disclosed for any purpose. Scores may not be released until such time as satisfactory proof of award of juris doctor, as determined by the Court, is provided to the Committee. An early examination which is voided shall count as an Attempt under Rule 35(a)(3).

At the completion of the juris doctor requirements and within 60 days after graduation, the applicant must cause his or her law school, dean, or registrar to submit to the Committee on Character and Fitness proof of graduation, showing his or her juris doctor was conferred within 120 days of the first day of early exam administration. Failure to complete the course of study within 120 days of the examination and provide evidence of graduation within an additional 60 days shall render the applicant's score void.

1 3. All applicants who received a passing grade on the Bar Exam and
2 who are found to be otherwise qualified under these rules shall be
3 recommended for admission to the practice of law.

4 4. The Committee on Character and Fitness shall endeavor to
5 complete its inquiries, some or all of which may be delegated to the
6 National Conference of Bar Examiners, to be in a position to recommend for
7 or against a successful examinee's admission to the practice of law no later
8 than the time the results of the Bar Exam are available for examination
9 applicants. This time limitation is aspirational only, and may be extended
10 for further inquiry and formulation of a recommendation when the
11 circumstances of a case so require.

12 **(c) Application and Character Report Materials.** Any person desiring to be
13 admitted to the practice of law in the State of Arizona must submit to the
14 Committee on Character and Fitness an application in the form supplied by
15 the Committee. The application for admission must be accompanied by
16 required supporting documents and application fee.

17 1. The Bar Exam applicant shall also complete and submit a character
18 report accompanied by a character investigation fee as established by the
19 Court. For Bar Exam applicants only, the character report and related fee
20 may be submitted separately from the application for admission.

21 2. An applicant for admission under Rules 34(e) or 34(g) shall submit
22 character investigation materials together with the application.

(d) Documents Required in Support of Application. The following must
accompany every application:

 1. through 2. [No change]

 3. a full-face image of the applicant in a format as established by the
Court; and

1 4. a complete set of the applicant's fingerprints. The Committee on
2 Character and Fitness is authorized to receive criminal history information
3 regarding any applicant for admission from any law enforcement agency in
4 conjunction with the admissions process. If after two attempts, the FBI
5 determines the fingerprints provided are not readable, the applicant must
6 submit a written statement, under oath, that the applicant has not been
7 arrested, charged, indicted, convicted of or pled guilty to any felony or
8 misdemeanor, other than as disclosed on the application.

7 **(e) Admission on Motion.**

8 1. An applicant who meets the requirements of (A) through (G) of this
9 paragraph (e)(1) may, upon motion, be admitted to the practice of law in
10 this jurisdiction.

11 The applicant shall:

12 A. either (i) have been admitted by bar examination to practice
13 law in another jurisdiction allowing for admission of Arizona
14 lawyers on a basis equivalent to this rule and primarily engaged
15 in the active practice of law in one or more state(s) territories or
16 the District of Columbia for 3 of the 5 years immediately
17 preceding the date upon which the application was filed, or (ii)
18 have been admitted by bar examination to practice law in
19 another jurisdiction that does not allow for admission of
20 Arizona lawyers on a basis equivalent to this rule and thereafter
21 were admitted to and primarily engaged in the active practice of
22 law in another jurisdiction allowing admission of Arizona
lawyers on a basis equivalent to this rule for 3 of the 5 years
immediately preceding the date upon which the application is
filed;

B. through G. [No change]

1 2. For the purposes of this rule, the “active practice of law” shall
2 include the following activities, if performed in a jurisdiction in which the
3 applicant is admitted, or if performed in a jurisdiction that permits such
4 activity by a lawyer not admitted to practice; however, in no event shall any
5 activities that were performed in advance of bar admission in some state,
6 territory or the District of Columbia be accepted toward the durational
7 requirement:

8 A. through F. [No change]

9 G. service as corporate counsel in Arizona while registered
10 pursuant to Rule 38(a). Active practice performed within
11 Arizona pursuant to Rule 38(a) may be applied to meet active
12 practice requirements found in Rule 34 (e)(1)(A)(ii) provided all
13 other requirements of Rule 34(e) are met.

14 3. [No change]

15 4. An applicant shall not be eligible for admission on motion if within
16 3 years of filing the application the applicant has either 1) failed the Bar
17 Exam, or 2) passed another jurisdiction’s bar examination accepted by the
18 Court, but failed to achieve the minimum passing score deemed acceptable
19 by the Court.

20 5. [No change]

21 **(f) Admission on Motion Application Filing; Fees.** Any applicant seeking
22 admission on motion to the practice of law in Arizona must meet the
requirements of paragraph (e) of this rule and:

 1. through 3. [No change]

(g) Admission by Transfer of Bar Examination Score.

 1. An applicant who has taken another jurisdiction’s bar examination
that is deemed acceptable by the Court and who meets the requirements of

1 (A) through (G) of this paragraph (g)(1) may be admitted to the practice of
2 law in this jurisdiction. Admission under this Rule 34(g) must be
3 accomplished through score transfer from another jurisdiction's bar
4 examination or other test of minimum competency deemed acceptable by
the Court.

5 The applicant shall:

6 A. have achieved a score on another jurisdiction's bar
7 examination that is equal to or greater than the minimum
8 acceptable score established by the Court and that was earned
9 within 5 years prior to the applicant's taking the oath of
admission and being admitted to the practice of law in Arizona;

10 B. [No change]

11 C. submit evidence of a passing score on the Multistate
12 Professional Responsibility Examination as it is established in
13 this jurisdiction, earned within 8 years of the date of application
14 or within the time frame for taking the oath of admission after
the successful bar examination in order to have the applicant's
score accepted by the Committee on Examinations;

15 D. through F. [No change]

16 G. submit evidence of successful completion of the course on
17 Arizona law described in paragraph (i) of this rule.

18 2. For the purpose of paragraph (g)(1)(a) of this rule, a score is
19 considered to have been earned on the date of administration of the other
20 jurisdiction's bar examination that resulted in the score.

