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Office of Admissions  
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Web site: [www.utahbar.org](http://www.utahbar.org)

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

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These instructions apply to persons who wish to file an application for admission to the Utah State Bar.

**READ AND RETAIN THESE INSTRUCTIONS** for use in preparing your application and for future reference.

The application conforms with the requirements outlined in the Rules Governing Admission to the Utah State Bar (“Rules”). You should refer to these rules (available on the Bar’s website) prior to completing the application. **Neither the Bar nor its representatives has the authority to waive the deadlines, fees, or requirements contained therein.**

Use these instructions in conjunction with the Application Checklist and the Application Steps (both found on our website) to ensure you compile and submit a Complete Application.

The first step in meeting the burden of proving your character and fitness to practice law is to demonstrate your individual ability to read and follow instructions and thereby file a complete and accurate application. The Admissions Staff is available to answer questions that may arise as you complete the application process. However, it is not the role of the Admissions Staff to:

1. Advise you whether you should answer ‘Yes’ or ‘No’ to a particular question;
2. Suggest the evidence you should provide in order to meet your burden of proving character and fitness or eligibility; or
3. Conduct an individualized review of your application to determine what documents are still missing.

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## I. FILING DEADLINES

### A. APPLICATIONS FOR ADMISSION BY EXAMINATION

#### 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*)

The Application, with all forms and applicable supplementary documentation, must be received by the Bar (NOT postmarked) by 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 OR SUPPLEMENTAL DOCUMENTATION FOR APPLICATIONS WILL BE ACCEPTED AFTER NOVEMBER 1 FOR THE FEBRUARY BAR EXAMINATION AND APRIL 1 FOR THE JULY BAR EXAMINATION.**

### B. APPLICATIONS FOR ADMISSION WITHOUT EXAMINATION

Those applying for admission by Motion, UBE Transfer, or as House Counsel may file the application at any time. However, admission to the Utah State Bar is limited to four motions for admission per year: February, May, August, and October. Allow four to six months for the Bar to process your application; occasionally it may take longer. After the application has been processed and approved by the Character and Fitness Committee, you will be eligible to be admitted on the next scheduled motion. **This means that in order to have the best chance of admission on a specific motion, you must file the application at least six months before the motion will be presented to the court.** So effectively the deadlines are as follows:

For the best chance of admission on the February motion, the application must be filed between May and August.

For the best chance of admission on the May motion, the application must be filed between August and November.

For the best chance of admission on the August motion, the application must be filed between December and February.

For the best chance of admission on the October motion, the application must be filed between February and April.

## II. APPLICATION FEES

A. Application fees are subject to change without notice and are as follows:

Student Applicants taking Bar Examination	\$550
Attorney Applicants taking Bar Examination	\$850
Foreign Law School Applicants taking Bar Examination	\$850
Disbarred Attorney Applicants taking Bar Examination	\$5,000
Student Applicants transferring UBE Score (non-refundable)	\$550
Attorney Applicants transferring UBE Score (non-refundable)	\$850
Motion Applicants (non-refundable)	\$850
House Counsel Applicants (non-refundable)	\$850
Foreign Legal Consultants (non-refundable)	\$850
Applicants Seeking Readmission after Resignation (non-refundable)	\$1,000
Laptop Computer Fee (non-refundable)	\$150
Incomplete Application Fee	Varies, up to \$300

**B. Application fees must be paid before you can begin uploading the required supplemental documentation.**

C. Personal checks, money orders or credit cards (Visa or MC only) can be used for payment of application fees. Credit card fees are paid online. Please make checks out to: Utah State Bar.

**D. It is strongly recommended that you wait to pay the fee and upload the documentation when you are sure you will meet the next applicable deadline:** once the fee is paid online, you will not be able to submit any further payments by credit card either online, over the phone, or in person. In other words, if you pay the fees but then miss the late fee deadline, you must pay the late fee that is in force on the day all required documentation is received by the Admissions Office and **the only way to do so will be by submitting cash or a check.**

E. If at any time in the course of processing your application the Bar discovers that your application is missing documentation that should have been included when it was filed, an additional late fee may be assessed. This applies to all Applicant types.

