



Utah State Bar
Office of Admissions
645 South 200 East
Salt Lake City, Utah 84111-3834
(801)531-9077
Web site: www.utahbar.org

**FILING INSTRUCTIONS and INFORMATION
UTAH STATE BAR ADMISSION APPLICATION**

FBI Background Checks

Applications may be submitted without a criminal background report provided the applicant provides proof that a criminal background request has been filed with the FBI prior to submission of the application.

The criminal background report should be submitted to the Bar within 2 weeks of receipt but no later than thirty days prior to the next scheduled Admissions Ceremony.

Posted 6/29/10

These instructions apply to persons who wish to file an application for admission to the Utah State Bar using application forms obtained from the Bar's web site. Please *retain a copy of these instructions* for future reference.

These instructions and forms are designed for individuals who are computer proficient. The Utah State Bar is unable to provide technical support for converting these documents to your word processing software. If you are unable to use the online forms, you may obtain a complete printed version of the Application and forms for a fee from the Utah State Bar at the above contact information.

A. UTAH STATE BAR APPLICATION

1. **READ THESE INSTRUCTIONS**, the entire Application and all supplementary forms thoroughly before proceeding.
2. The Application conforms with the requirements outlined in the Rules Governing Admission to the Utah State Bar (“Rules”). These Rules, which are available on our website, should be referred to prior to your completing this Application. **Neither the Bar nor its representatives has the authority to waive the deadlines, fees, or requirements contained herein.**
3. Your completed Application **must be typewritten** and submitted in hard copy form. Applications completed in pen or pencil or submitted on diskette in lieu of a typewritten hard copy will not be accepted for processing and will not be deemed timely filed.
4. **After downloading the Application and supplementary forms, review the contents to ensure that you have obtained a complete set of required forms and information as listed below:**
 - a. **Filing Instructions and Information.** (*Retain for future reference.*)
 - b. **Application for Admission, including:**
 - 1) **Applicant Verification and Acknowledgement.** This document must be signed, dated and notarized no more than 30 days prior to the date your application is filed. The Verification and Acknowledgement must be typewritten, signed in pen and ***must be filed with your completed Application and fees.***
 - 2) **Authorization and Release.** This document must be signed, dated, and notarized no more than 30 days prior to the date your Application is filed. The Authorization and Release must be typewritten, signed in pen and ***must be filed with your completed Application and fees.***
 - 3) **Authorization for Release of Information regarding Bar Examination Performance.** (*To be completed by Examination Applicants*) This document must be typewritten, signed in pen, dated, and notarized no more than 30 days prior to the date your Application is filed. The Authorization for Release of Information Regarding Bar Examination Performance ***must be filed with your completed Application and fees.***
 - 4) **Examination Regulation and Code of Conduct for Applicants to the Utah State Bar.** (*To be completed by Examination Applicants*) This document must be signed, dated, and notarized no more than 30 days prior to the date your Application is filed. The Examination Regulation and Code of Conduct must be typewritten, signed in pen and ***must be filed with your completed Application and fees.***

- c. **Cover Page.** Complete this document, including a photograph, and attach it to the front of your completed Application. The Cover Page may be completed in pen and *must be filed with your completed Application and fees.*
- d. **Certificate of Completion of Law School Form.** Submit this form without delay to your law school Dean or Registrar for completion. All applicants to the Utah State Bar must have a J.D. from an A.B.A. law school. *The Certificate of Completion of Law School should be filed with your completed Application and fees.*
- e. **Federal Bureau of Investigation (“FBI”) Background Check Form.** Submit this form with your completed fingerprint card without delay to the Federal Bureau of Investigation at the West Virginia Address printed on the form. Fingerprint cards can be obtained at your local law enforcement agencies or from the Utah State Bar. If you have not received your background check, you may still submit your application, but you will need to include the FBI declaration form in lieu of the report. *Your completed background check should be submitted to the Bar within 2 weeks of receipt but no later than 30 days prior to the Admissions Ceremony in order to be eligible to be admitted.*
- f. **Driving Record.** Please provide a copy of your motor vehicle records (“MVR”) for the last 3-year period. For applicants licensed in Utah, information on obtaining your MVR is available at the Department of Public Safety’s website: <http://www.driverlicense.utah.gov>. *The motor vehicle driving must be filed with your completed Application and fees.*
- g. **Character Reference Forms.** Student Applicants need 6 Character Reference Forms; three forms to be completed by individuals generally known to the Applicant, and three forms to be completed by attorneys generally known to the Applicant (may substitute three law professors). Attorneys need 9 Character Reference Forms; three forms to be completed by individuals generally known to the Applicant, three forms to be completed by attorneys generally known to the Applicant and, three forms to be completed by clients. These forms may not be completed by persons related to the Applicant by blood or marriage or by fellow law school classmates. *The Character Reference Forms must be filed with your completed Application and fees.*

NOTE: Any and all *supplementary forms applicable to your Application, including any supplementary documentation must be filed with your completed Application and fees.* The list of forms includes the following.

