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Addendum 1 – Policies and Procedures of the Board of Bar Examiners

Addendum 2 – Policies and Procedures of the Functional Equivalency Committee
Rule 49. Board of governors of state bar to govern admission to practice law; fees; board of bar examiners.

1. **Board of bar examiners.** With the approval of the supreme court, the board of bar examiners, in consultation with the board of governors of the state bar, shall have the power to fix and determine the qualifications for admission to practice law in this state, and shall have the power to fix and collect fees from all applicants for admission to practice law in this state, which fees shall be paid into the treasury of the state bar.

2. **Composition of board of bar examiners; hiring of graders.** The board of bar examiners shall be responsible to the supreme court and shall govern the administration of the bar examination. The board is comprised of fourteen members and the immediate past chair as an ex officio member. A majority of the board of bar examiners shall be appointed by the supreme court, and a minority shall be appointed by the board of governors. The supreme court shall appoint one of the members to chair the board.

   The board of bar examiners may hire as many qualified graders as the chair deems necessary to assist the board in the writing and grading of the essay examination. Any grader employed by the board of bar examiners shall be an active member of the state bar and shall be appointed for a period of time not to exceed the term of the board member to whom the grader is assigned. Graders shall be paid in accordance with a schedule proposed by the chair of the board of bar examiners and approved by the board of governors.

3. **Committee on moral character and fitness; duties and composition.** The committee on moral character and fitness is a subcommittee of the board of bar examiners, and has all those powers and duties delegated under the supreme court rules to the board of bar examiners relating to the conduct of investigations and hearings, and the submission of reports and recommendations to the supreme court respecting the ethical, moral and psychological fitness of applicants for admission to practice law in this state. The committee on moral character and fitness shall be composed of nine members who are active members of the state bar, and up to four lay members who are professionals with expertise in fields that are germane to the determination of character and fitness issues confronted by the committee. Five of the attorney members shall be appointed by the supreme court, and four of the attorney members shall be appointed by the board of governors. The board of governors shall also appoint the lay members of the committee. The supreme court shall appoint one of the attorney members to chair the committee.

   For each formal hearing the committee may be divided by its chair into as many hearing panels as the chair believes is necessary to conduct hearings in that district. A hearing panel shall be composed of a minimum of four members, one of whom, at the chair’s discretion, may be a non-lawyer. The chair shall assign applicants for hearings to the panels and may sit as chair or designate an attorney to sit as acting chair in his or her place.

   For those applicants whose applications reflect conduct or information warranting further inquiry, but not necessarily warranting a formal hearing, the chair and the director of admissions may conduct an informal interview in an attempt to counsel an applicant or to resolve a matter informally. If the matter is not resolved to the satisfaction of the chair, a formal hearing may be held.

4. **Committee on functional equivalency; duties and composition.** The committee on functional equivalency is a subcommittee of the board of bar examiners, and shall have all those powers and duties delegated under the supreme court rules to the board of bar examiners relating to the conduct of investigations and hearings and the submission of reports and recommendations to the board of bar examiners and the supreme court respecting those petitioners seeking certification pursuant to Rule 51.5. The committee on functional equivalency shall be composed of seven members who are active members of the state bar. Four of the members shall be appointed by the supreme court, and three members shall be appointed by the board of governors. The supreme court shall appoint one of the members to chair the committee.

5. **Board of bar examiners and subcommittees; terms of members.** The terms of the members of the board of bar examiners and its subcommittees shall be staggered. Each member shall be appointed for a term of three years; however, no member of the board of governors shall serve simultaneously on the board of bar examiners or on one of its subcommittees. The immediate past chair of the board of bar examiners serves as an ex officio member of the board for one year following expiration of his or her tenure as chair. There is no limit on the number of terms an attorney may serve on the board of bar examiners or one of its subcommittees.

6. **Authority of board of bar examiners.** The board of bar examiners has the power:

   (a) To interview and examine applicants, determine their qualifications for admission to practice, recommend to the supreme court for admission applicants who fulfill requirements, and recommend to the supreme court the rejection of those who fail to meet requirements.

   (b) To recommend directly to the supreme court changes in qualifications for admission. The board of bar examiners, however, shall consult with the board of governors before any recommendation is presented to the court.

7. **Director of admissions.** The board of governors shall appoint a director of admissions, and as many assistants as are necessary to administer the admissions process and bar examination. The appointment of the admissions director shall be made only after consultation with the board of bar examiners. The admissions director
shall have the responsibility to administer the bar examination, to carry out all the specific duties of the admissions
director as hereinafter provided in these rules and shall serve as secretary to the board of bar examiners.

8. Administrative policies, procedures and guidelines for admission to practice law. The board of bar
examiners, the clerk of the supreme court and the admissions director shall, as approved by the supreme court,
jointly define, adopt and publish specific administrative policies, procedures and guidelines consistent with these
rules:

(a) To ensure timely and efficient admissions to the bar, accurate, fair and confidential administration of the bar
examination and the reporting of the bar examination results to the supreme court.

(b) To inform applicants in a timely and accurate manner of all requirements pertaining to applications for and
admission to practice and all pertinent procedures relating to the administration, processing and grading of the bar
examination.

(c) The provisions of these Rules shall prevail over any conflicting provisions in the administrative policies,
procedures and guidelines.
Rule 49.1. Limited practice for clinical law faculty members.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who has been admitted to practice law in any other jurisdiction, and who is employed by the William S. Boyd School of Law and teaches in the clinical law program, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar, and shall be accompanied by:

(a) Satisfactory evidence that he or she has graduated from a law school approved by the American Bar Association.

(b) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction, and is a member in good standing in such jurisdiction.

(c) Has taken and passed either the Multistate Professional Responsibility Examination with a scale score of at least 85 or an equivalent course in ethics taken during his or her law school attendance.

(d) A certificate executed by the dean of the William S. Boyd School of Law indicating that the attorney will be acting in connection with the supervision of a clinical law program.

(e) Certification that the dean believes that the attorney possesses the requisite character and fitness to practice law in this state.

(f) A non-refundable application fee of $150.

3. Termination; renewal of certification. Certification to practice under this rule shall terminate whenever the attorney ceases to be employed by the William S. Boyd School of Law. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the dean of the William S. Boyd School of Law. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. Limited practice. An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except under the auspices of the clinical law program of the William S. Boyd School of Law and for such purposes only, and the attorney shall not accept any compensation for such services except such salary as may be paid to him or her by the William S. Boyd School of Law. All pleadings signed by an attorney certified to practice under this rule shall bear the name and address of the clinical law program of the William S. Boyd School of Law.

5. Discipline; continuing legal education. Attorneys certified to practice under this rule may be disciplined or suspended from practice in the manner now or hereafter provided by rule for the discipline or suspension of attorneys generally. Pending final disposition of any such matter the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. Bar membership. Persons certified to practice under this rule are not active members of the State Bar of Nevada.

7. Applicability. This rule is applicable notwithstanding any rule of the court governing admission to the bar which:

(a) Is in effect on the effective date of this rule; or

(b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.2. Limited practice for emeritus pro bono attorneys.

1. Emeritus Attorney Pro Bono Program. The Emeritus Attorney Pro Bono Program (EAPB) is hereby created to assist low-income clients through approved legal services providers as defined below.

2. Approved EAPB providers. An approved legal services EAPB provider for the purposes of this rule is a not-for-profit legal assistance provider which is approved by the Access to Justice Commission or its designee.

   (a) Minimum requirements for approval as an EAPB provider:
      (1) Provides legal services in civil matters, without charge only, to indigent persons; or
      (2) Provides legal training, legal technical assistance, or advocacy support, without charge only, to qualified legal services projects; and
      (3) Files a completed application with the State Bar of Nevada Access to Justice Coordinator, on a form to be provided by the State Bar, which includes:
         (i) The contact information required by SCR 79; and
         (ii) Whether the EAPB provider maintains professional liability insurance and, if so, the name and address of the carrier.
      (4) The commission or its designee may establish additional rules and procedures for approving EAPB providers under this rule as it deems necessary and proper.

   (b) Court awarded fees. An approved EAPB provider is entitled to receive all court awarded attorney fees arising from representation provided by emeritus attorneys under its services.

3. Requirements to apply for certification as an emeritus attorney. Any inactive member of the State Bar of Nevada in good standing, or any active or inactive attorney in good standing in any other jurisdiction, who meets the requirements of this rule may apply for certification as an emeritus attorney.

   (a) Exceptions. Attorneys with a record of public discipline for professional misconduct imposed within the immediately preceding ten years or who resigned from the practice of law with charges pending are not eligible for certification under this rule.

4. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar on forms provided by the state bar and shall be accompanied by:

   (a) A completed EAPB application and EAPB provider declaration;
   (b) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction;
   (c) A statement of discipline history from the jurisdiction(s) in which the attorney has been admitted to practice; and
   (d) Any other information deemed necessary and proper to the administration of this rule.

5. Termination. Certification to practice under this rule shall terminate whenever the attorney ceases to provide services for an approved EAPB provider. When an attorney certified under this rule ceases to provide services for an approved EAPB provider, a statement to that effect shall be filed immediately with the admissions director of the state bar by the EAPB provider.