### III. COMPLETING AND FILING THE APPLICATION

#### A. FORMAT

1. The Application must be completed and submitted online using your personal Synergy account.
2. To register for a Synergy account, go to <https://admissions.utahbar.org>. You will be asked to provide registration information. In order to activate the account you must click a link that will be sent to the email address which you provide. Therefore, before registering you must be sure to add utahbar.org as an approved sender.
  - a) Check your spam folder if you do not see the confirmation email in your inbox. If you do not receive the email, you should contact the Utah State Bar at [admissions@utahbar.org](mailto:admissions@utahbar.org). If you have listed utahbar.org as an approved sender and the confirmation email did not come through, it either means that there was a typographical error in your email address or your domain's security settings do not accept emails from our IP address. Either way, you will have to begin the registration process again.
  - b) Do not use an email from aol.com or comcast.net, as both domains tend to block the emails regardless of your security settings.
  - c) You are required to have an NCBE number. This number is assigned by the National Conference of Bar Examiners (NCBE) for national identification purposes instead of the social security number. To obtain an NCBE number, please go to [www.ncbex.org/ncbe-number](http://www.ncbex.org/ncbe-number).
3. On your homepage, titled "My Dashboard," you will see several possible applications to select. You should choose the application that coincides with your applicant type.
  - a) There are nine Applicant Types:
    - (1) Student Examination Applicants – those who have never been admitted as an attorney in any jurisdiction who must sit for the examination in Utah under Rule 14-703.
    - (2) Attorney Examination Applicants – those who have been admitted as an attorney in another jurisdiction who must sit for the examination in Utah under Rule 14-704.
    - (3) Motion/Reciprocity Applicants – those who meet the requirements for Admission by Motion under Rule 14-705.
    - (4) Student UBE Transfer Applicants – those who have never been admitted in another jurisdiction, sat for the UBE in another state and wish to transfer a passing score under Rule 14-712.
    - (5) Attorney UBE Transfer Applicants – those who have been admitted in another jurisdiction, sat for the UBE in another state and wish to transfer a passing score under Rule 14-712.

(6) House Counsel Applicants – those who are seeking a limited house counsel license so they can practice exclusively as general counsel for their employer under Rule 14-719.

(7) Disbarred Attorney Applicants – former Utah attorneys who have been disbarred or resigned with discipline pending who wish to take the Bar exam; these applicants should read the rules carefully, as they have different deadlines than other applicants as well as extensive additional documentation. *(Note: If the application for this applicant type does not appear on the list of applications, please contact the Admissions Office at admissions@utahbar.org)*

(8) Resigned Attorney Applicants – former Utah attorneys who resigned (without discipline pending) and are seeking readmission. *(Note: If the application for this applicant type does not appear on this list of applications, please contact the Admissions Office at admissions@utahbar.org)*

(9) Foreign Legal Consultant Applicants – attorneys from foreign countries who wish to practice the law of the foreign country while located in Utah.

b) The examination applications for the July exam are posted the preceding December or January. The examination applications for the February exam are posted the preceding July or August. If you want to start gathering information for the application, you may do so prior to the application being posted by referring to the Application Checklist and Application Steps.

4. The Application process requires you to upload numerous supporting documents. You must do so before the application deadline. A small number of documents will need to be mailed in hard copy; these also must be received by the Bar—NOT postmarked—by the deadline.

## B. CONTENT

1. All questions must be fully answered; leave no questions blank.
2. If a particular question does not apply or the answer is "none," so state.
3. **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.** Failure to do so delays the processing of your application.
4. If you need additional space in order to provide all the information requested (for example, if you attended more than 3 colleges) you may upload a Word document with the necessary information. You should upload it under “Application Supplement”.
5. Unless otherwise noted, all dates must include the **month** and the **year**.

6. All addresses, including reference and employer addresses, must be current and include zip codes. Telephone numbers must also be provided where requested. If an employer is no longer in business, provide the address as it was when you were employed there; instead of a phone number include a note that it no longer exists.
7. Thoroughly PROOFREAD your responses.
8. **Absolute and complete candor is required. Omissions or misstatements on the application will be presumed intentional. Failure to be completely candid on your application may result in denial of admission.**

### C. SUBMISSION

1. Use the Application Checklist as a guide to assembling the necessary documents prior to submission. Verifying that your application is complete is your responsibility.
2. Once you click “Submit” on the online form you will not be able to make any further edits to your application; any changes will need to be made by uploading an Amendment form.
3. Once you click “Submit” to submit the Application, you will be prompted to make your payment. However, it is recommended that you not make this payment until you are sure you will meet the next applicable deadline, because payment can only be made once online. Any late fees that you may become subject to later will need to be paid by check or cash.
4. You will not be able to upload any documents until you have paid the application fees (for those who send a check, you will not be able to upload until the Bar receives the check).
5. After you pay the required fees, you may begin uploading the supplemental documentation. Access the upload page by clicking “Details” next to the submitted application you are working on.
6. Your complete application is not considered fully ‘submitted’ or ‘filed’ until all required documents have been submitted and the Declaration of Completion is received by the admissions office. In other words, if you submit your online application and upload the required forms on March 1<sup>st</sup>, but your Declaration of Completion does not arrive until March 14<sup>th</sup>, your application is considered filed on March 14<sup>th</sup>. For those documents with a time limit (for example, the DMV record cannot be dated more than 30 days prior to the date the application is filed), the time would be measured from March 14<sup>th</sup>.
7. Those few documents that must be mailed to the Bar should be sent to the following address:

Utah State Bar Admissions  
645 South 200 East  
Salt Lake City, UT 84111

## IV. SUPPLEMENTAL DOCUMENTATION

### A. DOCUMENTATION TO BE UPLOADED

1. **Passport-style photograph.** This photograph will be used on your Bar card once admitted. If you are taking the examination, it will also be used to verify your identity at the examination. The photograph must be recent (within the last year) and it must be different from your government ID (i.e. do not simply scan your driver's license or passport). Examinees, your appearance should be the same on the day of the test so if something changes (e.g. hair color or facial hair), you will need to upload a new photo.
2. **Applicant Verification and Acknowledgment.** This document must be initialed, signed with a pen, dated and notarized. Signature and date of notary execution must be no more than 30 days prior to the date the application is filed. Read this document carefully. 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, that you have proofread your responses, that you will amend your application within 10 days of any changes, and that you will cooperate in providing information to the Bar.
3. **Authorization and Release.** This document must be signed in pen, dated, and notarized. Date of signature and notary execution must be no more than 30 days prior to the date your application is filed. This document authorizes the Utah State Bar to conduct an investigation relative to your character and fitness for admission to practice law.
4. **Notification of Release of Information.** This document must be signed in pen, dated, and notarized. In it you acknowledge your understanding that as per the Rules Governing Admission, the Bar is able to release information to certain parties.
5. **FBI Criminal Background Report OR FBI Declaration Form.** If you have already received your report from the FBI you should upload the original document before the deadline; you do not need to upload the Declaration. This report cannot be dated more than six months prior to the date you file the application. If you have not received your background check from the FBI, you may still meet the application deadline, but only if you upload the signed FBI Declaration form. To provide proof that your request for a background check has been sent to the FBI, **a copy of the mailing receipt showing the tracking or article number must be included with the declaration.**
  - a) The background check process generally takes 2 months but may take longer. It is your responsibility to follow up with the FBI.

- b) Please be aware that the FBI will not allow background checks to be forwarded. If your address changes before you receive the report, you must send a new request.
  - c) The FBI does not send a copy of the completed report to the Bar.
  - d) If you receive the report after submitting your application, you must upload the document to the Admissions Office no later than two weeks prior to the next Motion for Admission in order to be eligible for inclusion on that motion.
  - e) If you have spent a considerable amount of time in another country, the Bar may ask you to obtain a background check from the appropriate authority in that country.
  - f) **Fingerprint Card Instructions.** Use this document to help you fill out the information section of the fingerprint card which you will send to the FBI. It does not need to be uploaded. Blank fingerprint cards can be obtained at your local law enforcement agency or from the Utah State Bar. The Utah State Bar does not provide fingerprinting services.
  - g) **Request Form.** Submit this form with a completed fingerprint card to the Federal Bureau of Investigation at the West Virginia address printed on the form. This form does not need to be submitted to the Bar.
  - h) **FBI-approved Channelers.** For an additional fee it may be possible to expedite a background check request by using an FBI-approved Channeler to electronically forward the fingerprints to the FBI. Visit the FBI's website for a list of approved Channelers and for more information on this option. You will need to verify with the Channeler that they are able to provide an authenticated background check.
- 6. Driving Record.** You must upload a copy of your motor vehicle records ("MVR") for the last 3 years, dated no more than 30 days prior to your application being filed. The record does not need to be certified; however, it must be obtained directly from the authority issuing the license (i.e. not a third party website). If you have held a license in more than one state in the last three years, you will need to obtain a record from each of those states. 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>. **Please note:** although the DMV record only has to cover three years, you are required to report every traffic citation you have received in the last 10 years on Form G.
- 7. Certificate(s) of Good Standing.** (*Attorneys Only*) You must obtain and upload a certificate from all jurisdictions where licensed, dated no more than 30 days prior to your application. A Certificate of Good Standing verifies

your date of admission and whether you are currently subject to any discipline.

- 8. Disciplinary History.** (*Attorneys Only*) You must obtain and submit a Disciplinary History (a.k.a. Letter of Discipline, Complaint Check, Grievance History, etc.) from all jurisdictions where licensed, dated no more than 30 days prior to your application. The Disciplinary History must state whether there are or ever have been any complaints filed against you, and whether those complaints were dismissed or resulted in public or private discipline. ***Almost invariably you must specifically request that private matters be addressed.*** In almost every state, the Disciplinary History is separate from the Certificate of Good Standing, and frequently it is requested from a separate authority.
- 9. Examination Regulations and Code of Conduct for Applicants to the Utah State Bar.** (*Examination Applicants Only*) This document must be initialed, signed in pen, dated, and notarized no more than 30 days prior to the date your application is filed.
- 10. Affiant Form.** (*Motion Applicants and some UBE Transfer Applicants Only*) This document should be completed by an attorney who can personally attest to your character and active practice for the full amount of time required for eligibility for admission by motion or admission by transferring a UBE score more than 2 years old. If no one attorney can attest for the entire period, you may submit an affiant form from more than one attorney so that the entire period is covered. This form may be completed by one of your attorney references in addition to (NOT instead of) the Character Reference Form.
- 11. Personal Affidavit.** (*Motion Applicants and some UBE Transfer Applicants Only*) This document is your sworn statement that you have read the Rules Governing Admission and that you have good cause to believe that you meet the requirements contained therein.
- 12. History of Active Practice Questionnaire.** (*Motion Applicants Only*) Answer these questions to provide more details regarding your practice in the years preceding your application.
- 13. Employer Affidavit.** (*House Counsel Applicants Only*) If you are a House Counsel Applicant, Rule 14-719(b)(7) requires you to provide an affidavit signed by you and your employer stating that you are employed exclusively as House Counsel and that you have disclosed to your employer and they are aware of the limitations you will have practicing under Rule 14-719.