21 3. An applicant who failed to earn the minimum acceptable score
22 established by the Court within 4 attempts, regardless of where the bar

1 examination was taken, shall not be eligible for admission by transfer of bar
2 examination score under this paragraph.

3 4. Before being admitted under this Rule 34(g), the applicant must
4 complete a course on Arizona law, the content and method of delivery of
5 which shall be approved by the Supreme Court.

6 **(h) Admission by Transfer of Bar Examination Score Application Filing;**
7 **Fees.** Any applicant seeking admission to the practice of law under Rule
8 34(g) shall:

9 1. file an application for admission by transfer of bar examination
10 score, including character investigation information, in a manner
11 established by the Court, including all required supporting documents, and

12 2. [No change]

13 **(i) Completion of Course on Arizona Law.** Before being admitted,
14 applicants applying to practice law in Arizona under Rules 34(e), 34(g), or
15 35 must complete a course on Arizona law, the content and delivery of
16 which shall be approved by the Supreme Court.

17 **(j) Deficiency in Character Report Materials.** [No other changes]

18 **(k) Failure to Meet Standards; Effect on Time for Reapplication.** If the
19 Committee or the Court has denied an applicant admission to the practice
20 of law by reason of the failure to meet the standards required by paragraph
21 (b) of this rule, such applicant may not reapply for a period of 5 years from
22 the date of denial of admission, unless the Committee or the Court orders
otherwise.

(l) Completion of Professionalism Course.

1. [No change]

1 2. *Summary Suspension.* A new admittee who fails to comply with the
2 requirements of paragraph (l)(1) of this rule shall be summarily suspended
3 from the practice of law in Arizona, upon motion of the state bar pursuant
4 to Rule 62, provided that a notice by certified, return receipt mail of such
5 non-compliance shall have been sent to the member, mailed to the
6 member's last address of record in the state bar office at least 30 days prior
7 to such suspension, but may be reinstated in accordance with these rules.

8 **Rule 35. Bar Examination**

9 **(a) Definitions.**

- 10 1. **Bar Exam.** "Bar Exam" means a test of minimum competency
11 accepted by the Court to meet a requirement of admission to the
12 practice of law in Arizona.
- 13 2. **Permission to Write.** "Permission to Write" means the Committee
14 on Examinations' approval to take a Bar Exam after four or more
15 Attempts that fail to meet Arizona's passing score.
- 16 3. **Attempt.** An "Attempt" means any bar examination, from any
17 jurisdiction, in which the applicant has sat for any portion of the
18 exam.

19 **(b) Bar Exam Source and Content.**

20 The Court will establish by administrative order the identity, source,
21 content, scope, and scoring of the Bar Exam.

22 **(c) Bar Exam Application.**

- 23 1. The Court will publish on its website the eligibility requirements,
24 application requirements including fees and supporting
25 documents, code of conduct, and deadlines relating to the Bar
26 Exam.
- 27 2. Late fees will be established by the Court and assessed for
28 applications submitted after the initial filing deadline but within

- 1 the late filing deadline.
- 2 3. No Bar Exam application, fees, or supporting materials will be
- 3 accepted after the late filing deadline.
- 4 4. An applicant who meets all application requirements will be
- 5 certified to sit for the Bar Exam. The applicant will be notified of
- 6 the certification.
- 7 5. If the Committee on Examinations or its designee find that a Bar
- 8 Exam application or supporting materials are deficient, the
- 9 applicant will be notified of the deficiency. The applicant may cure
- 10 the deficiency until the late application deadline. Late fees will
- 11 apply if the deficiency is not cured within the initial filing
- 12 deadline. If the deficiency is not cured by the late filing deadline,
- 13 the application will be withdrawn and the applicant will be
- 14 notified.
- 15 6. A lack of good standing in any jurisdiction solely because of
- 16 unpaid mandatory fees or incomplete mandatory continuing legal
- 17 education requirements does not preclude an applicant from being
- 18 certified to sit for the Bar Exam.

19 **(d) Bar Exam Fees.** The Court will establish by administrative order the

20 fees required to take the Bar Exam. Bar Exam fees must be paid at the

21 time of application to take a Bar Exam. Bar Exam fees are non-

22 refundable after the initial filing deadline, even if the application is

involuntary withdrawn due to deficiency or denial of Permission to Write.

(e) Bar Exam Dates and Places. The Committee on Examinations will

administer the Bar Exam periodically. The Court will publish on its

website the date and place of the Bar Exam at least 2 weeks before the

start of each administration.

(f) Bar Exam Grading.

1. The Committee on Examinations will grade the written portions of
- the Bar Exam according to generally applicable principles of law.

1 2. The Court will establish by administrative order the minimum
2 passing score of the Bar Exam.

3 3. An applicant's Bar Exam result will be communicated to the
4 applicant.

5 4. An applicant's Bar Exam scores will not be disclosed to the
6 public. The Court is authorized to:

7 A. announce to the public the names of the applicants who have
8 met the minimum passing score of the Bar Exam;

9 B. release to the public statistical results of the Bar Exam;

10 C. report to the applicant's law school the applicant's
11 number of Attempts and status as passed, failed,
12 withdrawn, embargoed, or canceled;

13 D. report to the applicant's law school detailed
14 information about the applicant's performance on
15 each section of the Bar Exam, including each
16 section's median and standard deviation; this
17 information will be kept confidential and may be
18 used solely for scholarly research by the applicant's
19 law school and for monitoring and improving the
20 school's educational and student support programs;
21 and

22 E. upon an applicant's request, certify an applicant's
Bar Exam score to another jurisdiction to which the
applicant seeks admission.