6. Renewal of certification. On or before the anniversary date of the original filing for certification under this rule, an attorney shall reapply annually with the admissions director of the state bar.

7. Limited practice. An emeritus attorney certified under this rule may practice law only through an approved EAPB provider under subsection 2 and must complete any training required by the EAPB provider.

8. Discipline; bar membership. Attorneys certified under this rule do not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereinafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter, the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing.
Rule 49.4. Limited practice for certain deputy district attorneys in rural counties.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes employed as a deputy district attorney by a county whose population is less than 100,000 persons, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar and shall be accompanied by:

   (a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.

   (b) A statement signed by the district attorney of the county that such attorney is currently employed by such county.

   (c) A non-refundable application fee of $150.

3. Termination; renewal of certification. Certification to practice under this rule shall terminate whenever such attorney ceases to be employed by such county. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the district attorney of such county with which said attorney was employed. In no event shall certification to practice under this rule remain in effect longer than 2 years. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. Limited practice. An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except for the county which employs him. All pleadings signed by an attorney certified to practice under this rule shall bear the name and office address, and be signed on behalf of, the district attorney of such county, who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

5. Discipline; bar membership; continuing legal education. Attorneys certified to practice under this rule do not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. Applicability. This rule is applicable notwithstanding any rule of the court governing admission to the bar which:

   (a) Is in effect on the effective date of this rule; or

   (b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.5. Limited practice for law students. Notwithstanding the provisions of Rule 49, law students who meet and comply with the criteria delineated in this rule may be certified by the state bar for training in the practice of law.

1. Eligibility. To engage in the activities permitted by this rule, a law student must meet one of the following eligibility requirements:

   (a) Students working on pro bono cases or for governmental or not-for-profit entities must:
      (1) Be enrolled in or have graduated from a law school approved by the American Bar Association and be supervised by a member of the State Bar of Nevada who meets the requirements of subsection 3(b)(1).
      (2) Be certified by the dean of the student’s law school, on a form to be furnished or approved by the state bar, as being in good academic standing and having successfully completed the minimum credit hours set out in subsection 1(b)(3).
      (3) Have successfully completed legal studies amounting to:
         (i) At least thirty (30) semester credit hours, or the equivalent, to participate in the activities described in subsection 4 (“level 1 certification”).
         (ii) At least forty-five (45) semester credit hours, or the equivalent, to participate in the activities described in subsection 5 (“level 2 certification”).
   (4) Apply for certification pursuant to this rule on a form to be furnished by and filed with the state bar. The application shall include the student’s written certification that he or she has read and is familiar with the Model Rules of Professional Conduct of the American Bar Association and the Rules of Professional Conduct of this court and will abide by the same in the activities permitted by this rule. The filing of an application pursuant to this rule is deemed a consent by the student to be subject to all disciplinary processes of the state bar. Any offense which would subject a lawyer admitted to practice law in this state to suspension or disbarment may be punished by suspension or forfeiture of the student’s privilege of taking the bar examination and being licensed to practice law in this state. Or,
      (b) Participants in clinical or externship programs must:
         (1) Be enrolled, or completing assignments pursuant to enrollment, in a clinical or externship program of an ABA-approved school of law.
         (2) Be certified by the dean of the student’s law school, on a form to be furnished or approved by the state bar, as being in good academic standing and qualified in ability, training, and character to participate in the activities permitted by this rule.
         (3) Have successfully completed legal studies amounting to:
            (i) At least thirty (30) semester credit hours, or the equivalent, to participate in the activities described in subsection 4 (“level 1 certification”).
            (ii) At least forty-five (45) semester credit hours, or the equivalent, to participate in the activities described in subsection 5 (“level 2 certification”).
   (4) Apply for certification pursuant to this rule on a form to be furnished by and filed with the state bar. The application shall include the student’s written certification that he or she has read and is familiar with the Model Rules of Professional Conduct of the American Bar Association and the Rules of Professional Conduct of this court and will abide by the same in the activities permitted by this rule. The filing of an application pursuant to this rule is deemed a consent by the student to be subject to all disciplinary processes of the state bar. Any offense which would subject a lawyer admitted to practice law in this state to suspension or disbarment may be punished by suspension or forfeiture of the student’s privilege of taking the bar examination and being licensed to practice law in this state.

2. Certification.
   (a) The certification of a student by the law school dean shall be filed with the state bar on a form furnished or approved by the state bar. Unless sooner withdrawn or terminated, such certification shall remain in effect as long as the student remains eligible to participate in the activities permitted under this rule.
   (b) The certification may be withdrawn by the dean or an assistant or associate dean at any time without notice or hearing and without any showing of cause. The certification shall be withdrawn if the student ceases to be duly enrolled as a law student prior to his or her graduation. Notice of a withdrawal of certification shall be filed with the state bar and mailed to the student and the supervising lawyer.
   (c) The certification may be terminated by the state bar at any time without notice or hearing and without any showing of cause by mailing a notice of such termination to the student, the supervising lawyer, and the student’s law school dean.
   (d) The certification terminates automatically:
1. If the student does not apply for or take the first Nevada bar examination to be administered after the student has satisfied the educational requirements therefor:
2. If the student does not pass that examination.
3. Fifty (50) days after announcement of the results of that examination, if the student passes the examination.

3. Supervision. A “supervising lawyer” shall mean either a lawyer or law professor employed by the Boyd School of Law in a clinical program and certified to practice in Nevada, or a member of the state bar in active practice.
   (a) A supervising lawyer shall:
      (1) Personally assume professional responsibility for all work undertaken by the student while under the lawyer’s supervision.
      (2) Assist and counsel the student in the activities permitted by this rule and review such activities with the student, to the extent necessary for the proper training of the student and protection of the client.
      (3) Read, approve, and personally sign any pleadings, briefs, or other papers prepared by the student before filing; read and approve any documents prepared by the student for execution by any person before submission to that person; and read and approve any correspondence prepared by the student before mailing.
      (4) Be present for any appearance by a student before a court or administrative tribunal.
   (b) In addition to the above, a supervising lawyer who is not employed by the Boyd School of Law in a clinical program shall:
      (1) Be an active resident member of the state bar, and, before supervising the activities specified in subsection 5, shall have actively practiced law in Nevada as a full-time occupation for at least five (5) years.
      (2) Supervise not more than one student, unless the student is participating in a Boyd School of Law externship program.
      (3) Be continuously personally present throughout the activities permitted under subsection 5, paragraphs (a), (b), and (c).
      (4) Before commencing supervision of any student, file with the state bar a notice in writing signed by the supervising lawyer stating the name of the student and the period during which the lawyer expects to supervise the activities of the student.
      (5) Notify the state bar in writing promptly whenever supervision of the student pursuant to this rule ceases.

4. Activities permitted under level 1 certification. A student may engage in the following activities with the written consent of the person on whose behalf the student is performing the activities with the approval and under the supervision of a supervising lawyer:
   (a) Conduct investigations and interview witnesses.
   (b) Interview and counsel clients.
   (c) Represent clients before legislative and administrative bodies.

5. Activities permitted under level 2 certification. A student may engage in the following activities with the written consent of the client on whose behalf the student is performing the activities and with the approval and under the supervision of a supervising lawyer:
   (a) Appear in any court or before any administrative tribunal in this state on behalf of any person.
   (b) Counsel and give legal advice to clients.
   (c) Negotiate and mediate the settlement of claims and disputes.
   (d) Prepare documents to be filed in court or with a legislative or administrative body.
   (e) Prepare transactional documents such as contracts, incorporation papers and by-laws, and filings required by a state, federal, or other governmental body.

In all instances where, under this rule, a student is permitted to appear in court or before an administrative tribunal, the student shall file with the court or tribunal a copy of the written consent of the client required by this subsection and shall bring that consent to the attention of the judge of the court or presiding officer of the tribunal.

6. Use of student’s name. A student’s name may properly be:
   (a) Signed and printed or typed on briefs, pleadings, and other similar documents on which the student has worked under the direction of the supervising lawyer if the student is clearly identified as a student certified under this rule.
   (b) Signed to letters written on the supervising lawyer’s letterhead which relate to the student’s supervised work if the student is clearly identified as a student certified under this rule.

7. Limitations.
   (a) A law student may neither ask for nor receive any compensation or remuneration of any kind directly from the person on whose behalf he or she renders service. Nor may a supervising lawyer charge a client an amount
greater than that customarily charged for the lawyer’s services. This shall not prevent a lawyer, law firm, organization having an established legal department, nonprofit organization rendering legal aid to indigent persons, or public agency from paying compensation not otherwise prohibited under these rules.

(b) Nothing in this rule shall affect the right of any person who is not admitted to practice law to do anything that the person might lawfully do before the adoption of this rule.

8. **Place of filing.** All documents required to be filed with the state bar by this rule shall be filed with the admissions director of the state bar.
Rule 49.6. Limited practice for certain attorneys employed by the State Bar of Nevada.

1. **Requirements.** Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice in any other jurisdiction, and who becomes employed by the State Bar of Nevada in the capacity of Bar Counsel or Assistant Bar Counsel, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. **Application.** Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar, and shall be accompanied by:
   (a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.
   (b) A statement signed by the Executive Director of the State Bar of Nevada that the attorney is currently employed as Bar Counsel or Assistant Bar Counsel.
   (c) A non-refundable application fee of $150.