- h. **Application Supplement Form A.** Record of Military Service.
- i. **Application Supplement Form B.** Record of Debts and Defaults.
- j. **Application Supplement Form C.** Record of Bankruptcy or Insolvency.
- k. **Application Supplement Form D.** Record of State and Federal Tax Liens.

- l. **Application Supplement Form E.** Record of Civil Actions.
- m. **Application Supplement Form F.** Record of Criminal Cases.
- n. **Application Supplement Form G.** Record of Traffic Cases.
- o. **Application Supplement Form H.** Bonding Companies.
- p. **Application Supplement Form I.** Accommodations Eligibility Questionnaire.
- q. **Application Supplement Form J.** Law School Accommodations.
- r. **Application Supplement Form K.** Medical Disability Verification Form.
- s. **Application Supplement Form L.** Learning Disability Verification Form.
- t. **Application Supplement Form M.** Attention Deficit/Hyperactivity Disorder Verification Form.
- u. **Application Supplement Form N.** Medical/Healthcare Information Release.
- v. **Attorney Affiant Form** (*For Attorney, Foreign Attorney and Admission on Motion Applicants*).
 - **An Original Certificate of Good Standing** (*For Attorney, Student Attorney, Foreign Attorney and Admission on Motion Applicants*) An original Certificate of Good Standing from all jurisdictions where licensed, dated no more than 30 days prior to your Application, verifying your date of admission and history of discipline, if any.
 - **Admission on Motion Rule.** (*For Admission on Motion Applicants*) If you qualify for Admission on Motion, in addition to the Application, you must provide the following:
 1. A copy of the Admission on Motion Rule from the jurisdiction where you are licensed.
 2. A personal affidavit that you sign and have notarized attesting that you meet the Admission on Motion requirements of the Utah Admission on Motion Rule and the Admission on Motion requirements of the jurisdiction where licensed.
- w. **Notice of Medical Alert.** (*To be completed by Examination Applicants*) If applicable, this document must be typewritten and signed in ink.
- x. **Change of Address Form** (*Retain this form to report changes in your mailing*

address.)

- y. **Application Amendment Form** (*Retain this document to report changes.*)
- z. **Request for Bar Examination Test Accommodation – General Guidelines.** If applicable. (*Retain for future reference.*)
- aa. **Designation of Service of Process Form** (*To be completed by Applicants applying for Admission by Motion and Foreign Legal Consultants.*)
- bb. **Reapplication for Admission Form** (*To be completed by Applicants applying for an emergency or Character and Fitness postponement or to retake the exam.*) An Applicant who is reapplying must update any information that has changed since the prior application was filed and submit a new FBI criminal background check. For applicants eligible for a postponement, the Reapplication For Admission Form and a new criminal background check must be filed by October 1 for the February exam and March 1 for the July exam. Reapplication for Admission Forms and criminal background checks filed after these deadlines will be subject to late fees.

B. APPLICATION PROCEDURES.

1. This is a continuing Application and all changes to the information provided in your Application must be reported, ***in writing, within thirty days of occurrence***. Refer to the applicable question number for which the change applies and provide all details relative to that question. Changes will not be accepted by telephone or e-mail. You must continue to update your Application until you are admitted to practice law in Utah. Failure to update your Application may result in denial of admission and may result in attorney discipline if you have been admitted to the Utah State Bar
 - a. Use the **Change of Address Form** to report a change to your mailing address. (*Keep the original Change of Address Form. Make copies of the form for reporting future changes.*)
 - b. Use the **Application Amendment Form** to report changes to information or responses to your Application. (*Keep the original Application Amendment form. Make copies of the form for reporting future changes as they occur.*) ***This form may not be used to register for a future examination after withdrawing or failing the examination.***
2. Your Application is confidential. Therefore, if you wish the Admissions Office to communicate with someone other than yourself concerning questions which might arise during the course of the background investigation or concerning the current status of your Application, you must submit a notarized letter naming the individual with whom we may communicate.