(g) Later Examinations.

1. Except as limited by Rule 35(g)(3), an applicant who fails the Bar Exam may apply to retake the Bar Exam.

2. An applicant who fails the Bar Exam and wants to sit for the next Bar Exam must submit a complete Bar Exam retake application,

1 fees, and supporting materials by the late filing deadline or within
2 20 days of being notified of the failure to pass, whichever occurs
3 later.

4 3. An applicant who has made four or more Attempts must request
5 permission from the Committee on Examinations before sitting for
6 a later Bar Exam. Permission to Write will be granted only if the
7 Committee on Examinations determines that the applicant
8 demonstrates a reasonable likelihood of passing the Bar Exam. To
9 request Permission to Write, the applicant must submit with the
10 Bar Exam application a statement including:

- 11 A. a list of any prior Attempt, withdrawal, or failure to
12 appear, including the jurisdiction, month and year, and the
13 score for each Attempt;
- 14 B. a list of all prior MPREs, if any, and the score for each
15 MPRE;
- 16 C. a detailed description of how the applicant prepared for
17 each Attempt in the past;
- 18 D. a detailed description of how the applicant is preparing for
19 the requested Bar Exam and how this preparation differs
20 from the applicant's preparation for prior Attempts;
- 21 E. a detailed description of why the applicant believes
22 Permission to Write will result in a passing score; and
- 23 F. if applicable, a detailed description of other good cause or
24 change in circumstances that the applicant believes is
25 relevant to the Committee on Examinations' consideration.

The Committee on Examinations may request additional
information or supporting documentation.

(h) Bar Exam Accommodations.

1. **Disability Accommodation.** An applicant may apply for Bar Exam

1 disability accommodation within the deadlines established by the
2 Court and published on its website.

3 A. An application for disability accommodation must include
4 all forms and supporting documents as required and
published by the Court on its website.

5 B. An applicant requesting accommodation for a disability
6 must demonstrate a disability and that the accommodation
7 requested is reasonable, appropriate, consistent with the
nature and purpose of the examination, and necessitated by
8 the applicant's disability.

9 C. The Committee on Examinations or its designee may
10 request additional information or supporting
11 documentation. Failure to timely provide this additional
information may result in the denial of an accommodation
request.

12 D. The Committee on Examinations may grant, deny, or
13 modify the requested accommodation.

14 E. The Committee on Examinations will determine the scope
and duration of an accommodation.

15 **2. Non-Disability Medical Accommodation.** An applicant may apply
16 for Bar Exam accommodation for other health needs within the
deadlines established by the Court and published on its website.

17 A. An application for non-disability accommodation must
18 include all forms and supporting documents as required
and published by the Court on its website.

19 B. The Committee on Examinations or its designee may
20 request additional information or supporting
21 documentation. Failure to timely provide this additional
22 information may result in the denial of an accommodation
request.

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C. The Committee on Examinations or its designee may grant, deny, or modify the requested accommodation.

D. Non-disability accommodation will generally be granted only for a single administration of the Bar Exam unless otherwise determined by the Committee on Examinations or its designee.

(i) Bar Exam Conduct.

1. Code of Conduct.

A. An applicant must not falsify or misrepresent information required to sit for the Bar Exam, impersonate another applicant, or allow an impersonator to take the Bar Exam on their behalf.

B. An applicant must not bring any prohibited item into the examination building. A list of prohibited items will be published on the Court's website.

C. An applicant must not create or review notes in the examination building before beginning any session of the Bar Exam.

D. An applicant must not create a disruption or disturbance in the examination building.

E. An applicant must not give or receive help answering questions from any other applicant or source during the Bar Exam.

F. An applicant must not copy answers from or share answers with another applicant.

G. An applicant must stop testing, and must not type, write, erase, delete, or alter any answer, after testing time expires.

H. An applicant must not remove any Bar Exam material, data, or information from the examination room.

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I. An applicant must not disclose any part of any Bar Exam question or answer to any person or in any public forum until after the questions have been publicly released by the Court or the source of the Bar Exam.

2. **Enforceability.** The Committee on Examinations or its designee may investigate and adjudicate any suspected violation of the code of conduct.

A. The Committee on Examinations, by majority vote, may take the following actions for any suspected violation of the code of conduct:

- i. Expelling an applicant from the Bar Exam.
- ii. Temporarily withholding an applicant's Bar Exam score.
- iii. Reporting the conduct to the Committee on Character & Fitness.

B. Following a Rule 35(i)(4) hearing, the Committee on Examinations may sanction any violation of the code of conduct by the following actions:

- i. Cancelling an applicant's Bar Exam score.
- ii. Reporting an applicant's conduct to the applicant's law school and any other jurisdiction to which the applicant seeks admission.
- iii. Precluding an applicant from sitting for the Bar Exam in Arizona for up to 5 years.
- iv. Imposing a monetary sanction for the costs and expenses associated with Rule 35(i)(4) proceedings.

3. **Discipline by Consent.** The Committee on Examinations may offer an applicant suspected of violating the code of conduct a consent agreement for discipline. An applicant who consents to discipline

1 for a suspected violation of the code of conduct waives the rights
2 provided by Rule 35(i)(4) and Rule 35(j).

3 4. **Hearings.** Before imposing any sanction set forth in Rule
4 35(i)(2)(B), the Committee on Examinations or its designee must
5 hold a hearing to determine whether an applicant violated the code
6 of conduct.