3. **Termination; renewal of certification.** Certification to practice under this rule shall terminate whenever the attorney ceases to be employed by the State Bar of Nevada as Bar Counsel or Assistant Bar Counsel. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the Executive Director of the State Bar of Nevada. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. **Limited practice.** An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except that the attorney shall represent the State Bar of Nevada and shall have as his or her only client the State Bar of Nevada. The attorney shall not accept any compensation for services except such salary as may be paid to him or her by the State Bar of Nevada.

5. **Discipline; bar membership; continuing legal education.** An attorney certified to practice under this rule does not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter, the court or state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. **Applicability.** This rule is applicable notwithstanding any rule of the court governing admission to the bar which:
   (a) Is in effect on the effective date of this rule; or
   (b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.8. Limited practice for certain deputy attorneys general.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes employed by the Nevada Attorney General, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar and shall be accompanied by:

(a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.

(b) A statement signed by the Nevada Attorney General that such attorney is currently employed by the Office of the Nevada Attorney General.

(c) A non-refundable application fee of $150.

3. Termination; renewal of certification. Certification to practice under this rule shall terminate whenever such attorney ceases to be employed by the Office of the Nevada Attorney General. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the Nevada Attorney General. In no event shall certification to practice under this rule remain in effect longer than 2 years. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. Limited practice. An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except for the Office of the Nevada Attorney General and shall only practice under the supervision of an attorney in the Office of the Nevada Attorney General who is an active, resident member of the State Bar of Nevada. All pleadings signed by an attorney certified to practice under this rule shall bear the name and office address, and be signed on behalf of, the attorney in the Office of the Nevada Attorney General responsible for supervising such attorney, who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

5. Discipline; bar membership; continuing legal education. Attorneys certified to practice under this rule do not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. Applicability. This rule is applicable notwithstanding any rule of the court governing admission to the bar which:

(a) Is in effect on the effective date of this rule; or

(b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.9. Limited practice for certain deputy state public defenders in rural counties.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes employed by the State Public Defender or the county equivalent of such an office to practice in a county whose population is fewer than 100,000 persons, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar and shall be accompanied by:
   (a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.
   (b) A statement signed by the State Public Defender or the county equivalent public defender that such attorney is currently employed by that office and will be practicing in a county whose population is fewer than 100,000 persons.
   (c) A non-refundable application fee of $150.

3. Termination; renewal of certification. Certification to practice under this rule shall terminate whenever such attorney ceases to be employed by the Office of the State Public Defender or the county equivalent of such an office or ceases to practice in a county whose population is fewer than 100,000. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the State Public Defender or the county equivalent public defender. In no event shall certification to practice under this rule remain in effect longer than 2 years. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. Limited practice. An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except for the Office of the State Public Defender or the county equivalent of such an office in counties whose population is fewer than 100,000 persons and shall only practice under the supervision of an attorney in the Office of the State Public Defender or the county equivalent of such an office who is an active, resident member of the State Bar of Nevada. All pleadings signed by an attorney certified to practice under this rule shall bear the name and office address, and be signed on behalf of, the attorney in the Office of the State Public Defender or the county equivalent of such an office responsible for supervising such attorney, who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

5. Discipline; bar membership; continuing legal education. Attorneys certified to practice under this rule do not qualify for active membership in the State Bar of Nevada, but may be disciplined or suspended from practice in the manner now or hereafter provided by rule for discipline or suspension of attorneys generally. Pending final disposition of any such matter the court or the state bar may suspend any right to practice that is granted hereunder, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. Applicability. This rule is applicable notwithstanding any rule of the court governing admission to the bar which:
   (a) Is in effect on the effective date of this rule; or
   (b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.10. Limited practice of attorneys employed in government or as in-house counsel.

1. Who may apply. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who is employed exclusively for a single governmental entity or as in-house counsel for a single corporation (including its subsidiaries and affiliates), association, partnership, or other business entity situated in or qualified to do business in Nevada, whose lawful business consists of activities other than the practice of law or the provision of legal services, may be certified to limited practice in this jurisdiction subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Procedure for applying. An attorney applying for certification under this rule shall file the following documents and fees with the State Bar of Nevada at its Las Vegas, Nevada, office:

   (a) Verified certificate. To be certified under this rule, an applicant shall file an original and one (1) copy of a verified certificate, on a form supplied or approved by the State Bar of Nevada, which shall include all of the following:

      (1) The attorney’s residence and office address;
      (2) The name, address, and telephone number of the attorney’s employer;
      (3) The courts before which the attorney has been admitted to practice and the dates of admission;
      (4) That the attorney is currently a member in good standing of, and eligible to practice law before, the bar of those courts;
      (5) That the attorney is not currently on suspension or disbarred from the practice of law before the bar of any court; and
      (6) That the attorney agrees to be subject to the jurisdiction of the courts of this state with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Nevada.

   (b) Certificate of good standing. A certificate from the state bar or clerk of the supreme court or highest admitting court of each state, territory, or insular possession of the United States in which the applicant has been admitted to practice law certifying the applicant’s membership and good standing therein.

   (c) Employer affidavit. An affidavit signed by the applicant’s immediate governmental supervisor or an officer, director, or general counsel of the attorney’s employer attesting that:

      (1) The applicant is a bona fide full-time employee;
      (2) The nature of the employment conforms to the requirements of this rule; and
      (3) The affiant will notify the State Bar of Nevada within thirty (30) days after the applicant ceases to be so employed.

   (d) Evidence of character and fitness. Affidavits signed by two (2) members of each bar where the applicant has been admitted or other evidence satisfactory to the State Bar of Nevada establishing the applicant’s good moral character and fitness to practice law.

   (e) Application fee. A non-refundable application fee of $250.

   (f) Annual fee. An annual fee equivalent to the annual membership dues paid by active members of the State Bar of Nevada of comparable longevity.

   (g) Such other information or documentation as the State Bar of Nevada may request in the course of its investigation.

3. Certificate containing false information. An applicant who files a certificate containing false information or who otherwise fails to comply with the standards of professional conduct required of members of the State Bar of Nevada shall be subject to the disciplinary jurisdiction of the Supreme Court of Nevada and the State Bar of Nevada with respect to any of his or her acts occurring in the course of the work performed.

4. Review by state bar and certification by state bar. The State Bar of Nevada shall investigate each application and, if necessary, interview the applicant. The state bar may grant the application and permit the attorney to practice in Nevada, subject to the restrictions of this rule.

5. Bar membership. An attorney certified to practice under this rule does not qualify for active membership in the State Bar of Nevada.

6. Activities permitted under this rule. An attorney certified under this rule may render legal advice and services to, and communicate and negotiate with third persons on behalf of, the attorney’s employer, other employees, or the employer’s subsidiaries and affiliates in matters related to the business of the employer.

7. Limitations of activities.

   (a) Unless otherwise permitted by law, an attorney certified under this rule may not:

      (1) Appear as counsel of record for the employer in Nevada in any court, before any administrative or political agency, or in any arbitration, mediation, or alternative dispute resolution proceeding which is court ordered or annexed or authorized by law or administrative rule;
(2) Render legal advice or services to the public or to anyone other than the attorney’s employer, other employees, or the employer’s subsidiaries and affiliates; or

(3) Hold himself or herself out to the public as an attorney so authorized or engaged.

(b) All business cards and employer letterhead used by an attorney certified under this rule in Nevada shall clearly indicate that the attorney is certified to practice in Nevada as governmental or in-house counsel.

8. Continuing legal education. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

9. Discipline. Attorneys certified under this rule shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Nevada. He or she shall familiarize himself or herself and comply with the standards of professional conduct required by members of the State Bar of Nevada. The rules of the Supreme Court of Nevada shall govern in any investigation or proceeding conducted by the State Bar of Nevada under this rule.

10. Renewal of certification.

(a) On or before March 1 of each year, an attorney certified under this rule must certify to the State Bar of Nevada that:

(1) The attorney is still employed by the same employer that submitted the affidavit required under subsection 2(c) of this rule;

(2) The attorney has complied with the continuing education requirements prescribed for active members of the State Bar of Nevada; and

(3) The attorney is still in good standing before the courts before which the attorney has been admitted to practice.

(b) An attorney certified under this rule who continues to perform legal services shall remit to the State Bar of Nevada by March 1 of each year, a fee equivalent to the annual membership dues paid by active members of the State Bar of Nevada of comparable longevity.

11. Failure to renew.

(a) An attorney certified under this rule who continues to perform legal services for an employer and fails to provide the proper certification or pay the renewal fees set forth in subsection 10 of this rule shall be suspended from practicing law upon expiration of a period of thirty (30) days after the anniversary date.

(b) The executive director of the State Bar of Nevada shall notify the attorney certified under this rule, and the entity employing that attorney of the suspension.

12. Reinstatement after failure to renew certification. An attorney certified to practice under this rule who has been suspended from that practice under subsection 11 of this rule may be reinstated upon compliance with the requirements of subsection 10 of this rule and the payment of a late penalty of $50. Upon payment of all accrued fees and the late penalty, the executive director may reinstate the attorney and shall notify the attorney and the entity employing the attorney of the reinstatement.