## **B. DOCUMENTATION TO BE UPLOADED ONLY IF APPLICABLE**

- 1. Courtesy Provisions for Health-Related Conditions.** This document should be completed if you need to bring prohibited items such as medication and food or drink into the exam room due to a medical condition. You can also use this form to request special seating arrangements (e.g. near restroom, front

of the room, etc.). A note from your doctor must be submitted with the form verifying your medical condition and explaining why you must have access to the item(s) at all times or why you need the special seating.

2. **Medical Alert Form.** Complete this form if you have a medical condition that might require emergency medical attention during the examination.
3. **Laptop Acknowledgment Form.** This document must be signed if you intend to take the examination using a laptop computer. Those who are handwriting the exam may disregard this document.
4. **Form A – Record of Military Service.** This form requires you to attach a copy of your DD-214 if you are no longer in the military. If you were in the military for any of the last five years, you must also attach a copy of your OERs, NCOERs, or the equivalent for those years.
5. **Form B – Record of Debts and Defaults.** Use this form to provide details if you answered ‘Yes’ to questions asking about defaults or late payments on your debts. You do not need to report every debt you currently have, only those that are referenced in the application’s financial history questions.
6. **Form C – Record of Bankruptcy or Insolvency.** This form requires you to attach copies of the bankruptcy documents, including the petition, schedules, and discharge order.
7. **Form D – Record of State and Federal Tax Liens.** This form requires you to attach a copy of the lien and its release (if it has been released). Please be aware that Applicants with unpaid taxes will NOT receive character and fitness approval until the liens are released.
8. **Form E – Record of Civil Actions.** This form requires you to attach copies of the pleadings or proof that the records have been destroyed. Therefore, this form should *always* have at least one document attached to it.
9. **Form F – Record of Criminal Cases.** This form requires you to attach copies of the police reports and court documents or proof from the appropriate authority that no records are available. Writing on the form that the documents are no longer available is NOT sufficient—you must provide proof from the court and police department. Therefore, this form should *always* have at least two documents attached to it. Please note that you will be contacting two different authorities to obtain the requisite documentation: the police department for the police report and the court for the court documents. Also note that in most states sealed records are still available to the subject of the record; if they are not you must provide evidence that access is forbidden. If you petitioned to have a record expunged, you must provide a copy of the expungement order.
10. **Form G – Record of Traffic Cases.** The main information required for standard traffic citations are the location, the title (what the ticket was for), the

date you received it, and how you resolved it. More serious cases (such as a DUI or a Hit and Run), should be reported on Form F. If you cannot remember the information for all the tickets you have received, you will need search the court records of the states where you believe you received the citations; they will have dockets going back several decades. Most states have their court records online, for free or for a fee. Utah's online court database is called XChange and requires payment of a fee. *Tip:* If you use XChange, put an asterisk after your first name (ex: John\*) and do not enter any information other than your first and last name when you search; this will provide the most thorough results.

- 11. Form H – Record of Conduct.** This form is necessary if you answered “Yes” to questions about “other conduct”. These questions refer to conduct and conditions that may have an effect on an individual’s ability to practice law in a safe, competent, and/or ethical manner. Answering ‘Yes’ to these questions will not result in an automatic denial. Rather, it is your opportunity to show that you understand how the conditions/conduct relate to the practice of law and what actions you have taken or plan to take to prevent any negative effects on your practice.
- 12. Form I – Record of Bar Complaints.** This form requires you to upload all documentation related to Bar complaints filed against you, regardless of the outcome of the investigation.
- 13. Child Support Payment History.** If you are the obligor on any child and/or spousal support you must provide a copy of your child and/or spousal support payment history. Please be aware that Applicants who are behind on their support obligations will not receive approval from the Character and Fitness Committee until they are current and have a six month history of on-time payments. If no official payment history is available, you may submit an affidavit from the ex-spouse verifying you are current on your payments.
- 14. Test Accommodation Forms.** Please see the General Guidelines for Test Accommodations for more information.

## **C. DOCUMENTATION TO BE MAILED BY APPLICANT.**

- 1. Character Reference Forms.** Provide a copy of these two pages to the individuals you have asked to be your references. All Applicants need six Character Reference Forms: two forms to be completed by individuals generally known to the Applicant, two forms to be completed by attorneys generally known to the Applicant, and two forms to be completed by current or former employers. If you have never been employed you may substitute law school professors. If you have been a sole practitioner you may substitute clients. Character Reference Forms may not be completed by persons related to you by blood or marriage, romantic partners, law school classmates from the same graduating class, or current employees. **Your references should return the complete forms to you in a sealed envelope with their signature on the seal. Once you have received all six references, mail them to the**

**Bar in a single package by the filing deadline. Do NOT send them individually.** If you want to be able to confirm receipt of the references, you should send the package RETURN RECEIPT REQUESTED or OVERNIGHT DELIVERY for tracking capability because the Bar will not be able to immediately confirm receipt.