7 A. **Notice.** The Committee on Examinations or its designee
8 must notify the applicant of the hearing, specifying:

- 9 i. The time, place, and nature of the hearing;
- 10 ii. The legal authority and jurisdiction of the hearing;
- 11 iii. A short and plain statement as to the subject,
12 allegation, and purpose of the hearing;
- 13 iv. That the applicant may be represented by an
14 attorney and afforded an opportunity to respond,
15 present evidence, and cross-examine witnesses.
- 16 v. That the Committee on Examinations or its designee
17 has the burden of proving, by clear and convincing
18 evidence, that the applicant violated the code of
19 conduct.

20 B. **Disclosure.** 20 days before the hearing, or otherwise as
21 agreed by the parties, the Committee on Examinations and
22 the applicant will simultaneously disclose documents,
witnesses, and other information to be used at the hearing.
The Chair may permit untimely disclosed information to be
admitted at the hearing for good cause.

C. **Hearing Panel.** The panel must consist of 5 members
including the Chair of the Committee on Examinations or
their designee, and may include members of the Committee
on Character & Fitness. The Chair of the Committee on
Examinations or their designee will preside over the hearing.

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D. Conduct of Hearings. Each side may submit evidence and examine witnesses. The hearing will be recorded and may be conducted without adherence to the Arizona Rules of Evidence. Neither the manner of conducting the hearing nor the failure to adhere to the Rules of Evidence will be grounds for reversing any decision by the panel provided the evidence supporting the decision is substantial, reliable, and probative.

E. Burden of Proof. The Committee on Examinations or its designee has the burden of proving, by clear and convincing evidence, that the applicant violated the code of conduct.

F. Default Proceedings. If the applicant fails to appear for a hearing, the Committee on Examinations may summarily enter evidence, deem the allegations admitted, and enter sanctions by default.

G. Decision. The panel’s decision requires the concurrence of a majority of panel members and must be in writing. If the panel finds a violation of the code of conduct, the panel’s decision must include written findings of fact and recommendations to the Committee on Examinations.

H. Notice to Applicant. The panel’s final decision must be mailed to the applicant’s last known address, and a copy must be provided to the applicant’s attorney of record, if applicable.

(j) Review by the Court.

1. Petition for Review. An applicant aggrieved by any decision of the Committee on Examinations may, within 20 days after the applicant was notified of the decision, file a verified petition for review with the Court.

A. The petition must succinctly state the facts that form the basis for the petition and the applicant's reasons for

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believing this Court should review the Committee on Examinations' decision.

- B. A copy of the petition must be served on the Committee on Examinations at the time of filing.
- C. Within 30 days of service of an applicant's petition for review, the Committee on Examinations or its designee may file a response to the petition.
- D. No reply may be filed unless ordered by the Court *sua sponte*.
- E. The Court will consider the matter and render a decision.

2. Bar Exam Score. The Committee on Examination's decision regarding any applicant's Bar Exam score is final and will not be reviewed by the Court absent extraordinary circumstances.

3. Sealing the Record. Any document filed under Rule 35(j)(1) will be open to the public. Medical or psychological documents must be sealed upon request. The Court may seal any other portion of the record upon request.

...

Rule 37. Application for Admission

(a) Time Limitations on Admission.

1. No applicant who sat for the Bar Exam, as defined in Rule 35(a)(1), shall be admitted to the practice of law in Arizona until the applicant has successfully satisfied all requirements of Rule 34, Rule 35, Rule 36, and Rule 37, and has been recommended for admission by the Committee on Character and Fitness. Failure to take the oath of admission and be admitted to the practice of law in Arizona within 5 years of earning a passing score on the Bar Exam will void all examination scores, and the applicant will be required to successfully retake all required

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examinations and comply with all required procedures relating to Character and Fitness determinations. Bar Exam attempts prior to July 2012, successful or unsuccessful, shall be considered equivalent to the Arizona uniform bar examination and Bar Exam for purposes of these rules.

2. No applicant for admission on motion shall be admitted to the practice of law in Arizona until the applicant has successfully satisfied all requirements of Rule 34, Rule 36, and Rule 37 and has been recommended for admission by the Committee on Character and Fitness. Failure to take the oath of admission and be admitted to the practice of law in Arizona within 5 years from the date of application will void all application and character investigation materials, and the applicant will be required to resubmit an application and comply with all required procedures relating to admission on motion.

3. No applicant for admission based on transfer of another jurisdiction's bar examination score deemed acceptably by the Court shall be admitted to the practice of law in Arizona until the applicant has successfully satisfied all requirements of Rule 34, Rule 35, Rule 36, and Rule 37, and has been recommended for admission by the Committee on Character and Fitness. Failure to take the oath of admission and be admitted to the practice of law in Arizona within 5 years of earning a score on another jurisdiction's bar examination, as deemed acceptable by the Court, will void all application and character investigation materials, and the applicant will be required to resubmit an application and comply with all required procedures relating to admission to the practice of law in Arizona.

1 4. The 5-year timeframe referenced in Rules 37(a)(1) and 37(a)(3)
2 shall commence on the last date on which the bar examination
3 or Bar Exam was administered and not the date(s) on which the
4 applicant's score was released.

5 **(b) Taking Oath of Admission.** [No change]

6 **(c) Retention and Confidentiality of Records of Applicants for**
7 **Admission.** The records of applicants for admission to the practice of law
8 shall be maintained and may be destroyed in accordance with approved
9 retention and disposition schedules pursuant to administrative order of the
10 Court, pursuant to Rule 29, Rules of the Supreme Court. The records and
11 the proceedings concerning an application for admission shall remain
12 confidential, except as otherwise provided in these rules. Bar counsel shall
13 be allowed access to the records of applicants for admission and the
14 proceedings of the Committee concerning an application for admission in
15 connection with the duties set forth in Rule 36(a)(2)(C). In addition, the
16 Committee on Character and Fitness and the Committee on Examinations,
17 or the Committees' designated staff, may

18 1. through 2. [No change]

19 3. except for applicants who applied in accordance with Rule 34(b)(2)
20 and who have not satisfied the evidence of graduation requirement, report
21 to the law school from which the applicant graduated data and information
22 consistent with Rule 35(f)(5)(C) and 35(f)(5)(D);

 4. disclose to an applicant, as required by Rule 36(f), evidence to be
 used at the hearing; and

 5. disclose to an applicant, under Rule 35(i)(4), evidence to be used at
 hearing.