13. Termination. Certification to practice under this rule shall terminate whenever the attorney ceases to be employed by the employer submitting the affidavit under subsection 2(c) of this rule. The employer shall promptly notify the State Bar of Nevada in writing whenever the attorney’s employment ceases. Attorneys certified to practice under this rule who cease to be employed as required by this rule shall not retain membership with the State Bar of Nevada and shall not be considered for active membership unless they have made application for admission and have been examined in accordance with Rules 49 to 75, inclusive, in the same manner as all other applicants.
Rule 49.11. Limited practice for certain attorneys employed by the Federal Public Defender for the District of Nevada.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice in any other jurisdiction, and who becomes employed by the Federal Public Defender for the District of Nevada, may be certified to limited practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application. Application for certification to practice law in this state under the provisions of this rule shall be filed with the admissions director of the state bar, and shall be accompanied by:
   (a) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction and is a member in good standing in such jurisdiction.
   (b) A statement signed by the Federal Public Defender that the attorney is currently employed by the Federal Public Defender for the District of Nevada.
   (c) A non-refundable application fee of $150.

3. Termination; renewal of certification. Certification to practice under this rule shall terminate whenever the attorney ceases to be employed by the Federal Public Defender for the District of Nevada. When an attorney certified under this rule ceases to be so employed, a statement to that effect shall be filed immediately with the admissions director of the state bar by the Federal Public Defender for the District of Nevada. An attorney certified by the state bar to practice under this rule who otherwise remains eligible to practice must annually renew the certification in accordance with Rule 49.12.

4. Limited practice. An attorney certified to practice under this rule shall perform no legal services within the State of Nevada except for the Federal Public Defender for the District of Nevada, and shall practice only under the supervision of an attorney in the office of the Federal Public Defender for the District of Nevada who is an active, resident member of the State Bar of Nevada. All pleadings signed by an attorney certified to practice under this rule shall bear the name and office address, and be signed on behalf of, the attorney in the office of the Federal Public Defender for the District of Nevada responsible for supervising such attorney, who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

5. Discipline; bar membership; continuing legal education. An attorney certified to practice under this rule does not qualify for active membership in the State Bar of Nevada, but shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the laws of this state governing the conduct of attorneys to the same extent as other members of the State Bar of Nevada. Pending final disposition of any such matter, the court or the state bar may suspend any right to practice that is granted under this rule, without notice or hearing. During the time an attorney is certified under this rule, the attorney shall comply with the same requirements for continuing legal education as may be prescribed for active members of the State Bar of Nevada.

6. Applicability. This rule is applicable notwithstanding any rule of the court governing admission to the bar which:
   (a) Is in effect on the effective date of this rule; or
   (b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 49.12. Renewal of certification for limited practice for certain attorneys.

1. Annual certification. An attorney certified by the state bar to limited practice in this state under Rules 49.1, 49.4, 49.6, 49.8, 49.9, or 49.11 must annually renew said certification. By March 1 of each year, the attorney must submit to the State Bar of Nevada:
   
   (a) A statement signed by the attorney’s employer that the attorney remains employed by the employer’s office;
   
   (b) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction, and is a member in good standing in such jurisdiction; and
   
   (c) Certification that the attorney has complied with the continuing education requirements prescribed for active members of the State Bar of Nevada.

2. Annual certification fee. An attorney certified by the state bar to limited practice in this state under Rules 49.1, 49.4, 49.6, 49.8, 49.9, or 49.11 shall remit to the State Bar of Nevada by March 1 of each year, a fee equivalent to the annual membership dues paid by active members of the State Bar of Nevada of comparable longevity. On March 2 of each year a penalty shall attach to all delinquent certification fees in the same amount as the penalty for active members.

3. Suspension for failure to renew or pay fees. An attorney certified by the state bar to limited practice in this state under Rules 49.1, 49.4, 49.6, 49.8, 49.9, or 49.11 who continues to perform legal services for an employer and fails to properly renew the certification or pay the renewal fees shall be suspended from practicing law upon 60 days’ written notice to the attorney and the entity employing that attorney. The procedure for the suspension and reinstatement of limited practitioners is the same as that followed for active members of the State Bar of Nevada.

4. Termination. Notwithstanding any provision of this rule, certification to practice under Rules 49.1, 49.4, 49.6, 49.8, 49.9, or 49.11 terminates in accordance with those rules.
Rule 50. Power of board of bar examiners to examine applicants.

1. The court hereby confers upon the board of bar examiners the power to examine applicants pursuant to Rule 49.

2. The board of bar examiners shall conduct written examinations of applicants, and may also, in its discretion, conduct oral examinations of applicants on any relevant matters except the bar examination subjects listed in Rule 66.

3. As soon as practicable, all members of the board of bar examiners shall enroll and participate in at least one grading seminar or workshop conducted by the National Conference of Bar Examiners. The provisions of this rule shall not preclude the board of bar examiners from employing qualified graders.

4. The board of bar examiners shall investigate, adequately and thoroughly, each applicant’s moral character and fitness for membership in the bar and carefully pursue any adverse information relating to the moral character and fitness of an applicant. In fulfilling this function, the board of bar examiners may utilize the services of a professional investigator, preferably with training and experience in bar admissions.

5. In conducting its investigations concerning the character qualifications of applicants, the board of bar examiners may conduct hearings as provided by Rule 57 or may request any disciplinary board or panel thereof of the state bar to investigate the character of any applicant and to make a report and recommendation to the board of bar examiners concerning the applicant. The report and recommendations of the local administrative committee shall not be binding upon the board, and shall in no way prevent the board from making its own investigation, but the board may base its recommendation concerning the admission of the applicant either in whole or in part upon materials and testimony collected and heard by the committee and upon the report and recommendation of the committee.

The board of bar examiners shall, within 30 days of the conclusion of any hearing concerning the character qualifications of an applicant, notify the applicant of the results of the hearing. The board of bar examiners shall file a report with the clerk of the supreme court describing the nature and purpose of the hearing, and the results thereof in accordance with Rule 69(2).

6. The board of bar examiners shall have the power to investigate applicants through the National Conference of Bar Examiners, or any other investigative agency, to receive reports confidential or otherwise on the background of an applicant, and to incur necessary expenses in connection with the same. Any reports obtained pursuant to such investigations may be classified confidential and shall not be available for inspection by the applicant unless the supreme court or the board of bar examiners otherwise orders.
Rule 50.5. Conditional admission.

1. The court, in its discretion, may conditionally admit to the practice of law those applicants with character and fitness problems, which although serious, do not warrant denial of admission with or without prejudice. Admission under this rule shall be conditioned on and subject to such terms and conditions as required by the court, which may include any terms and conditions recommended by the board of bar examiners or its character and fitness committee. Before an applicant may be admitted under this rule, the applicant must consent in writing to the conditions of admission within 30 days of the court’s order setting those conditions. An applicant’s failure to consent will result in a denial of admission under this rule.

2. The period during which the applicant is conditionally admitted shall be designated as the probationary period and shall be monitored by and through the office of the Bar Counsel of the State Bar of Nevada. Any alleged violation of the terms or conditions of the order of conditional admission shall be referred to a probationary hearing panel of the board of bar examiners by the office of Bar Counsel. Members of the probationary hearing panel, when possible, will be comprised of the members of the hearing panel who recommended that the applicant be admitted pursuant to this rule.

3. An applicant admitted pursuant to this rule shall consent to the disclosure of all information obtained by the board of bar examiners to the office of the Bar Counsel, except information received by the board of bar examiners under a specific agreement of confidentiality or otherwise restricted by law.

4. The length of time of the probationary period shall be for a period of time as is ordered by the court.

5. Upon successful completion of the probationary period, in the absence of any disciplinary action by Bar Counsel, and upon written application by the applicant and the filing of a Supplemental Recommendation by the board of bar examiners, an applicant admitted pursuant to this rule shall be eligible for unconditional admission to the State Bar of Nevada.

6. The office of the Bar Counsel of the State Bar of Nevada shall monitor the conditions set forth in the order and the costs thereof shall be paid by the applicant admitted pursuant to this rule before termination of the probationary period.

7. Any alleged violation, however de minimis, of the terms and conditions of the order of conditional admission shall be brought before the probationary hearing panel of the board of bar examiners. Upon ten (10) days’ written notice to the applicant, the probationary hearing panel will convene to determine if a violation of the conditions has occurred and what action, if any, should be taken.

8. If the probationary hearing panel of the board of bar examiners determines that the alleged violation(s) is not proved, no further action will be taken. If it finds that a violation of the terms or conditions of the order of conditional admission exists, it may recommend to the court suspension or revocation of the conditional license. If it determines that the violation does not rise to the level of suspension or revocation, it may recommend to the court the extension or imposition of such additional terms or conditions of the probationary period as it deems appropriate.

9. Any grievance(s) filed with the office of Bar Counsel of the State Bar of Nevada concerning actions by an applicant admitted pursuant to this rule during the probationary period, shall be submitted to a screening panel of the Southern or Northern Nevada Disciplinary Board.