C. **MORAL CHARACTER.** The Character and Fitness Committee of the Utah State Bar will

conduct a background investigation on every applicant for admission to the Bar. Under Rule 8 of the Rules Governing Admission to the Utah State Bar all successful applicants must be certified to the Utah Supreme Court as morally and ethically fit **prior** to sitting for the Bar examination. Applicants whose background investigations are not completed by the date of the examination will have their Applications deferred to the next subsequent Bar examination. **Any late fees that have been paid are not refundable.**

1. As part of the background investigation, the Utah State Bar will obtain a credit report for every applicant.
 - a. If you have never resided in or established credit in the United States, you may be asked to submit a credit history from your country of residence.
2. To avoid delays in the completion of the investigation be certain to provide all information requested in the Application, including:
 - a. Complete and accurate mailing addresses for employers and references.
 - b. Complete and detailed accounts of all circumstances where explanations are required, including dates, location and final outcome. All explanations must be substantiated by appropriate documentation.
3. Persons who file late Applications will be given the lowest priority for completion of the background investigation and character and fitness approval. Applicants whose background investigations are not completed by the date of the examination will have their Applications deferred to the next subsequent Bar Examination.
4. The Utah State Bar is not at liberty to engage in discussions relative to the status of an investigation. Applicants will be contacted, however, if explanations are inadequate, additional details are needed, or the Character and Fitness Committee requests your appearance before an Inquiry Panel to discuss matters relative to your character and fitness for admission.

D. COVER PAGE

1. The Cover Page may be completed in pen. ***The Cover Page must accompany the original and one copy of your completed Application and the required Application fees.***
2. The Cover Page identifies the appropriate routing of your Application, thus ensuring fewer processing delays. Your Application will not be deemed timely filed should you fail to submit this document with your Application.
3. Legibly print or type your name in the space provided.
4. Indicate on the cover page the **examination month and year** for which you are

applying or that you are applying for **admission by motion**.

5. Indicate whether you will *handwrite or type* on lap top computer, the written portion of the examination (“Essay & MPT questions”). **Attach a nonrefundable \$150 computer registration fee** if you intend to complete your Essay/MPT answers on your laptop. Seating is limited. Requests will be processed in the order received. The fee covers the software license, technical support, the site technician, disks, a separate test room, power and administrative costs. You will only be entitled to a refund in the event that your computer could not be qualified. You will *not* be entitled to a refund in the event you fail to attend the Bar exam, withdraw from the Bar Examination or are disqualified by the Board for any reason.
6. Indicate if you are requesting **test accommodations** for a temporary or permanent disability which will require non-standard testing or medically prescribed equipment or devices during the examination. All test accommodation forms must be filed and requests approved in writing by the Special Accommodations Committee. *Refer to Section E - Test Accommodations for details regarding the required forms and documentation to be filed.*
7. Indicate whether you have taken the Multistate Professional Responsibility Examination (“MPRE”), the date of the examination, and your scaled score. You must arrange to have an official notice of your MPRE scores sent directly to the Admissions Office from ACT in order to meet the MPRE requirement. See Section P - MPRE, for additional information. ***If you have not taken the MPRE, you should register with the National Conference of Bar Examiners (“NCBE”) for the next scheduled administration.***
8. Provide the information regarding your educational qualifications including; LSAC #, law school, month and year of graduation and degree conferred. Indicate whether the law school from which you received your first professional law degree (J.D. or L.L.B.) was accredited by the American Bar Association. If your school was not ABA accredited at the time you began law school or at your graduation, you are not eligible to apply to the Utah State Bar.

E. TEST ACCOMMODATIONS. If you are temporarily or permanently disabled, and require testing accommodations and/or special seating, or if you have a condition which necessitates the use of medically prescribed devices or aids, (i.e., orthopedic chair; neck, wrist, or leg braces; wheelchair, crutches, etc.), you must file a *Request for Test Accommodations* using the Utah State Bar forms.