1 **(d) Refund of Fees.** Applicants for admission under Rules 34(e) and 34(g)
2 shall not receive a refund of the application fee for any reason, including
3 denial of admission, withdrawal of the application, or failure to pursue
4 admission after application, regardless of the date the applicant notifies the
5 Committee. Credit for the fees paid by an applicant who withdraws or fails
6 to pursue admission after application will be applied to any application
7 made by the applicant for two years from the date of the original
8 application.

7 **(e) Immunity from Civil Suit.** [No change]

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1 **APPENDIX B**

2 Additions are shown by underline; deletions are shown by ~~striketrough~~.

3 **Rule 34. Application for Admission**

4 **(a) Methods of Admission to the Practice of Law in Arizona.** Persons
5 desiring to be admitted to the practice of law in the State of Arizona may
6 apply for admission by one of three methods: (1) admission by ~~Arizona~~
~~uniform bar examination~~ Bar Exam, as defined in Rule 35(a)(1), (2)
7 admission on motion, or (3) admission by transfer of ~~uniform~~ bar
8 examination score from another jurisdiction.

9 **(b) Applicant Requirements and Qualifications.**

10 1. No applicant will be recommended for admission to the practice of
11 law in Arizona by the Committee on Character and Fitness unless the
12 Committee is satisfied that:

13 A. the applicant is over the age of 21~~twenty-one~~ years;

14 B. through C. [No change]

15 D. the applicant is a graduate with a juris doctor from a law
16 school provisionally or fully approved by the American Bar
17 Association at the time of graduation or the applicant is a
18 graduate with a juris doctor and has been actively engaged in
19 the authorized practice of law in one or more states,
20 territories, or the District of Columbia for at least 3~~three~~ of
21 the last 5~~five~~ years prior to filing an application for
22 admission to practice in Arizona; ~~and~~

E. [No change]

1 F. the ~~Arizona uniform bar examination~~ Bar Exam applicant has
2 successfully completed the course on Arizona law described
3 in paragraph ~~(j)~~ (i) of this rule; and

4 G. for applicants seeking admission under Rule 35, the applicant
5 has earned a score deemed sufficient by the Court on a
6 professional responsibility examination.

7 i. An applicant must pass a professional responsibility
8 examination, which shall be the Multistate
9 Professional Responsibility Examination prepared by
10 the National Conference of Bar Examiners or an
11 alternate professional responsibility examination, as
12 deemed appropriate by the Court. An applicant
13 seeking to take the Multistate Professional
14 Responsibility Examination shall file an application
15 directly with, and pay the fees specified by, the
16 National Conference of Bar Examiners.

17 ii. The Court shall establish the minimum acceptable
18 score for the Multistate Professional Responsibility
19 Examination.

20 iii. An applicant must submit proof satisfactory to the
21 Committee on Examinations that the applicant has
22 taken the Multistate Professional Responsibility
Examination and receive a minimum acceptable score
within 8 years of a successful Bar Exam or within the
time frame for taking the oath of admission after the
successful Bar Exam in order to have the applicant's
score accepted by the Committee on Examinations.

1 2. An applicant may be allowed to sit for the ~~Arizona uniform bar~~
2 ~~examination~~ Bar Exam prior to the award of a juris doctor degree if the
3 applicant:

4 A. [No change]

5 B. is expected to graduate with a juris doctor degree within ~~one~~
6 ~~hundred twenty~~ (120) days of the first day of early exam
7 administration;

8 C. has satisfied all requirements for graduation with a juris
9 doctor except for not more than ~~eight~~ (8) semester hours or
10 its equivalent in quarter hours at the time of early exam
11 administration;

12 D. will not be enrolled in more than two ~~(2)~~ semester hours or
13 its equivalent in quarter hours during the month of early bar
14 examination testing and the immediately preceding month;

15 E. through F. [No change]

16 No applicant shall be recommended to practice law until
17 graduation or satisfaction of all requirements for graduation,
18 and completion of all requirements for admission to the
19 practice of law under these rules. If an applicant under this
20 subsection has not graduated with a juris doctor within ~~one~~
21 ~~hundred twenty~~ (120) days of the first day of early exam
22 administration, all parts of the ~~Arizona uniform bar~~
~~examination~~ Bar Exam, including the score, are void and the
applicant's examination scores shall not be disclosed for any
purpose. Scores may not be released until such time as
satisfactory proof of award of juris doctor, as determined by
the Court, is provided to the Committee. An early

1 examination which is voided shall count as an Attempt
2 ~~examination attempt~~ under Rule 35(e)(1)(a)(3).

3 At the completion of the juris doctor requirements and
4 within ~~sixty (60)~~ days after graduation, the applicant must
5 cause his or her law school, dean, or registrar to submit to the
6 Committee on Character and Fitness proof of graduation,
7 showing his or her juris doctor was conferred within ~~one~~
8 ~~hundred twenty (120)~~ days of the first day of early exam
9 administration. Failure to complete the course of study
10 within ~~one hundred twenty (120)~~ days of the examination
11 and provide evidence of graduation within an additional
12 ~~sixty (60)~~ days shall render the applicant's score void.

13 3. All applicants who received a passing grade on the Bar Exam and
14 who are found to be otherwise qualified under these rules shall be
15 recommended for admission to the practice of law.