(a) If the disciplinary screening panel recommends anything other than dismissal, such findings shall be submitted to the probationary hearing panel of the board of bar examiners. The probationary hearing panel of the board of bar examiners is empowered, upon ten (10) days’ written notice to the applicant, to convene a hearing to determine the impact of these findings on the applicant’s conditional admission.

(b) Based upon the existence of a pending recommendation by a disciplinary screening panel of anything other than dismissal, the probationary hearing panel of the board of bar examiners is empowered to recommend suspension or revocation of the conditional license subject to the approval of the court. If the probationary hearing panel of the board of bar examiners determines that the violation does not rise to the level of suspension or revocation, it may recommend to the court the extension or imposition of such additional terms or conditions of the order of conditional admission as it deems appropriate.

10. Although the probationary hearing panel of the board of bar examiners may consider any alleged new disciplinary grievance(s) whether recommended for formal charges or not, to determine whether to revoke the conditional admission or to extend or modify the terms set forth therein, this is independent of a separate disciplinary hearing panel to consider what discipline, if any, is to be imposed as a result of the disciplinary hearing on any new grievance(s).

11. During the probationary period, an applicant admitted pursuant to this rule continues to bear the burden of proof to establish the applicant’s compliance with the terms and conditions of order of conditional admission. If circumstances so warrant, the office of the Bar Counsel and/or the probationary hearing panel of the board of bar
examiners may petition the court for an extension of the period of probation with a final decision to be made by the court.

12. Conditional admission shall be imposed pursuant to a confidential order of the court and except as is required by an application to be admitted to the United States Supreme Court, and/or to the bar of any other state or jurisdiction, or at the request of the applicant, shall remain confidential.
Rule 51. Qualifications of applicants for admission.

1. An applicant for a license to practice as an attorney and counselor at law in this state shall not be admitted to practice law in this state unless such applicant shall:
   (a) Have attained the age of majority.
   (b) Be present or available within the State of Nevada, and remain so until examined as required by Rule 65, so as to permit and facilitate the examination, investigations, interviews and hearings necessary to determine the applicant’s morals, character, qualifications and fitness to practice law.
   (c) Have received a degree of bachelor of laws, or an equivalent law degree, from a law school approved by the committee on legal education and admissions to the bar of the American Bar Association, and shall present evidence of the same.
   (d) Demonstrate that the applicant is of good moral character and is willing and able to abide by the high ethical standards required of attorneys and counselors at law.
   (e) Not have been refused admission to practice law in any state or before any court or governmental agency of the United States on the ground of unfitness of character.
   (f) Not have been disbarred from the practice of law in any state or before any court or governmental agency of the United States.
   (g) Not be subject to any mental or emotional disorder which would render the applicant unfit to practice law.
   (h) Not be an abuser of alcohol or prescription drugs, or a user of illegal drugs.
   (i) Demonstrate financial responsibility.
   (j) Be in full compliance with any court order, including without limitation, spousal or child support orders.
   (k) Achieve a passing score on the state bar examination.

2. No applicant for a license to practice as an attorney and counselor at law in this state may take the bar examination unless the applicant satisfies (1)(a), (1)(c) and (1)(f) above, and such application may be summarily denied. Such applicant shall be permitted to reapply to take the bar examination when the conditions in (1)(a), (1)(c) and (1)(f) have been satisfied and the applicant complies with other applicable requirements.
Rule 51.5. Certification by the committee on functional equivalency.

1. Certification prior to application. A prospective applicant who fails to meet the accreditation requirement of Rule 51(1)(c) shall not be permitted to apply for admission to practice law unless the committee on functional equivalency certifies that he or she has met the qualifications set forth in this rule. To request certification, a prospective applicant must petition the committee on functional equivalency in accordance with the provisions of this rule and the policies and procedures of the committee.

Only prospective applicants satisfying the qualifications set forth in paragraphs (a), (b), or (c) of this subsection may petition for such certification. A prospective applicant must include with the petition satisfactory evidence that he or she meets these qualifications; otherwise the petition shall be summarily denied, without review.

The following qualifications are required for certification:

(a) Graduation from an unaccredited law school within the American Bar Association’s accreditation jurisdiction and satisfactory evidence that:
   (1) the petitioner has been admitted to practice law in any jurisdiction, including another state of the United States of America, a territory of the United States of America, the District of Columbia, or a foreign country; and
   (2) the petitioner has been, for at least ten of the preceding twelve years, lawfully engaged in the full-time practice of law in the jurisdiction where the petitioner is admitted to practice law or in any other jurisdiction, provided that if the legal work experience takes place in a foreign country, it is a country where the English common law substantially forms the basis of that country’s jurisprudence, and where English is the language of instruction and practice in the courts of that jurisdiction; and
   (3) the petitioner’s legal education, as augmented by such subsequent legal work experience, is now functionally equivalent to an education provided by a law school accredited by the American Bar Association.

(b) Graduation from a law school that was not accredited by the American Bar Association at the time of the petitioner’s graduation but which has since achieved accreditation and satisfactory evidence that:
   (1) the law school achieved American Bar Association accreditation no more than 3 years after the petitioner’s graduation; and
   (2) the legal education received is functionally equivalent to an education provided by a law school accredited by the American Bar Association.

(c) Graduation from a foreign law school outside the accreditation jurisdiction of the American Bar Association and satisfactory evidence that the petitioner either:
   (1) meets the requirements of Rule 51.5(1)(a) above; or
   (2) received a legal education that is functionally equivalent to an education provided by a law school accredited by the American Bar Association.

2. Practice of law. For purposes of this rule, the term “practice of law” shall mean:

(a) private practice as a sole practitioner or for a law firm, legal services office, legal clinic or the like;
(b) practice as an attorney for an individual, a corporation, partnership, trust, or other entity, with the primary duties of furnishing legal counsel, researching legal issues, drafting legal documents, pleadings, and memoranda, interpreting and giving advice regarding the law, or preparing, trying or presenting cases before courts, departments of government or administrative agencies;
(c) practice as an attorney for the federal government or for a state government with the same primary duties described in paragraph (b) of this subsection;
(d) employment as a judge, magistrate, referee, arbitrator, mediator, or similar official, provided that such employment is available only to licensed attorneys;
(e) legal service in the armed forces of the United States;
(f) employment as a full-time teacher of law at a law school accredited by the American Bar Association; or
(g) any combination of the above.

3. Filing. A petition for certification under this rule must be filed with the admissions director no later than September 1 of the year prior to the year in which the petitioner seeks to sit for the bar examination. The petition must be verified, and shall contain a statement of facts accompanied by copies of all relevant documents, a statement of each ground upon which relief is alleged to be warranted, and legal points and authorities, setting forth the legal basis for each ground for the relief requested.

4. Refer to committee on moral character and fitness. If the committee has noted questions relating to the petitioner’s ability to meet the moral character and fitness requirements of Rule 51(4), (5), (6), (7), (8), or (9), the committee may recommend to the board of bar examiners that the petitioner be referred to the committee on moral character and fitness for further investigation and/or hearings prior to review by the committee on functional equivalency.
5. **Favorable recommendation.** If the committee on functional equivalency recommends that certification be granted, the committee shall file a report with the board of bar examiners, together with proof of service by mail on the petitioner, certifying to the board of bar examiners that the petitioner has met the qualifications set forth in subsection 1(a), 1(b), or 1(c) of this rule. Service by mail shall be complete upon mailing. The report shall be filed with the board of bar examiners within 30 days of the conclusion of any hearing, unless otherwise ordered by the board of bar examiners. Upon such a certification, the board of bar examiners shall permit the petitioner to apply for admission, unless the board determines that further investigation is necessary. The petitioner may, in the board’s discretion, be permitted to sit for the bar examination if the petitioner meets all other applicable requirements.

6. **Adverse recommendation.** If the committee on functional equivalency recommends that certification be denied, the committee shall file a report with the board of bar examiners, together with proof of service by mail on the petitioner, describing the basis for its adverse recommendation. Service by mail shall be complete upon mailing. The report shall be filed with the board of bar examiners within 30 days of the conclusion of any hearing, unless otherwise ordered by the board of bar examiners. Absent a timely verified petition for review filed in accordance with this rule, the board of bar examiners shall approve the adverse recommendation of the committee, unless the board of bar examiners determines that further investigation is necessary.

7. **Notice and review.** Any petitioner notified of an adverse decision may, within 15 days from the date of service of the decision, file a verified petition for review with the supreme court, which shall be accompanied by proof of service of a copy upon the admissions director of the state bar, the chair of the board of bar examiners, and the chair of the functional equivalency committee. Service by mail shall be complete upon mailing. Such petition shall contain any relevant documentation necessary for the court’s understanding of the matter, a statement of facts supported by adequate citation to any record, and legal points and authorities setting forth the legal basis for each ground upon which the committee’s recommendation is alleged to be erroneous.