1. The forms required for requesting accommodations are included in the “forms” section of this Website.
2. Indicate on the Cover page of your Application that you are requesting accommodations and submit the completed forms with your Application. Late-filed Applications may not allow sufficient time for the Special Accommodations Committee to complete its

review and may result in the denial of your request. All requests must be accompanied by current, supporting medical documentation. *Incomplete requests will be denied.*

- F. **APPLICATION VERIFICATION AND ACKNOWLEDGEMENT.** This is your sworn verification that all statements and representations in your Application are true and correct. The Application Verification and Acknowledgement is also your sworn statement that no alterations have been made to the text of the Application questions. See Section K, below, for penalties related to the submission of altered Applications. Signature and date of notary execution must be no more than 30 days prior to the date of application filing. ***The Application Verification and Acknowledgement must accompany your application and fees when filed.***
- G. **AUTHORIZATION AND RELEASE.** This document authorizes the Utah State Bar to conduct a background investigation relative to your character and fitness for admission to practice law. Date of signature and notary execution must be no more than 30 days prior to the date your application is filed. ***The Authorization and Release must be filed with your application and fees.***
- H. **FEDERAL BUREAU OF INVESTIGATION BACKGROUND CHECK.** Applicants for the Utah State Bar must submit their fingerprint cards with a Federal Bureau of Investigation Report Form and fee to the Federal Bureau of Investigation at the West Virginia address printed on the form. Fingerprint cards can be obtained at your local law enforcement agencies or from the Utah State Bar. If you have not received your background check, you may still submit your application, but you will need to include the FBI declaration form in lieu of the report. ***Your completed background check should be submitted to the Bar within 2 weeks of receipt but no later must than 30 days prior to the Admissions Ceremony in order to be eligible to be admitted.***
- I. **CERTIFICATE OF LAW SCHOOL GRADUATION.** Submit this form to the Registrar or Dean of the law school from which you received or will receive your J. D. for completion and certification of your law school graduation. All applicants to the Utah State Bar must have a J.D. from an ABA-approved law school.
1. If your Law degree (J.D.) has been conferred prior to filing your Application, your completed ***Certificate of Law School Graduation must be filed with your completed Application.***
 2. If you will complete all law school academic requirements prior to the Bar examination; but your law degree (J.D.) will be conferred after the Application filing deadline, your completed Certificate of Law School Graduation should be submitted to the Admissions Office ***no later than 15 days after degree completion.*** All law degree requirements must be met, your degree conferred and graduation certified by the law school prior to the Bar examination.
 3. If you will complete all law school academic requirements prior to the Bar examination; but your law degree (J.D.) will not be conferred until after the Bar examination as a result of law school policies relative to the timing of graduation ceremonies, you must obtain

authorization from the Utah State Bar to sit for the exam. Requests must be accompanied by written verification from the law school dean or registrar that all academic requirements will be completed **prior** to the date the Bar examination is to be administered, and stating the date certain upon which your degree **will** be conferred. Following your successful completion of all academic requirements for graduation **BUT PRIOR TO THE BAR EXAMINATION**, arrange for the law school registrar or dean to certify, in writing, that you have indeed completed all degree requirements and indicate the date certain that your degree **will** be conferred. *The certification that you have completed all academic requirements for your law degree must be received by the Utah State Bar 30 days prior to the Bar examination or your application to sit for the exam will be denied.*

AFTER your degree has been formally conferred, arrange for the registrar or dean to complete the Certificate of Law School Graduation reflecting your official date of graduation. The form must not be executed until **after the date your degree is conferred**. Failure to submit the final Certification of Graduation will result in your being ineligible to be sworn in as a member of the Utah State Bar.

K. COMPLETING AND FILING THE APPLICATION.

1. Absolute and complete candor is required. **Failure to be completely candid on your Application may result in denial of admission.**
2. **Do not** alter the text or wording of the questions contained in this Application. Should such alterations be noted in your submissions, your Application will be denied and your fees forfeited. If questions arise concerning the specific language of a question, deference will be given to the Utah State Bar's official printed Application forms.
3. Enter your response to each question immediately following the item to which your response pertains.
4. Please note that the Application is divided with HARD PAGE-BREAKS. Do not delete these page-breaks. When printing the hard copy of your completed Application, you may use as many pages as necessary to print your responses.
5. **All questions must be fully answered.** Provide specific answers to each part of all questions. **Leave no questions blank.** (If the application is not complete, it will not be accepted.) If a particular question does not apply or the answer is "none," so state.
6. If the question calls for an explanation, provide a detailed narrative of all circumstances and events leading up to and surrounding the incident(s) described in your response.
7. Unless otherwise noted in the Application, all dates must include **month** and **year**.
8. All addresses, including reference and employer addresses must be current and include zip codes. Telephone numbers must also be provided where requested.