#### **D. DOCUMENTATION TO BE SUBMITTED BY A THIRD PARTY**

- 1. Certificate of Law School Graduation.** Submit this form to your law school Dean or Registrar for completion. The school must **mail the original of the completed document** to the Bar before the deadline. Once the document is received, the Bar will send an email confirmation. Please note that this confirmation will not be sent until you have submitted the online application form. **It is your complete responsibility to follow up with the law school to ensure the original document is delivered to the Bar before the deadline. Electronic versions will not be accepted.**
  - a) Applicants to the Utah State Bar must have a J.D. from an ABA-approved law school. The only exceptions are covered under Rule 14-704(b) for domestic attorneys and Rule 14-704(c) for foreign attorneys.
  - b) 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, the completed Certificate of Law School Graduation must be submitted to the Admissions Office **at least 30 days prior to the Bar examination. If it is not received in that time frame, you will not be able to sit for the exam.**
- 2. Multistate Professional Responsibility Examination (MPRE).** MPRE scores are deemed valid only if transferred to the Utah State Bar directly from the MPRE testing authority. Please visit the NCBE's website for information on requesting the transfer of your score to Utah. The MPRE need not have been taken prior to filing an application, therefore the report does not have to be received before the filing deadline or prior to sitting for the examination. However, all Applicants are required to successfully pass the MPRE before admission. A scaled score of 86 is required before an Applicant can be admitted to the Utah State Bar. The MPRE is administered by the National Conference of Bar Examiners. Any questions about registration, content or study helps should be directed to the NCBE. The NCBE's website is [www.ncbex.org](http://www.ncbex.org).
  - a) If you sat for the MPRE before 1999, the NCBE will no longer have a record of your score. In order to provide proof of passing the exam you must either submit a copy of the score report you received when you took the exam or obtain verification from another jurisdiction to which you have applied in the years since that time; this verification must show that you received a score of 86 or above. If you cannot provide evidence of a passing score, you must retake the examination.

- b) The MPRE is administered three times each year, usually in March, August, and November. Applicants who want to be admitted on the May motion should not wait to take the exam in March, since it is possible the score will not be received in time for them to be included on that motion. Likewise, applicants who want to be admitted in October should not wait until August to take the exam.

**3. Uniform Bar Examination (UBE) Score.** Only UBE Transfer Applicants need to provide a copy of their UBE score. The Bar must receive the official transfer of your UBE score from the NCBE within nine months of the date you file your application or your application will be considered withdrawn and a new application must be filed. Information on obtaining an official UBE score transcript can be found on the NCBE's website ([www.ncbex.org](http://www.ncbex.org)).

- a) A UBE score may be transferred from another jurisdiction if you meet the following requirements:
  - (1) You meet the educational requirements under the rules;
  - (2) You scored 270 or higher in a single administration;
  - (3) You have never been denied admission in any jurisdiction on character and fitness grounds;
  - (4) The score was achieved within two years prior to the date the application is filed OR the score was achieved less than five years before the application is filed and you have been Actively and lawfully engaged in the Full-time Practice of Law for at least 50% of the time since the administration of the exam in which the passing score was earned.

## **E. DECLARATION OF COMPLETION.**

**1. Declaration of Completion.** This form should be the last document you sign and submit. It may be emailed to [admissions@utahbar.org](mailto:admissions@utahbar.org) OR mailed to Utah State Bar Admissions, 645 South 200 East, SLC, UT 84111. Read this document carefully and make sure you have complied with it before signing. The date this document is RECEIVED by the Bar (NOT the date it is signed or postmarked) is the date your application is considered FILED. The Admissions Office will not review your application until this document is received. **Do not sign and send this form until you are sure your application is complete. Once this form is received you will not be able to obtain a refund** (except examination applicants who may receive a 50% refund in accordance with the refund policies).

## V. REAPPLICATION FOR ADMISSION FORM

1. The Reapplication for Admission Form is intended to update the information in a previously-submitted original application.
2. You may use a Reapplication for Admission form instead of a full application if you are in one of the following situations:
  - a) You failed an exam and it is less than two years since you filed a full application.
  - b) You were permitted your application from a previous exam for character and fitness or medical reasons.
  - c) You withdrew a previous application after it had been accepted for processing and have filed a full application within the last two years.
3. You may NOT use the Reapplication for Admission form if you are in one of the following situations:
  - a) Your previous application was rejected as incomplete.
  - b) You withdrew an application before it was accepted for processing.
  - c) Your previous application was denied.
  - d) It has been more than two years since you filed a full application.
4. Deadlines and Fees. The deadlines and fees to submit the Reapplication for Admission form are the same as those for the full application, with the following two exceptions:
  - a) You are a transfer applicant who was given a different deadline in the letter confirming the transfer.
  - b) You are a failing application who is reapplying for the next scheduled examination. In this case you will have a separate retake deadline that will be specified in the results letter. This deadline is usually about 4 weeks after the results are released.
5. Reapplicants should refer to the Reapplication Checklist to ensure they upload all necessary supplemental documentation. **A Reapplication that is missing the necessary uploaded documents will be rejected as incomplete.**

## VI. APPLICATION PROCEDURES

**A. UPDATING THE APPLICATION.** This is a continuing application and all changes to the information provided must be reported through your Synergy account, *within ten days of occurrence*, using the Amendment form found on the website. Refer to the applicable question number that you are amending 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 or attorney discipline if already admitted.**

1. In order to report changes or additions to responses in your application you must complete and upload the **Application Amendment Form**.
2. You must also update your contact information or personal information by clicking 'Edit My Profile' on your Synergy home page.