Within 15 days of service of any verified petition, the board of bar examiners shall submit the committee’s report to the court. Additionally, within 15 days of service of any verified petition, the board of bar examiners and/or the committee on functional equivalency, or their representative, may file an answer to any issues raised in the petition. If the court is of the opinion that the committee’s recommendation should not be disturbed, it may deny the petition. Should the court determine that the petitioner is entitled to relief, it may direct the board of bar examiners to permit the petitioner to file an application for admission and to process the application in accordance with Supreme Court Rules 49 to 75.

8. **Burden of proof.** In any proceeding before the committee on functional equivalency, or before the court, the petitioner shall have the burden of proving that he or she meets the qualifications set forth in subsection 1(a), 1(b), or 1(c) of this rule. Should a petitioner fail to meet this burden of proof, the committee shall refuse to certify that the petitioner meets the requirements of this rule, and the court shall refuse to disturb the adverse recommendation of the committee.
Rule 52. Applications: Filing, number and contents.

1. (a) In order to permit and facilitate the examination, investigations, interviews and hearings necessary to determine the applicant’s morals, character, qualifications and fitness to practice law, an applicant for a license to practice as an attorney and counselor at law in this state shall electronically file with the admissions director of the state bar, an application not later than March 1 if the application is for the following July examination and not later than October 1 if the application is for the following February examination. The applicant shall also file a Verification Form, to be furnished by the admissions director, in duplicate within 21 days of submission of the application. Applications will not be processed until the two required Verification Forms are received by the admissions director of the state bar.

(b) An applicant unable to comply with the filing deadlines provided in subsection 1(a) of this rule may file a late application not later than May 1 if the application is for the following July examination and not later than December 1 if the application is for the following February examination. The deadline for filing an application shall not be waived.

(c) Any applicant failing to pass the examination who wishes to take the next subsequent examination shall have 15 days from the date of mailing of the state bar’s written notice to the applicant of his or her failure to pass the examination or until the late application deadlines set forth in subsection 1(b) of this rule, whichever date is later, to file a verified application with the admissions director of the state bar.

(d) Any military spouse who has relocated to Nevada due to military orders shall electronically file with the admissions director of the state bar, an application not later than February 1 if the application is for the following February examination and not later than July 1 if the application is for the following July examination. No late fees shall be charged to any military spouse who submits a bar exam application by the applicable dates listed above. The admissions department will not accept bar exam applications from military spouses electronically filed after February 1st (for the February bar exam) or July 1st (for the July bar exam). The admissions department will not issue any provisional or temporary licenses.

(e) An application shall be deemed filed on the day of electronic submission.

2. The application shall state:

(a) When and where the applicant was born and the various places of the applicant’s residence, giving at least two references in each place in which the applicant has resided since attaining the age of 21 years and for the 5 years immediately preceding filing of the application.

(b) Whether or not the applicant has been engaged in business at any time; if so, where and the kind of business.

(c) The names and post office addresses of all persons by whom the applicant has been employed for a period of 10 years immediately preceding the making of the application.

(d) The applicant’s general and legal education, what schools the applicant has attended, the length of time in attendance at each, whether or not the applicant is a graduate of any school or schools, and whether or not the applicant has ever been subject to discipline for violation of any school policy, including but not limited to, code of conduct and honor code violations.

(e) Whether or not the applicant has ever applied to any court, bar association, administrative body, governmental agency or other entity for admission to practice law; if so, when and where, and the results thereof.

(f) If a naturalized citizen, when and where naturalized.

(g) Whether or not the applicant has ever been arrested; if so, when and where, the nature of the crime charged, the disposition of the charge, complaint, indictment or information, the title and address of the police officials having custody of the record of arrest, and the names and locations of all courts before which any proceedings in connection with the arrest took place.

(h) The marital status of the applicant; if married, the name of the spouse, the date and place of marriage, and the number and names of children, if any; if divorced, the names of all former spouses, the dates of the decrees and the names of the court granting such decrees, and whether or not the applicant is subject to any spousal or child support orders and the current status of payments due thereunder.

(i) Whether or not the applicant has ever applied to practice in any jurisdiction. If the applicant has been admitted to practice law in any jurisdiction the applicant shall:

(1) State whether any complaint or charge resulting in an inquiry, investigation, or hearing, formal or informal, has ever been instituted against the applicant, or whether by resignation, withdrawal or otherwise the applicant has terminated or attempted to terminate the applicant’s office as an attorney, and in either or any of the cases above referred to, giving full particulars; and

(2) Present a certificate of the clerk of the court in the state in which the applicant last practiced, certifying that the applicant is a member in good standing of the bar of that state or district, and that no disbarment or other
proceedings affecting the applicant’s standing as an attorney are pending and undisposed of before the court, which certificate shall be supplemented by:

(I) A letter from the secretary of the local bar association of the city or county in which such applicant last resided (if there be such local bar association) and a letter from the secretary of each state bar association where the applicant is admitted to practice, certifying to the applicant’s good moral character; and

(II) A letter of recommendation from the judge of the court of record before which the applicant last regularly practiced; and

(III) Such other evidence of good moral character and fitness as may be required by the court; and

(IV) Such other evidence as may be required by the board of bar examiners.

(j) Whether the applicant has ever defaulted on any financial obligations, including without limitation, student loans, and in the case of student loans, the present payment status thereof.

(k) Whether or not the applicant is, or ever has been, a member of any organization devoted to, or advocating support of, the violent overthrow of the government of the United States or of any state, giving full particulars.

3. On making application for admission, each applicant shall authorize the state bar, and its agency and representatives, to acquire from any source any information it may request concerning the applicant's professional, academic and character qualifications, which information may include, without limitation implied by enumeration, confidential reports, files, records, proceedings, documents and transcripts in any type of civil, criminal, disciplinary or administrative action or proceeding, and further to authorize the National Conference of Bar Examiners, or any other reporting agency, to submit to the state bar its character report on the applicant, and shall agree that the applicant shall not have access to confidential reports, and to other information except as the board of bar examiners may permit. Such applicant shall further authorize any state bar, bar association or other admitting authority to release to the State Bar of Nevada and its agents and representatives, including the National Conference of Bar Examiners, any or all similar information enumerated above.

The applicant, on making application for admission, shall consent to the disclosure of all information as set forth in this subsection pursuant to any request by any state bar, bar association, the National Conference of Bar Examiners or other admitting authority.

4. Each applicant shall attach to each Verification Form a head-and-shoulders photograph, not smaller than 2 inches by 2 inches, taken within four months of the submission of the application.

5. A false statement on the application forms filed with the admissions director, or failure to set out information required on the forms, shall be sufficient cause for denial of admission.
Rule 53.  Fingerprinting of applicants.

1. An applicant for examination for a license to practice as an attorney and counselor at law in this state shall, as part of the application, be fingerprinted.

2. Each applicant shall, at the applicant’s own expense, and on cards provided by the state bar, arrange to be fingerprinted by any police or sheriff’s office and shall submit two fingerprint cards, after the fingerprints are taken, to admissions director within 21 days of submission of the application.

3. The admissions director shall mail the applicant’s fingerprint card to the Federal Bureau of Investigation, Washington, D.C., for its report, and to such other law enforcement agencies as the admissions director may deem necessary.
Rule 54. Fees.

1. An applicant for examination for a license to practice as an attorney and counselor at law in this state who has not previously been admitted in any jurisdiction shall pay to the treasurer of the state bar the sum of $700, inclusive of a $25 administrative fee, before being entitled to have the application considered.

2. An attorney who has been previously admitted to practice law in any jurisdiction, or who has taken and passed another jurisdiction’s bar exam whether or not admitted in the jurisdiction, and who applies to be admitted to practice law in Nevada shall pay to the treasurer of the state bar the sum of $1,000, inclusive of a $25 administrative fee, before being entitled to have the application considered.

3. In addition to the fees required in subsections 1 and 2 of this rule, an applicant making late application shall pay to the treasurer of the state bar a sum of $550 for any late application post-marked between March 2 and May 1, inclusive, for the July examination; or between October 2 and December 1, inclusive, for the February examination. Further, if the date an application is to be postmarked falls on a Sunday or holiday, only those applications postmarked the following business day shall be accepted as timely.

4. No payments shall be refunded except as otherwise provided by these rules.

5. In all cases where an applicant has been denied admission but is permitted to apply again for admission to practice, the applicant shall be required at the time of such further application to make the same payment as on an original application. If an applicant failed to pass the examination and applies to take the next subsequent examination, the applicant shall not be required to pay the fees set forth in subsection 3 for late application.

6. The board of bar examiners shall assess against an applicant such further fees or costs as in the opinion of the board are reasonably necessary to conduct investigations, to hold hearings and to take depositions either within or without the State of Nevada concerning the character of the applicant. The board of bar examiners shall estimate the cost of its investigation and provide the applicant with a written estimate of costs. The applicant shall have 10 days from service of the estimate within which to pay the estimated costs to the State Bar of Nevada. Any such fees assessed shall be paid into the treasury of the state bar prior to the commencement of any such investigation, hearing or the taking of a deposition.

Should the actual fees or costs incurred in the conduct of such investigation, hearing or taking of a deposition exceed the amount assessed by the board of bar examiners, the applicant shall pay the excess fees or costs before a final determination is made in the applicant’s case upon the entry of a further order therefor by the board.

Failure to pay such fees as may be assessed by the board of bar examiners may be considered grounds for denial of admission.