9. Once your Application is complete, make **two copies** of your Application and supplementary documentation; the original and one copy for filing with the Utah State Bar, and one copy for you to retain. Thoroughly PROOFREAD your responses. ***Your completed Application and supplementary documentation becomes the property of the Utah State Bar once filed. Applications are retained for five years. Photocopies of all or a portion of your Application are available for \$25.00.***

10. **Assemble the documents as follows:**
 - a. Application Fee and laptop computer fee, if applicable (*Attach to the Cover Page*).
 - b. Cover Page (*Attach photograph*);
 - c. **The original and one copy** of the Application and Code of Conduct Agreement, with all applicable forms and supplementary documentation;
 - d. Certification of Completion of Law School;
 - e. FBI Background Check;
 - f. Motor Vehicle Record(s)
 - g. Character Reference Forms;
 - h. Attorney Affiant Form (*if applicable*);
 - i. Certificate of Good Standing (*if applicable*);
 - j. **Applicants for Admission by Motion: Please attach a copy of the Admission by Motion Rule from the jurisdiction where you are licensed and your personal affidavit attesting that you meet the requirements of Utah's Admission by Motion Rule and the requirements of the Admission by Motion Rule of your jurisdiction;**
 - k. Designation of Service of Process Form (*if applicable*);
 - l. Notice of Medical Alert Form (*if applicable*);
 - m. Non-Standard Testing Accommodation Request Forms, with supplemental documentation (*if applicable*).

Under no circumstances will your Application be accepted for processing or deemed timely filed if submitted in handwritten form or if a diskette is submitted in lieu of the hard copy.

11. Send your completed Application, fees and supplementary documents to:

**Utah State Bar
Office of Admissions
645 South 200 East
Salt Lake City, Utah 84111-3834**

Please make checks out to: Utah State Bar.

Personal checks, money orders or Visa, MC, AMEX credit cards can be used for payment of application fees.

12. If you mail your Application, it is strongly recommended that you send it **RETURN RECEIPT REQUESTED** or **OVERNIGHT DELIVERY** for tracking capability.

If you hand-deliver your Application, bring a copy with you (*the Utah State Bar will not make a copy for you*) and ask to have your copy **DATE STAMPED RECEIVED**. This will ensure that you have a record of timely filing should a question arise later.

L. FILING DEADLINES.

FEBRUARY EXAMINATION:

- Application filing deadline date – October 1
- Late filing deadline date – October 15 (*include a \$100 late fee*)
- Final filing deadline date – November 1 (*include a \$300 late fee*)

JULY EXAMINATION:

- Application filing deadline date – March 1
- Late filing deadline date – March 15 (*include a \$100 late fee*)
- Final filing deadline date – April 1 (*include a \$300 late fee*)

APPLICATIONS FOR ADMISSION BY MOTION can be submitted at any time however, admission to the Utah State Bar is limited to three motions for admission per year; February, May and October. Please allow a minimum of 3 months for the Bar to process your application. After the application has been processed and approved by the Character and Fitness Committee, you will eligible to be admitted on the next scheduled motion.

The original and one copy of your complete Application, with all forms and applicable supplementary documentation, must be filed with the Utah State Bar **no later than close of business on the appropriate filing deadline**. If the deadline date falls on a Saturday, Sunday or holiday the deadline date will be the first business day thereafter.

No Applications Will Be Accepted After November 1 for the February Bar Examination and April 1 for the July Bar Examination.

M. APPLICATION FEES.

1. Application fees must accompany the completed Application forms. *Applications submitted without all fees (including late fees) or without all supporting materials will not be processed and will not be deemed timely filed. Such Applications will be assessed late fee filing penalties in accordance with the date the fees and supporting materials are submitted.*
2. Application fees are subject to change without notice; and are as follows:

Student Applicants taking Student Examination	\$550
Attorney Applicants taking Student Examination (Student – Attorney)	\$850

Attorney Applicants taking Attorney Examination	\$850
Admission by Motion Applicants (non-refundable)	\$850
Attorney Applicants seeking Admission as House Counsel (non-refundable)	\$850
Foreign Attorney Applicants	\$850
Foreign Legal Consultants (non-refundable)	\$850
Applicants Seeking Readmission after Resignation (non-refundable)	\$1,000
Disbarred Attorney Applicants or Attorney Applicants who have resigned with discipline pending	\$5,000
Laptop Computer Fee (non-refundable)	\$150
Applicants Eligible for an Emergency Transfer (non-refundable)	\$100