### **B. CORRESPONDENCE.**

1. Almost all correspondence will be sent via email. Much of it will also be accessible through your Synergy account (under the "Letters" tab). You should check your email and the Letters tab frequently to ensure that you do not miss crucial communication. You should also read all communications carefully.
2. It is the policy of the Bar to correspond solely with the Applicant regarding a current or potential application. This includes questions about how to complete the application. Third parties such as family members or legal assistants may not act as intermediaries between the Applicant and the Bar. Exceptions to this policy are limited to extraordinary circumstances such as overseas military service. In such cases the Applicant may provide a signed and notarized document specifying the individual with whom we should communicate and the dates when the applicant will be unavailable.

**C. PROCESS.** Below is an overview of the application process. Steps 6-8 apply only to examination applicants.

1. **SUBMISSION.** You submit the online application by clicking the 'Submit' button. You submit payment online by entering your credit card information or by mailing a check. The supplemental documents are submitted once you upload them and they appear onscreen. The documents that must be mailed are submitted when they are received by the Bar. **There is no final submit button after you have completed all of these steps. Rather, the receipt of the Declaration of Completion form serves as the sign to the Admissions Office that you are ready for your application to be reviewed.**
2. **ACCEPTANCE.** **If and when the application is Complete, it will be Accepted and you will receive notification via email.** This should occur

within 1-2 weeks after Submission. Once your application is Accepted, you are expected to update it as necessary until you are admitted. Any changes should be reported within 10 days of occurrence.

3. PROCESSING. The Admissions Office will Process the application in the order it was received. Depending on the number of applications, Processing generally begins 1-4 weeks after Acceptance. Processing involves a detailed review of the application and the commencement of the investigation; this takes 4-6 months. The Admissions Office may follow up with you to obtain additional documentation, information, or explanations. During this stage you may receive a “Deficiency Notice” that will list the documents needed to complete your file. **At any time during processing the Admissions Office may request you to mail the original or a copy of an uploaded document. You must mail this document before the deadline specified in the request or you will be charged a late fee.**
4. REVIEW. The Character and Fitness Committee meets to examine the application and the information obtained through the Bar’s investigation.
5. CHARACTER AND FITNESS COMMITTEE ACTION. There are several possible actions the Committee might take in regards to an application after its Review:
  - a) Approval – An approval letter is issued.
  - b) Request for Additional Information – You will receive an email detailing the information desired by the Committee; after the Bar receives the requested documentation, your application will be Reviewed once again.
  - c) Corrective Action Requirement – You will receive notification that the Committee cannot approve the application until you take certain steps.
  - d) Interview or Hearing – The Committee may require you to appear in person to answer specific questions and/or to address specific concerns.
  - e) Denial – A denial letter or decision is issued detailing the reasons for the denial.
6. PRE-EXAMINATION. During this period you will receive memoranda with details on the examination. You will also receive information on ExamSoft registration if you have chosen to use your laptop on the written portion. The Admissions Office will continue monitoring and investigating each application. If your character and fitness is called into question at any time, your application may be returned to the Character and Fitness Committee for Review and Committee Action.
7. EXAMINATION. See Section IX for general information about the examination.
8. RESULTS. Results are sent via email and posted to your online account 8-10 weeks after the Examination. Failing Applicants have the opportunity to apply to sit for the next examination. ***Please note:*** The Admissions Office

will continue monitoring and investigating your application. If your character and fitness is called into question at any time, the application may be returned to the Committee for Review and Committee Action.

9. LICENSING. A short time before the next motion for admission is scheduled to be submitted to the Court, the Licensing Department will send an email to those eligible for admission. This email will detail the steps you must take in order to be included on the motion.
10. PLACED ON MOTION. If you complete the necessary steps, your name will be submitted to the Court for final approval on a Motion for Admission. Motions for Admission to the Bar are only presented to the Utah Supreme Court four times a year: February, May, August, and October.
11. TAKE THE ATTORNEY OATH. You cannot practice law until you take and sign the Attorney Oath. Most Applicants do this at a Licensing Ceremony, but this can be done any time after the Motion for Admission is approved by making arrangements with the Court. If you are not located in Utah, you may arrange to take the oath in your state of residence. **You must continue to update your application until you take the Attorney Oath.**

## VII. CHARACTER AND FITNESS

### A. OVERVIEW

1. 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 14-708 of the Rules Governing Admission to the Utah State Bar all Examination Applicants must be certified to the Utah Supreme Court as morally and ethically fit **prior** to sitting for the Bar Examination. Applicants whose Character and Fitness background investigations are not completed by the date of the examination will have their applications deferred to the next Bar Examination. Applicants who do not have to sit for the Utah Bar Examination must be certified as morally and ethically fit prior to their inclusion on any motion to be admitted before the Utah Supreme Court.
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.
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 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.
5. The burden of proof is on the Applicant to establish by clear and convincing evidence that he or she has the requisite character and fitness to practice law. Therefore it is important to substantiate any claims or explanations with appropriate documentation.