Within 30 days after written notice to the applicant of the entry of an order by the board of bar examiners assessing further fees or costs pursuant to this rule, the applicant may petition the supreme court for a review thereof.
Rule 55.  Transcripts of academic grades provided to the board of bar examiners.

1. An applicant for examination for a license to practice as an attorney and counselor at law in this state shall, as part of the application and at the applicant’s own expense, provide the admissions director of the state bar with one certified copy of the applicant’s transcripts of grades from colleges, universities and law schools from which the applicant graduated, the names of which are stated in the application pursuant to Rule 51 and Rule 52(2)(d).

2. Transcripts shall be filed with the admissions director of the state bar within 21 days of submission of the application. For applicants who have not graduated at the time of submission of the application, transcripts shall be filed not later than the 10th day of the month in which the bar examination will be taken.
Rule 56. Number and disposition of applications; approval by board of bar examiners.

1. All applications for admission to practice law in Nevada shall be submitted electronically pursuant to Rule 52(1). The admissions director shall transmit or shall cause to be transmitted, one copy of the application to the clerk of the supreme court. The electronic copy shall be used by the admissions director to determine the applicant’s qualifications for admission.

(a) The admissions director of the state bar shall review the application to determine whether it has been completed and filed in compliance with the requirements of Rules 51 through 55. If an application is incomplete, the admissions director shall give the applicant one written notification of the deficiencies in the application. The applicant shall have 30 days from the date of mailing of the notice of the deficiencies, or until 30 days before the examination, whichever date is earlier, to cure the deficiencies and complete the application. If the application is not completed within the allotted time, the admissions director shall recommend to the board of bar examiners that the application be rejected.

(b) If the admissions director recommends to the board of bar examiners that an application be rejected because it is not complete, the board may reject the application, and shall reject the application if the deficiencies in the application are such that the board cannot adequately and thoroughly investigate the applicant’s morals, character, qualifications and fitness to practice law.

(c) As provided in Rule 67, the admissions director shall reject the application if the applicant has previously been denied admission with prejudice in this state for failure to meet the necessary character requirements.

(d) Only the board of bar examiners may recommend denial, with or without prejudice, of an application, pursuant to Rule 64, on the grounds that the applicant has failed to demonstrate good moral character and willingness to abide by high ethical standards, or that the applicant has failed to demonstrate that no mental or emotional disorder renders the applicant unfit to practice law. In the absence of the timely filing of a petition pursuant to the provisions of Rule 64, the court shall refuse to disturb such an adverse recommendation of the board. If the recommendation is to deny admission without prejudice, the board may impose conditions which the applicant must fulfill before the applicant will be permitted to file a subsequent application for admission to practice law. Further, the board shall recommend a period of time, not to exceed 5 years, before the applicant may reapply.

(e) An applicant whose application has been rejected on grounds other than those stated in Rule 64, Rule 65.5, or Rule 70 may, within 30 days from the date of notification, file a verified petition for relief with the supreme court, which shall be accompanied by proof of service of a copy thereof upon the admissions director of the state bar and the chair of the board of bar examiners. Such petition shall contain a statement of facts accompanied by copies of all relevant documents, a statement of each ground upon which relief is alleged to be warranted, and legal points and authorities, setting forth the legal basis for each ground for relief alleged. If the court is of the opinion that relief should not be granted, it may deny the petition. Otherwise, the court may order an answer may be filed by the board of bar examiners. Should the court determine that the petitioner is entitled to relief, it may direct the board of bar examiners to process the application in accordance with Rules 57 to 75.

2. All applications not rejected by the admissions director shall be reviewed by the board of bar examiners along with any investigative reports or relevant documentation. No applicant for examination for a license to practice as an attorney and counselor at law in this state shall be eligible for examination until the applicant has received the written approval of the board of bar examiners. Except as otherwise provided in this rule and in Rule 65.5, the board of bar examiners shall not permit an applicant to be examined unless the applicant has fulfilled the requirements of Rules 51 through 55.

3. The board of bar examiners, in its discretion, may permit or refuse to permit an applicant whose verified application complies with the requirements of Rule 52 to take the bar examination if the board has not completed its investigation into the applicant’s moral character or fitness for admission. If the board of bar examiners has refused to permit an applicant to take the bar examination because its investigation into the applicant’s moral character or fitness for admission is not completed at the time of the bar examination, and the applicant subsequently receives final approval of the board, the applicant shall be permitted to take the bar examination next following such approval without submission of further fees or applications, except the board, in its discretion, may order further character or fitness reports, including fingerprint reports, on the applicant during the intervening period. If the board has permitted the applicant to take the examination, the board must complete its investigation and report its recommendation to the supreme court by June 1 of the year immediately following the date on which the applicant is successful on the July examination, or by January 1 of the year immediately following the date on which the applicant is successful on the February examination, unless the supreme court otherwise orders.

Nothing herein contained shall be construed to prevent the board from calling to the attention of the court before final admission matters occurring subsequent to the final approval by the board or matters discovered subsequent to final approval.
4. An applicant may voluntarily withdraw the application for admission to practice law at any time prior to the date of the examination by filing a written notice of withdrawal with the admissions director. Except as otherwise provided in subsection (3) of this rule, an applicant’s failure to appear for the examination or to complete all admissions requirements by January 31 of the year following the date on which the July examination is given, or by August 31 of the year in which the February examination is given, shall constitute a withdrawal of the application. The admissions director shall immediately notify the clerk of the supreme court and the chair of the board of bar examiners of the withdrawal of an application, and shall also notify the applicant in those instances in which withdrawal of the application is due to the applicant’s failure to appear for the examination or to complete all admissions requirements.
Rule 57. Power of board of bar examiners to conduct hearings.

1. The board of bar examiners shall have the power to conduct hearings on the qualifications of applicants for admission and may take and hear relevant evidence, administer oaths and affirmations, and compel by subpoena the attendance of witnesses and the production of books, papers and documents, subject to the Supreme Court Rules.

2. Any member of the board of bar examiners may administer oaths.
Rule 58. Applicant to have opportunity to rebut.

Upon conclusion of any testimony before the board of bar examiners, and at a further hearing if necessary, the applicant shall be given a reasonable opportunity to rebut or explain the same.
Rule 59. Notice.

1. Whenever an applicant is required to appear before the board of bar examiners at a hearing, the applicant shall be entitled to 5 days’ notice thereof if served personally with such notice, and to 10 days’ notice if served by mail at the applicant’s last-known address.

2. The written notice to appear before the board shall include a general statement of the matters to be inquired into at the hearing and need not specify with particularity matters to be inquired into. If the hearing is concerned with character qualifications for admission, it is sufficient if the general notice contains a statement in substantially the following form: “Matters concerning your character and fitness qualifications for admission to practice will be inquired into at the hearing.”

3. If testimony from witnesses called by the board, other than the applicant, is to be taken at any hearing before the board, the applicant shall be entitled to notice of that fact. No other notice or statement shall be required.

4. The applicant shall be entitled to be present, together with counsel, if desired, at any hearing before the board at which testimony is taken, during the taking of testimony, and the applicant shall be advised of that fact in any notice as provided by these rules.
Rule 60. Testimony of witnesses.
    Testimony of a witness or witnesses may be taken under oath at a hearing before the board of bar
examiners, or by deposition as provided in Rule 61, or by affidavit. Nothing herein contained shall be construed to
prevent the board from considering the confidential reports and materials submitted by the National Conference of
Bar Examiners and the reports, recommendations, exhibits and transcripts of proceedings of local administrative
committees.
Rule 61. Depositions; discovery.

1. In connection with any application for admission, the board of bar examiners shall have the power to take depositions and to employ any of the discovery procedures provided by the Nevada Rules of Civil Procedure.

2. For the purposes of this rule, the board of bar examiners and the applicant shall be considered adverse parties. Orders to enforce such procedures shall be sought by application of the board of bar examiners to the supreme court, and any application for relief under this rule shall be addressed to the supreme court.

3. If an applicant unreasonably fails to comply with requests for discovery under this rule, this alone shall be ground for a recommendation by the board of bar examiners for denial of admission, or the supreme court may impose any of the sanctions authorized by the Nevada Rules of Civil Procedure and may deny admission.

4. Upon application by the board, the court, or any justice thereof, shall have power to order issuance of any mandate, writ or commission necessary to procure witnesses to be compelled to attend and to testify on deposition outside the State of Nevada pursuant to the Uniform Foreign Depositions Act, or any other applicable law in force where the witness may be found.

5. This rule shall be applicable to applications filed before, as well as to applications filed after, the effective date of this rule.
Rule 62. Subpoenas and compulsion of testimony.

1. In conducting investigations and hearings into the qualifications of an applicant for admission, the board of bar examiners shall have the power to compel the attendance of witnesses and the production of books, papers and documents pertaining to the matter under investigation by subpoena issued by the clerk or any justice of the supreme court.

2. On request in writing by a member of the board of bar examiners or the admissions director of the state bar, the clerk of the supreme court may issue subpoenas in blank.