16 34. The Committee on Character and Fitness shall endeavor to
17 complete its inquiries, some or all of which may be delegated to the
18 National Conference of Bar Examiners, to be in a position to recommend for
19 or against a successful ~~Arizona uniform bar~~ examinee's admission to the
20 practice of law no later than the time the results of the ~~Arizona uniform bar~~
21 ~~examination~~ Bar Exam are available for examination applicants. This time
22 limitation is aspirational only, and may be extended for further inquiry and
formulation of a recommendation when the circumstances of a case so
require.

(c) Application and Character Report Materials. Any person desiring to be
admitted to the practice of law in the State of Arizona must submit to the
Committee on Character and Fitness an application in the form supplied by
the Committee. The application for admission must be accompanied by
required supporting documents and application fee.

1 1. The ~~Arizona uniform bar examination~~ Bar Exam applicant shall also
2 complete and submit a character report accompanied by a character
3 investigation fee as established by the Court. For an ~~Arizona uniform bar~~
4 ~~examination~~ Bar Exam applicants only, the character report and related fee
may be submitted separately from the application for admission.

5 2. An applicant for admission ~~on motion or admission by transfer of~~
6 ~~uniform bar examination score under Rules 34(e) or 34(g)~~ shall submit
7 character investigation materials together with the application.

8 **(d) Documents Required in Support of Application.** The following must
9 accompany every application:

10 1. through 2. [No change]

11 ~~3. an application fee as established by the Court;~~

12 ~~4.~~ 3. a full-face image of the applicant in a format as established by the
Court; and

13 ~~5.~~ 4. a complete set of the applicant's fingerprints. The Committee on
14 Character and Fitness is authorized to receive criminal history information
15 regarding any applicant for admission from any law enforcement agency in
16 conjunction with the admissions process. If after two attempts, the FBI
17 determines the fingerprints provided are not readable, the applicant must
18 submit a written statement, under oath, that the applicant has not been
arrested, charged, indicted, convicted of or pled guilty to any felony or
misdemeanor, other than as disclosed on the application.

19 **~~(e) Arizona Uniform Bar Examination Application Filing Schedule; Fees.~~**

20 ~~1. On the basis of an application for admission by Arizona uniform~~
21 ~~bar examination properly and timely filed, with all required supporting~~
22 ~~documents and fees, the applicant will be certified to sit for the Arizona~~
~~uniform bar examination. An applicant may be certified to sit for the~~

1 ~~Arizona uniform bar examination before satisfying the requirement of~~
2 ~~paragraph (b)(1)(E) of this rule.~~

3 ~~2. The application for admission and all of the documents required to~~
4 ~~be submitted by the Arizona uniform bar examination applicant must be~~
5 ~~timely submitted, with required fees, in accordance with the schedule and~~
6 ~~filing fees established by the Court. In the event an application, documents~~
7 ~~or fees are submitted after the initial filing deadline, late fees as established~~
8 ~~by the Court shall be assessed. No application, documents or fees will be~~
9 ~~accepted after the close of filing deadline, as established by the Court.~~

10 ~~Any applicant failing to pass a written Arizona uniform bar~~
11 ~~examination who wishes to take the next subsequent examination must~~
12 ~~submit an application for examination, required supporting documentation,~~
13 ~~and application and examination fees as established by the Court, no later~~
14 ~~than twenty days after the date of the letter notifying the applicant of the~~
15 ~~applicant's failure to pass the written examination. If the application is~~
16 ~~submitted after twenty days, a late application fee shall be paid in~~
17 ~~accordance with the schedule and filing fees established by the Court. No~~
18 ~~application for subsequent Arizona uniform bar examination will be~~
19 ~~accepted after the filing deadline as established by the Court.~~

20 ~~3. When an application to take the Arizona Uniform Bar Examination~~
21 ~~is properly filed with required supporting documents, after review, the~~
22 ~~applicant shall be promptly notified that the application is in order and that~~
23 ~~the applicant is certified to sit for the Arizona Uniform Bar Examination.~~

24 ~~(f)~~ **(e) Admission on Motion.**

25 1. An applicant who meets the requirements of (A)
26 through (G) of this paragraph (e)(1) may, upon motion, be admitted to the
27 practice of law in this jurisdiction.

28 The applicant shall:

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A. either (i) have been admitted by bar examination to practice law in another jurisdiction allowing for admission of Arizona lawyers on a basis equivalent to this rule and primarily engaged in the active practice of law in one or more state(s) territories or the District of Columbia for ~~3~~three of the ~~5~~five years immediately preceding the date upon which the application was filed, or (ii) have been admitted by bar examination to practice law in another jurisdiction that does not allow for admission of Arizona lawyers on a basis equivalent to this rule and thereafter were admitted to and primarily engaged in the active practice of law in another jurisdiction allowing admission of Arizona lawyers on a basis equivalent to this rule for ~~3~~three of the ~~5~~five years immediately preceding the date upon which the application is filed;

B. through G. [No change]

2. For the purposes of this rule, the “active practice of law” shall include the following activities, if performed in a jurisdiction in which the applicant is admitted, or if performed in a jurisdiction that permits such activity by a lawyer not admitted to practice; however, in no event shall any activities that were performed in advance of bar admission in some state, territory or the District of Columbia be accepted toward the durational requirement:

A. through F. [No change]

G. service as corporate counsel in Arizona while registered pursuant to Rule 38(a). Active practice performed within Arizona pursuant to Rule 38(a) may be applied to meet active practice requirements found in Rule ~~34(f)(1)(A)(ii)~~

1 ~~(e)~~(1)(A)(ii) provided all other requirements of Rule 34(~~f~~)(e)
2 are met.

3 3. [No change]

4 4. An applicant shall not be eligible for admission on motion if within
5 ~~three~~ years of filing the application the applicant has either 1) failed the
6 ~~Arizona uniform bar examination Bar Exam~~, or 2) passed the ~~uniform bar~~
7 ~~examination in another jurisdiction~~ another jurisdiction's bar examination
8 accepted by the Court, but failed to achieve the ~~Arizona scaled score~~
9 minimum passing score deemed acceptable by the Court.