### B. INVESTIGATION

The character and fitness investigation will include, but is not limited to, the following areas:

1. **Financial History.** As part of the background investigation, the Utah State Bar will obtain a credit report for every Applicant. If you have never resided or established credit in the United States, you may be asked to submit a credit history from your country of residence.
  - a) Please be aware that Applicants are expected to be current on all of their accounts. Applicants with accounts past due or with unpaid

judgments, taxes, or child support will NOT be approved. In certain situations an applicant *may* be considered current on past due accounts if he or she can demonstrate that payment arrangements have been made and kept with the creditor(s) for a minimum of six months.

2. **Education.** Your law school will be contacted to obtain relevant information and you may be asked to provide a copy of your law school application.
3. **References.** Letters may be sent and phone calls may be made to individuals deemed by the Bar's investigator as likely to have pertinent information. Some of these references may be anonymous: this means that you did not list them as references, but they have been identified as current or former neighbors, co-workers, employees, or clients.
4. **Other Jurisdictions.** The Bar may contact other jurisdictions to which you have applied and/or been admitted to verify information and perhaps obtain a copy of your application.
5. **Court Records.** The Bar will search court records of various states to verify that all criminal, civil and traffic cases have been reported.

#### **C. DENIED APPLICANTS.**

1. Applicants who are denied must wait to reapply at least one year after the date of the denial, unless another date is specified in the denial letter. A full and Complete application must be filed in accordance with the normal deadlines and late fees.

## VIII. TEST ACCOMMODATIONS

1. If you need test accommodations that affect the format or administration of the exam (e.g. extra time, a private room, extra breaks, etc.) and you have a documented disability that qualifies you for test accommodations under the Americans with Disabilities Act (ADA), you may file a request for Test Accommodations using the Utah State Bar forms.
2. These forms and instructions are found on the Admissions website (“General Guidelines for Test Accommodations” and “Supplemental Forms – Test Accommodations”).
3. You must indicate on your application that you are requesting accommodations and submit the completed forms before the filing deadline.
  - a) If you file test accommodation documentation late you must pay the appropriate late fee. If you miss the final filing deadline your application can still move forward, but you will not be eligible for test accommodations on that particular examination.
4. All requests must be accompanied by current, supporting medical documentation. *Incomplete requests will be denied.*
5. If there are any items that you need to bring with you into the exam room, such as food, medicine, special equipment, etc. which do not affect the format or administration of the test itself, use the Courtesy Provisions for Health-Related Conditions form to make your request.

## IX. APPLICATION WITHDRAWAL, TRANSFER AND REFUND POLICIES

### A. WITHDRAWALS

1. If you wish to withdraw your application, you must do so in writing. You may do this at any time. However, your ability to obtain a refund is determined by the type of application filed and the date on which your withdrawal request is received. See “C” below.

### B. TRANSFERS

1. 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.
2. Applicants who are absent from the examination due to an emergency must submit proof of the emergency and a written request to transfer before the end of the examination or their application will be considered withdrawn. ***A \$100 transfer fee must accompany the request.*** If you are absent from the examination and do not submit a written emergency transfer request to the Utah State Bar you will be considered a No Show and your application will be withdrawn (see section “D”).

### C. REFUNDS

1. **Applicants for Admission without examination.** Application filing fees are not refundable.
2. **Examination Applicants.** A 50% refund of the application filing fee (NOT the computer fee or any late fees) is available for examination Applicants who withdraw no later than 30 days prior to the date of the Bar Examination. **Absolutely no refunds will be available after such time.**
  - a) 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.
  - b) No refund is available to Applicants who have been called to appear before the Character and Fitness Committee.

### D. AUTOMATIC WITHDRAWALS

1. If one of the following occurs your application will be considered withdrawn, with or without notice:

- a)** For examination applicants, you start filling out the application but do not complete the submission process by the final filing deadline.
  - b)** For non-examination applicants, you start filling out the application but do not complete the submission process within 6 months.
  - c)** You fail to respond to repeated requests from the Admission Office.
  - d)** You are absent from the Bar examination without notice.
- 2.** Applicants who have had their application automatically withdrawn may only reopen the process by filing a complete new application with the appropriate fees.
  - a)** Those whose application was never accepted for processing (see 1(a) and (b) above) must submit a full application in accordance with the Filing Instructions.
  - b)** Those whose application was automatically withdrawn after being accepted for processing (see 1(c) and (d) above) may use a Reapplication form if the Admissions Office has not specified otherwise and if it has been less than two years since they filed a full application.

## **X. GENERAL INFORMATION CONCERNING THE BAR EXAMINATION**

### **A. STUDY HELPS**

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](http://www.ncbex.org).
2. The Utah State Bar does not endorse any provider of Bar review courses.
3. MEE and MPT Questions and Model Answers from previous examinations are available from the NCBE's website, [www.ncbex.org](http://www.ncbex.org).