N. APPLICATION WITHDRAWAL, TRANSFER AND REFUND POLICIES

1. If you wish to withdraw your Application, you **must do so in writing**.
2. A 50% refund of the examination filing fee is available (unless otherwise noted, above) for Applications withdrawn no later than 30 days prior to the date of the Bar Examination. **Absolutely no refunds will be available after such time.**
3. Refunds must be **requested in writing** at the time the Application is withdrawn, and will be processed in accordance with the date the withdrawal request is **received** in the Admissions Office.
4. At-will requests to transfer your Application are not permitted. Emergency transfers are limited to two circumstances: 1) a personal medical emergency, or 2) a death in the immediate family. Applicants requesting an emergency transfer must submit proof of the emergency and a written request to transfer within seven days of the date of the examination. *A \$100 transfer fee must accompany your request.*
5. If you are **absent from the examination** and do not submit a written emergency transfer request to the Utah State Bar your Application will be considered withdrawn. No refund will be issued. A full filing fee and a new Application must be submitted if you intend to take a future examination.
6. **Applicants for Admission by Motion:** Application filing fees are not refundable.

7. You will only be entitled to a **computer fee** refund in the event that your computer could not be qualified. You will *not* be entitled to a refund in the event you fail to attend the Bar exam, withdraw from the Bar Examination or are disqualified by the Board for any reason.

O. **MBE SCORE TRANSFER REQUESTS.** Requests for transfer of MBE scores must be processed through the National Conference of Bar Examiners. The booklet and forms are available from the National Conference web site www.ncbex.org.

Score transfer requests must be accompanied by check or money order payable to the National Conference of Bar Examiners and submitted to:

**MBE Score Transfer
ACT Operations/82
P. O. Box 168
Iowa City, IA 52243-0168.**

Utah **DOES NOT ACCEPT MBE SCORES** from previous examinations for the purpose of waiving the MBE portion of the examination. MBE scores may only be transferred from another jurisdiction when the MBE is taken concurrently with the written component of the Utah Bar examination.

P. **MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION (“MPRE”).**

1. **Examination Applicants:** The MPRE need not have been taken prior to filing an Application; however, examination applicants are required to successfully pass the MPRE. Effective with the February 2005 Bar examination, a scaled score of **86** is required before an applicant can be admitted to the Utah State Bar. A passing MPRE score must be received within two years of passing the Bar examination.

Multistate Professional Responsibility Examination (MPRE) Application/Information Booklets are available directly from:

**National Conference of Bar Examiners
MPRE Application Department
2255 N. Dubuque Road
P.O. Box 4001
Iowa City, IA 52243-4001
Telephone: (319) 341-2500
Web Registration: www.ncbex.org or, www.act.org/mpre**

Application/Information booklets may also be obtained from your law school administrator’s office.

2. **Admission by Motion Applicants:** See the Admission by Motion Rule from your jurisdiction for MPRE requirements.

3. MPRE scores are deemed valid only if transferred to the Utah State Bar directly from the MPRE testing authority. MPRE score transfers may be requested from:

**National Conference of Bar Examiners
ACT, MPRE Records Department
P. O. Box 451
Iowa City, IA 52243-0451**

4. G.I. Bill reimbursement for taking the MPRE is available for eligible veterans. To learn more about this benefit, applicants should call (888) GI-BILL-1 [(888) 442-4551] or, go to the following website; <http://www.gibill.vagov/education/benefits.htm>.

Q. GENERAL INFORMATION CONCERNING THE BAR EXAMINATION AND ADMISSION

1. Multistate Bar Examination (**MBE**), Multistate Essay Examination (**MEE**) and, Multistate Performance Test (**MPT**) Information Booklets may be downloaded from the National Conference of Bar Examiners website: www.ncbex.org
2. **COMPUTERS.** Persons who wish to complete the written portion of the examination on a personal laptop computer must so indicate on the Application **Cover Page** and attach the non-refundable \$150 fee. Seating for applicants taking the test by computer is limited. Requests are processed in the order received. All requests must be accompanied by a complete Application and the payment of fees. The fee covers the software license, technical support, the site technician, disks, a separate test room, power and administrative costs. You will only be entitled to a refund in the event that your computer could not be qualified. You will *not* be entitled to a refund in the event you fail to attend the Bar exam, withdraw from the Bar Examination or are disqualified by the Board for any reason.

a. PC SYSTEM REQUIREMENTS:

- CPU = 1 GHz Pentium III or Industry Equivalent
- RAM = 1 GB
- Drives = 50 MB of free space
- Operating System = English 32-bit Versions of Windows XP, 32-bit and 64-bit Versions of Windows Vista and Windows 7. SofTest cannot be used in virtual operating systems.
- Software = Internet Browser
- Internet Access for SofTest Installation, Exam Download and Upload
- Screen Resolution must be 1024x768 or higher

It is not possible to take secure exams through a virtual operating system such as Microsoft's Virtual Machine, Parallels or VMware, VMware Fusion or any other virtual operating system environment. Although SofTest can be installed and registered on virtual platforms, it will only be enabled for non-secure Practice Exams.

Apple Macintosh Users:

Users with Apple's Mac OS X Leopard (v. 10.5) or Mac OS X Snow Leopard (v. 10.6) laptops can run SofTest in Windows XP or Vista installed via Apple's Boot Camp. Not all institutions allow usage of Apple computers. Please check with your institution prior to attempting to install SofTest on an Apple laptop.

- b. Registration and software pre-installation is required to take the examination on computer. Instructions on **mandatory procedures** and **deadlines** will be mailed under separate cover. When you receive these instructions be certain to read and follow them carefully. Even though you may have previously taken law school or state Bar examinations using ExamSoft products, system requirements and/or registration procedures may have been modified since then.
- c. The Utah State Bar assumes no responsibility for power or equipment failure. In the event of such a failure, be prepared to continue the examination by writing.

3. RESTRICTION OF PERSONAL ITEMS

- a. Personal items, other than those necessary to take the examination, are prohibited from the testing area. More detailed information will be forwarded one month prior to the examination.
- b. Use of sound suppression equipment during the examination is limited to "ear plugs" such as those used for the sport of swimming.
- c. Use of specially designed chairs, footstools, podiums or other types of personal equipment are restricted. If such equipment is necessary for the purpose of relieving some physical disability or impairment, an Accommodation Eligibility Questionnaire should accompany your Application. (*See Section E - Test Accommodations.*)

4. BAR EXAMINATION. The Utah student Bar examination is a two-day examination, consisting of a one-day written component and a one-day Multistate Bar Examination ("MBE") component. The total time allotted the written component is seven hours. The total time for the MBE component is six hours.

- a. **The Written Component.** The written component is administered on the first day. It consists of eight essay questions and two Multistate Performance Test ("MPT") questions: four essays and 1 MPT question in the morning session and four essays and 1 MPT question in the afternoon. Attorneys who have been licensed to practice law for five years in another jurisdiction and have been substantially and

lawfully engaged in the practice of law in that jurisdiction for four of the preceding five years are only required to take the written portion of the examination.

Essays. Applicants will have 30 minutes to answer each essay question. Essay questions may be taken from the Multistate Essay Examination (“MEE”), which is prepared by the National Conference of Bar Examiners or they may be state prepared.

The MEE questions are taken from the following twelve subject areas:

1. Business Associations (Agency and Partnerships; Corporations and Limited Liability Companies)
2. Conflicts of Law
3. Constitutional Law
4. Contracts and Sales (UCC Article 2)
5. Criminal Law and Procedure
6. Evidence
7. Family Law
8. Federal Civil Procedure
9. Real Property
10. Torts
11. Trusts and Estates (Decedents’ Estates; Trusts and Future Interests)
12. Uniform Commercial Code (Commercial Paper – UCC Article 3, Secured Transactions – UCC Article 9)

For more information regarding the MEE composition, please visit the NCBE Website at: www.ncbex.org/multistate-tests/mee/

Utah-prepared essays will be taken from the following subject areas:

1. Administrative Law
2. Business Associations
3. Civil Procedure
4. Constitutional Law
5. Contracts
6. Creditor/Debtor
7. Criminal Law and Procedure
8. Ethics (Utah Rules of Professional Conduct)
9. Evidence
10. Family Law
11. Real Property
12. Torts
13. Uniform Commercial Code (Articles 2, 3 & 9)
14. Wills/Estate Planning/Trusts (including tax aspects)

Applicants are expected to answer all essay questions by applying fundamental legal principles.

MPT. One and one-half hours will be allocated to complete each MPT question. Prepared by the NCBE, each MPT will be given the same weight as two essays. The MPT examines six fundamental lawyering skills that are required for the performance of many lawyering tasks. These skills include problem-solving; factual analysis; legal analysis; reasoning; written communication; organization and management of a legal task; and, recognizing and resolving ethical dilemmas.