10 5. [No change]

11 ~~(g)~~ **(f) Admission on Motion Application Filing; Fees.** Any applicant
12 seeking admission on motion to the practice of law in Arizona must meet
13 the requirements of paragraph ~~(f)~~(e) of this rule and:

14 1. through 3. [No change]

15 ~~(h)~~ **(g) Admission by Transfer of ~~Uniform~~ Bar Examination Score.**

16 1. An applicant who has taken ~~the uniform~~ another jurisdiction's bar
17 examination that is deemed acceptable by the Court ~~in another jurisdiction~~
18 and who meets the requirements of (A) through (G) of this paragraph
19 ~~(h)~~(g)(1) may be admitted to the practice of law in this jurisdiction.
20 Admission under this Rule 34(g) must be accomplished through score
21 transfer from another jurisdiction's bar examination or other test of
22 minimum competency deemed acceptable by the Court.

The applicant shall:

- A. have achieved a ~~scaled~~ score on ~~the uniform~~ another
jurisdiction's bar examination that is equal to or greater than
the minimum acceptable score established by the Court and
that was earned within ~~5~~five years prior to the applicant's

1 taking the oath of admission and being admitted to the
2 practice of law in Arizona;

3 B. [No change]

4 C. submit evidence of a passing score on the Multistate
5 Professional Responsibility Examination as it is established in
6 this jurisdiction, earned within ~~eight~~ years of the date of
7 application or within the time frame for taking the oath of
8 admission after the successful bar examination in order to
9 have the applicant's score accepted by the Committee on
10 Examinations;

11 D. through F. [No change]

12 G. submit evidence of successful completion of the course on
13 Arizona law described in paragraph ~~(j)~~(i) of this rule.

14 2. For the purpose of paragraph ~~(h)(1)(a)~~ (g)(1)(a) of this rule, a score
15 is considered to have been earned on the date of administration of the
16 ~~uniform~~ other jurisdiction's bar examination that resulted in the score.

17 3. An applicant who failed to earn the minimum acceptable score
18 established by the Court within ~~six~~4 attempts, regardless of where the
19 ~~uniform~~ bar examination was taken, shall not be eligible for admission by
20 transfer of ~~uniform~~ bar examination score under this paragraph.

21 4. Before being admitted by ~~transfer of uniform bar examination score~~
22 under this Rule 34(g), the applicant must complete a course on Arizona law,
the content and method of delivery of which shall be approved by the
Supreme Court.

(i) (h) Admission by Transfer of ~~Uniform~~ Bar Examination Score

Application Filing; Fees. Any applicant seeking admission to the practice

1 of law based on transfer of uniform bar examination score must meet the
2 requirements of paragraph (h) under Rule 34(g) and shall:

3 1. file an application for admission by transfer of ~~uniform~~ bar
4 examination score, including character investigation information, in a
5 manner established by the Court, including all required supporting
6 documents, and

7 2. [No change]

8 **~~(j)~~ (i) Completion of Course on Arizona Law. Before being admitted, ~~to the~~
9 ~~practice of law in Arizona, Arizona uniform bar examination applicants,~~
10 ~~applicants for admission by transfer of uniform bar examination score, and~~
11 ~~applicants for admission upon motion~~ applicants applying to practice law
12 in Arizona under Rules 34(e), 34(g), or 35 must complete a course on
13 Arizona law, the content and delivery of which shall be approved by the
14 Supreme Court.**

15 **~~(k) Deficiency in Examination Application and Supporting Documents.~~** If
16 ~~the Committee on Examinations finds that an application is deficient, or the~~
17 ~~required supporting documents are deficient, or both, the Committee shall~~
18 ~~advise the applicant in writing of the deficiency, and the assessment of~~
19 ~~applicable late fees as established by the Court. The Committee shall allow~~
20 ~~the applicant either to supply additional information or to correct, explain~~
21 ~~in writing, or otherwise remedy the defects in the applicant's application,~~
22 ~~supporting documents, or fees up until the filing deadline. If such~~
~~deficiencies in an examination application are not cured by the examination~~
~~deadlines established by the Court, and if the Committee's reasons for~~
~~refusing to grant permission for the applicant to take an examination are of~~
~~record as a part of the applicant's file, the Committee shall withdraw the~~
~~application and advise the applicant of such withdrawal and the reasons~~
~~therefor.~~

1 ~~(h)~~ **(j) Deficiency in Character Report Materials.** [No other changes]

2 ~~(m)~~ **(k) Failure to Meet Standards; Effect on Time for Reapplication.** If the
3 Committee or the Court has denied an applicant admission to the practice
4 of law by reason of the failure to meet the standards required by paragraph
5 (b) of this rule, such applicant may not reapply for a period of 5five years
6 from the date of denial of admission, unless the Committee or the Court
7 orders otherwise.

7 ~~(n)~~ **(l) Completion of Professionalism Course.**

8 1. [No change]

9 2. *Summary Suspension.* A new admittee who fails to comply with the
10 requirements of paragraph ~~(n)(1)~~ (l)(1) of this rule shall be summarily
11 suspended from the practice of law in Arizona, upon motion of the state bar
12 pursuant to Rule 62, provided that a notice by certified, return receipt mail
13 of such non-compliance shall have been sent to the member, mailed to the
14 member's last address of record in the state bar office at least ~~thirty~~ 30 days
15 prior to such suspension, but may be reinstated in accordance with these
16 rules.

15 ...