### **B. COMPUTERS**

1. Persons who wish to complete the written portion of the examination on a personal laptop computer must so indicate on the application and pay the non-refundable \$150 fee. The fee covers the software license, technical support, the site technician, power and administrative costs. You will *not* be entitled to a refund of the computer fee in the event you experience technical difficulties, fail to attend the Bar exam, withdraw, transfer or are disqualified by the Board for any reason.
2. Visit [www.examsoft.com](http://www.examsoft.com) to learn more about system requirements.
3. Enrollment and software pre-installation is required to take the examination on your computer. For those that have selected and paid the computer fee, instructions on **mandatory procedures** and **deadlines** will be emailed at the beginning of the enrollment window. This is generally 6-8 weeks prior to the exam date. When you receive these instructions be certain to read and follow them carefully. Even if you have previously taken law school or state bar examinations using ExamSoft products, you must still complete the enrollment process.
4. The Utah State Bar assumes no responsibility for power or equipment failure or for technical difficulties encountered while using the software. If any of the above should occur during the examination, you must be prepared to continue the examination by handwriting.

### **C. RESTRICTION OF PERSONAL ITEMS**

1. Personal items are prohibited from the testing area. More detailed information will be forwarded one month prior to the examination.

2. Restrooms and drinking fountains will be accessible during the examination, with proctor surveillance.
3. Applicants with a medical condition that necessitates bringing medication, food or special equipment (e.g. inhaler, insulin pump, lactation pump, etc.) into the exam room must complete the Courtesy Provisions for Health-Related Conditions form.
4. 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, you must complete a Courtesy Provisions for Health-Related Conditions form.

#### D. EXAM FORMAT

1. The Utah Bar examination is a two-day examination, consisting of a one-day written component and a one-day Multistate Bar Examination (“MBE”) component. The test time allotted to the written component is six hours; the time allotted to the MBE component is also six hours.
2. **The Written Component.** The written component is administered on the first day. It consists of six Multistate Essay Examination (“MEE”) questions and two Multistate Performance Test (“MPT”) questions: the MEE questions are administered in the morning session and the MPT questions in the afternoon.
  - a) **MEE.** Applicants will have 30 minutes to answer each MEE question. Each MEE question is taken from one or more of 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) Wills, Trusts and Estates (Decedents’ Estates; Trusts and Future Interests)
    - (12) Secured Transactions (UCC Article 9)For more information regarding the composition of the MEE, please visit the NCBE Website at: [www.ncbex.org/multistate-tests/mee/](http://www.ncbex.org/multistate-tests/mee/)
  - b) **MPT.** One-and-a-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.

3. **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 hour morning session and a 3 hour afternoon session. The following subjects are tested:

- a) Contracts
- b) Criminal Law
- c) Evidence
- d) Real Property
- e) Torts
- f) Constitutional Law
- g) Civil Procedure

For more information on the MBE visit the NCBE Website at:  
[www.ncbex.org](http://www.ncbex.org).

## E. 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 to pass the Utah Bar Examination.

## F. UNSUCCESSFUL APPLICANTS

1. An failing Applicant is entitled to examine his or her answers to the written portion of the examination. You may do so by sending a written request to the Admissions Office with a \$25 fee (cash or check).
2. Examinations shall be retained for not less than six months after the date that examination results have been announced.
3. Applicants who wish to retake the Utah State Bar examination immediately following the failed exam must file a Reapplication for Admission Form (see Section V) and submit the proper application fee by the retake deadline. **The retake deadline will be approximately 4 weeks after the results are released. An exact date will be provided in the results letter.**
4. For Applicants who apply to retake a later exam, normal deadlines and late fees apply. If it has been more than two years since the original application was filed, you must complete the full application.

## **XI. THE MOST COMMON ERRORS THAT DELAY THE PROCESSING OF AN APPLICATION:**

- 1. Failing to provide all required documentation.**
  - a. **Failing to provide evidence that you are current on child support** (if applicable).
  - b. **Failing to send all six sealed references.**
  - c. **Failing to attach the pleadings for civil actions or evidence that no records are available.** (Note: Sealed records are available to the parties of the case.) *See Form E.*
  - d. **Failing to attach the police report and court documents for a criminal action or evidence that no records are available.** (Note: Evidence must be provided that no records are available even if the case has been expunged.) *See Form F.*
  - e. **Failing to provide a Disciplinary History** (if you are an attorney).
  - f. **Failing to provide documentation related to Bar Complaints.**
- 2. Failing to upload proof of mailing to the FBI Declaration Form.** (Note: You may not cross out or remove this requirement from the declaration form.)
- 3. Answering ‘No’ when you have in fact received traffic citations.** (Note: you must report every traffic citation you have received in the last ten years, not just those that appear on your driving record.)
- 4. Typographical errors in the dates of your employment or residence history.**
- 5. Unexplained gaps of more than four months in your employment history.**
- 6. Failing to provide a detailed explanation of circumstances surrounding law school discipline, an employment termination, a criminal act, or a civil action.**
- 7. Failing to provide a DMV record.**