- b. **The Multistate Bar Examination Component.** The Multistate Bar Examination (“MBE”) is a national test prepared by the NCBE and is given on the second day. The test consists of 200 multiple-choice questions. The MBE is divided into a 3 ½ hour morning session and a 3 ½ hour afternoon session. The following subjects are tested: Contracts, Criminal Law, Evidence, Real Property, Torts, and Constitutional Law.

For more information on the MBE visit the NCBE Website at: www.ncbex.org.

5. **ATTORNEY BAR EXAMINATION.** Attorney applicants who have been licensed for five years and have been substantially and lawfully engaged in the practice of law for any four of the five years can elect to take the Attorney Bar Examination. The attorney Bar examination is given in conjunction with the written component of the student Bar examination on the last Tuesday in February and July of each year. Filing deadlines are the same as for other applicants.

The Attorney Bar examination is limited to the written portion of the Bar examination. Attorney applicants will have their essay scores converted to a scaled score using the MBE scale. Since they are not required to take the MBE, their pass/fail status is based solely on the written portion of the examination. Attorney applicants must receive a score of 135 to pass the Utah Bar examination. Attorney applicants may take the two-day examination, if they wish to do so.

6. **EXAMINATION SCORING.** The raw scores from the written portion and the MBE portion of the examination will be converted to a scaled score. The maximum possible scaled score on each component of the test is 200 points. The MBE scaled score and the written scaled score are added together, resulting in a total combined scaled score. An applicant must receive a total combined scaled score of 270 pass the Utah State Bar Examination.
7. **UNSUCCESSFUL APPLICANTS.** Examinations shall be retained for not less than six months after the date that examination results have been announced. An unsuccessful applicant is entitled to examine their answers and sample answers to the written portion of the examination. Applicants who wish to retake the Utah State Bar examination must file a **Reapplication Form** and submit the appropriate application fee.

8. **MOTION FOR ADMISSION.** To be admitted to practice, applicants must meet all admission requirements, and pay the proper fees. Candidates who meet these requirements will have their name placed on the Motion for Admission to the Bar. Motions for Admission to the Bar are only presented to the Utah Supreme Court three times a year, February, October, and May. **Applicants who do not meet admission requirements at the time the Motion for Admission is submitted to the Court must wait until the next scheduled Motion is submitted.**
9. **NEW LAWYER TRAINING PROGRAM.** Student applicants need to comply with New Lawyer Training Program (“NLTP”) requirements after admission. Information regarding NLTP will be provided in new admittee packets.
10. **THIRD YEAR LAW STUDENT ASSISTANCE.** Rule 14-807 (Law Student Assistance) General Provisions of the Utah Supreme Court Rules of Professional Practice allow law students in the third year of law school to practice under the supervision of an attorney if they meet certain conditions. This Rule does not allow law school graduates who have not taken and passed the Bar examination and/or who have not been sworn in by the Utah Supreme Court to appear in judicial proceedings (including depositions), be added to the firm letterhead or affix “attorney at law” after their names.
11. **PRO HAC VICE ADMISSION.** Rule 14-806 (Pro Hac Vice Admission) General Provisions of the Utah Supreme Court Rules of Professional Practice prohibit attorney applicants who reside in the State of Utah from practicing law in Utah as an out-of-state attorney.
12. **BAR REVIEW COURSES.** The Utah State Bar does not endorse any provider of Bar review courses. The following information is provided for reference only: BARBRI Bar Preparation Course: (800)-729-0190, www.barbri.com; Beat the Bar: (817) 276-9090, Website: www.beatthebar.com; Reed Multistate Bar Review, Website: www.passyourbar.com; AmeriBar Bar Review: (800) 529-2651, Website: www.ameribar.com; Kaplan PMBR: (800) 523-0777, Website: www.kaplanpmb.com.
13. **QUESTIONS AND MODEL ANSWERS.** Questions and model answers from previous Utah State Bar examinations are available for \$25 per exam. Mail your written request with payment to:

Utah State Bar
Office of Admissions
645 South 200 East
Salt Lake City, UT 84111-3834
14. **LICENSING FEES.** After passing the Bar examination, Applicants must pay licensing fees to the Utah State Bar **prior** to admission. The amount due depends on the years the applicant has been in practice and whether the applicant chooses to be an active or inactive member of the Bar.