16 **Rule 37. Application for Admission**

17 **(a) Time Limitations on Admission.**

18 1. No ~~Arizona Uniform examination~~ applicant who sat for the Bar
19 Exam, as defined in Rule 35(a)(1), shall be admitted to the practice of law in
20 Arizona until the applicant has successfully satisfied all requirements of
21 Rule 34, Rule 35, Rule 36, and Rule 37 completed the Arizona uniform bar
22 examination, satisfied the Multistate Professional Responsibility
Examination requirements, and has been recommended for admission by
the Committee on Character and Fitness. Failure to take the oath of
admission and be admitted to the practice of law in Arizona within 5five

1 years of ~~successful Arizona uniform bar examination~~ earning a passing
2 score on the Bar Exam will void all examination scores, and the applicant
3 will be required to successfully retake all required examinations and
4 comply with all required procedures relating to Character and Fitness
5 determinations. ~~Arizona bar examination~~ Bar Exam attempts prior to
6 ~~adoption of the uniform bar exam July 2012~~, successful or unsuccessful,
shall be considered equivalent to the Arizona uniform bar examination and
Bar Exam for purposes of these rules.

7 2. No applicant for admission on motion shall be admitted to the
8 practice of law in Arizona until the applicant has successfully satisfied all
9 requirements of Rule 34, Rule 36, and Rule 37 and has been recommended
10 for admission by the Committee on Character and Fitness. Failure to take the
11 oath of admission and be admitted to the practice of law in Arizona within
12 ~~5~~ five years from the date of application will void all application and
13 character investigation materials, and the applicant will be required to
resubmit an application and comply with all required procedures relating to
admission on motion.

14 3. No applicant for admission based on transfer of ~~uniform~~ another
15 jurisdiction's bar examination score deemed acceptably by the Court ~~from~~
16 ~~another jurisdiction~~ shall be admitted to the practice of law in Arizona until
17 the applicant has successfully satisfied all requirements of Rule 34, Rule 35,
18 Rule 36, and Rule 37, and has been recommended for admission by the
19 Committee on Character and Fitness. Failure to take the oath of admission
20 and be admitted to the practice of law in Arizona within ~~5~~ five years of
21 earning a score on another jurisdiction's bar examination, as deemed
22 acceptable by the Court, a uniform bar examination in another jurisdiction
~~for which the applicant earned the minimum acceptable score established by~~
~~the Court~~ will void all application and character investigation materials, and
the applicant will be required to resubmit an application and comply with

1 all required procedures relating to admission to the practice of law in
2 Arizona.

3 4. The 5-year timeframe referenced in Rules 37(a)(1) and 37(a)(3) shall
4 commence on the last date on which the bar examination or Bar Exam was
5 administered and not the date(s) on which the applicant's score was
6 released.

7 **(b) Taking Oath of Admission.** [No change]

8 **(c) Retention and Confidentiality of Records of Applicants for**
9 **Admission.** The records of applicants for admission to the practice of law
10 shall be maintained and may be destroyed in accordance with approved
11 retention and disposition schedules pursuant to administrative order of the
12 Court, pursuant to Rule 29, Rules of the Supreme Court. The records and
13 the proceedings concerning an application for admission shall remain
14 confidential, except as otherwise provided in these rules. Bar counsel shall
15 be allowed access to the records of applicants for admission and the
16 proceedings of the Committee concerning an application for admission in
17 connection with the duties set forth in Rule 36(a)(2)(C). In addition, the
18 Committee on Character and Fitness and the Committee on Examinations,
19 or the Committees' designated staff, may

20 1. through 2. [No change]

21 3. except for applicants who applied in accordance with Rule 34(b)(2)
22 and who have not satisfied the evidence of graduation requirement, report
to the law school from which the applicant graduated data and information
consistent with Rule 35(f)(5)(C) and 35(f)(5)(D);:

~~A. the applicant's status as pass, fail, or withdrew from
examination, and~~

1 ~~B. detailed information about how the applicant performed on~~
2 ~~the different sections of the examination, along with the overall~~
3 ~~median and standard deviations for each section, providing the~~
4 ~~applicant consents to its release; any detailed information~~
5 ~~provided will be kept confidential and may be used solely for~~
6 ~~scholarly research by the applicant's law school and for~~
7 ~~monitoring and improving the school's educational and student~~
8 ~~support programs; and~~

9 4. disclose to an applicant, as required by Rule 36(f), evidence to be
10 used at the hearing; and

11 5. disclose to an applicant, under Rule 35(i)(4), evidence to be used at
12 hearing.

13 **(d) Refund of Fees.**

14 ~~1. An applicant who submits an application for admission by~~
15 ~~Arizona uniform bar examination and who has paid the fees~~
16 ~~required by these rules and thereafter withdraws the~~
17 ~~application or fails to appear for the examination applied for,~~
18 ~~shall be entitled to a partial refund or credit of the fees paid, as~~
19 ~~established by the Court, provided the applicant notifies the~~
20 ~~Committee in writing no later than the filing deadline for that~~
21 ~~examination as set by the Court. If an applicant receives~~
22 ~~approval pursuant to Rule 35(c)(3) on or after the filing deadline~~
~~for the examination, the applicant must submit a written request~~
~~to withdraw within five calendar days of receipt of approval by~~
~~the Committee to be entitled to a partial refund. No part of the~~
~~fees paid to the National Conference of Bar Examiners is~~
~~refundable.~~

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~~2. Applicants for admission on motion and applicants for admission based on transfer of uniform bar examination score under Rules 34(e) and 34(g)~~ shall not receive a refund of the application fee for any reason, including denial of admission, withdrawal of the application, or failure to pursue admission after application, regardless of the date the applicant notifies the Committee. Credit for the fees paid by an applicant who withdraws or fails to pursue admission after application will be applied to any application made by the applicant for two ~~(2)~~ years from the date of the original application.

(e) Immunity from Civil Suit. [No change]