3. The applicant shall have the power to compel the attendance of witnesses, and the production of books, papers and documents pertaining to the matter under investigation; but the applicant shall not have the power to compel attendance of any member of the board of bar examiners or of the board of governors, nor shall the state bar or the board of bar examiners be compelled to produce its books, papers and documents pertaining to the matter under investigation. When an applicant requests subpoenas pursuant to this rule, the applicant shall make such request in writing to the admissions director of the state bar and shall accompany the written request therefor with the names of the persons to be subpoenaed, together with necessary witness fees and mileage as required by Nevada Revised Statutes.

4. No witness shall be compelled to attend a hearing from outside the county where such hearing is held unless such witness resides within 100 miles of the place of hearing. Subpoenas shall be issued in the same form and manner, except as otherwise provided by these rules, as provided in the Nevada Rules of Civil Procedure.

5. Whenever any person subpoenaed to appear and give testimony or to produce such books, papers or documents as required by subpoena refuses to appear or to produce the books, papers or documents required, or to testify before the board of bar examiners, or whenever any person before the board refuses to answer any pertinent or proper question, that person shall be deemed in contempt of the supreme court.

6. Attendance of witnesses, inspection of documents and materials, and compulsion of testimony on deposition outside the State of Nevada may be required in the same manner as is provided for in civil matters.
Rule 63. Form of subpoena.

The subpoena, under Rule 62 for the attendance of witnesses at hearings before the board of bar examiners, or at the taking of depositions, may be substantially in the following form:

(Title of Proceeding)

SUBPOENA

To .................................................. (name of witness):

You hereby are directed to appear and attend before the board of bar examiners of the State Bar of Nevada, at a meeting thereof to be held at .................................................. County of ................................ State of Nevada, on the ................ day of ................, 20......, at the hour of ................ o’clock ......M., then and there to testify in the above-entitled matter. (If the production of documents or other physical things is desired, add “and you further are directed to bring and have with you at such time and place the following: ..................................................”)

For failure to appear and attend (add in proper cases “or to bring and have with you the items above mentioned”) as herein required, you will be deemed to be in contempt of the Supreme Court of Nevada.

Dated: ................................, 20......

Supreme Court of Nevada

By
Rule 64. Recommendation to supreme court for denial of admission for failure to meet requirements of Rule 51.

1. Where the board of bar examiners recommends to the supreme court that an applicant be denied admission with or without prejudice to the bar for failure to meet the requirements of S.C.R. 51(2), (4), (5), (6), (7), (8), or (9), the grounds for the recommendation and the conditions, if any, to be imposed on denials without prejudice, shall be stated in writing and shall be promptly filed with the clerk of the supreme court, together with proof of service of the recommendation upon the applicant.

2. Any applicant so notified may, within a period of 30 days from service of the notice, file a verified petition for review with the supreme court, which shall be accompanied by proof of service of a copy thereof upon the admissions director and chairman of the board of bar examiners. Service by mail is complete upon mailing. Such petition shall contain any relevant documentation necessary for the court’s understanding of the matter, a statement of facts supported by adequate citation to any record, and legal points and authorities setting forth the legal basis for each ground upon which the board’s recommendation is alleged to be erroneous. If the court is of the opinion that the board’s recommendation should not be disturbed, it may deny the petition. Otherwise, the court may enter an order fixing time within which an answer may be filed by the board of bar examiners. Should the court determine that the petitioner is entitled to relief, it may direct the board of bar examiners to take such action as is deemed warranted under the circumstances.

3. In any proceeding before the board of bar examiners, or before the supreme court, the applicant shall have the burden of proving that the applicant meets the qualifications required for admission to practice in this state. Should an applicant fail to meet this burden of proof, the court shall refuse to disturb the adverse recommendation of the board of bar examiners.
Rule 65. Multistate bar examination; time, date, place of examinations.

1. All applicants determined to be eligible for examination for licenses to practice as attorneys and counselors at law in this state shall be examined semi-annually by the board of bar examiners by administering to all applicants a written bar examination consisting of two parts. One part shall be the Multistate Bar Examination prepared by the National Conference of Bar Examiners. The other part shall be a two-day essay examination. The essay examination shall include eight essay questions covering the subjects listed in Rule 66 and, beginning with the 1997 July examination, may include one or more Performance Test question(s) covering the skills listed in Rule 66. Each part shall be given on successive days. The same subjects may be covered on both parts. In grading the examination, the essay examination shall be entitled to at least twice the weight of the Multistate Bar Examination. Unless otherwise specified in these rules, the two-part examination required by this rule may be referred to as “the examination.”

2. The board of bar examiners shall have the power to conduct the written bar examination at such place or places in the State of Nevada as are designated by it.

3. At least 30 days before each examination, or within such further time as the court may permit, the board of bar examiners shall file with the supreme court for approval a proposed formula for grading the entire examination.
Rule 65.5. Multistate Professional Responsibility Examination.

Prior to the admission to the practice of law, and not earlier than 3 years preceding the year in which an applicant passes the examination required by Rule 65, and no later than 3 years after the year in which an applicant passes said examination, an applicant shall take and pass the Multistate Professional Responsibility Examination. There is no limit to the number of times an applicant may take the Multistate Professional Responsibility Examination during such period, but if an applicant does not pass the Multistate Professional Responsibility Examination during such period, an applicant must be reexamined as required by Rule 65. The Multistate Professional Responsibility Examination need not be taken in the State of Nevada.

1. The essay examination shall be comprised of eight questions prepared by the board of bar examiners of the state bar, and, beginning with the July 1997 examination, may include one or more Performance Test question(s). The essay examination shall test applicants on legal ethics and may test applicants on their knowledge of the following subjects: constitutional law; evidence; contracts; criminal law and procedure; real property; torts; remedies; community property; conflict of laws; persons and domestic relations; corporations; agency and partnership; wills, estates and trusts; Uniform Commercial Code (Articles 2, 3, and 9); and pleadings and practice under the Nevada Rules of Civil Procedure and the Federal Rules of Civil Procedure. The Performance Test question(s) may test applicants on their knowledge of the following skills: problem solving, legal analysis and reasoning, factual analysis, communication, organization and management of a legal task, and recognizing and resolving ethical dilemmas. The essay examination shall test applicants on legal ethics and may test applicants on their knowledge of both fundamental legal principles and Nevada law.

2. Questions may embrace more than a single subject.
Rule 67. Limitations on number of applications.

An applicant who has been denied admission with prejudice for failure to meet the necessary character requirements shall not thereafter again be permitted to apply for admission.
Rule 67.5. Examinations: Special accommodations and procedures for applicants with impaired sensory or manual skills.

1. Upon the request of an applicant and demonstration of good cause, the board of bar examiners shall, at no additional cost to the applicant, provide such special examination accommodations and employ such special examination procedures as the board deems reasonable and necessary to ensure that the examinations provided for in these rules accurately measure the applicant’s qualifications for a license to practice as an attorney and counselor at law in this state, and to ensure that the results of such examinations fairly reflect the applicant’s qualifications.

2. The board of bar examiners shall have the power to require an applicant who submits a request pursuant to this rule to provide the board with such documentation as the board deems reasonable and necessary in order to establish:
   (a) That the request is made in good faith;
   (b) That special examination accommodations or procedures are warranted; and
   (c) The nature and extent of special examination accommodations or procedures that are warranted.

3. Any request by an applicant made pursuant to this rule shall be submitted in writing to the admissions director of the state bar at the time of filing of the application for admission and all petitions and supporting documentation must be submitted to the admissions director no later than June 1 if the application is for the following July examination, or no later than January 1 if the application is for the following February examination.
Rule 68. Transmittal of examinations, certificates and recommendations of board of bar examiners to court.

1. When the board of bar examiners has completed any investigation that it deems necessary and the examination has been completed and reduced to writing, the board of bar examiners shall transmit to the court its certificate:

   (a) Showing whether or not the applicant has met the requirements of Rule 51; and

   (b) Containing the statement that:

      (1) The applicant was examined by the board of bar examiners;

      (2) The applicant had no knowledge or intimation of the nature of any of the questions to be propounded before the same were asked by the board of bar examiners;

      (3) The answers to each and all of the questions, except research questions, were taken down as given by the applicant without reference to any books or outside aid; and

      (4) The board of bar examiners feels that the applicant fulfills or does not fulfill the requirements for admission to practice, and a recommendation for or against such admission.

2. The board of bar examiners may defer for a reasonable period the making of a report on any applicant whose background investigation has not been completed, notwithstanding the fact that such applicant has passed the written bar examination. The mere fact that an applicant has passed the written bar examination does not automatically entitle such applicant to admission. The board nevertheless must make such report no later than June 1 of the year after the July examination is taken, or January 1 of the year after the February examination is taken, unless the supreme court otherwise orders.

3. When the board has completed grading examination papers and rendered its report pursuant to subsection 1 above, it shall promptly transmit to the supreme court its report of the grades received by the applicants, together with the board’s examination questions and such further papers as the court may deem appropriate.

4. Neither a member of the board of bar examiners nor the admissions director or any other person may release the results of the bar examination prior to the supreme court’s receipt of an accurate report of such results. It shall be deemed a contempt of the supreme court to release the bar examination results in violation of this rule.

5. Except as otherwise provided by these rules, the board’s report shall remain confidential and shall be retained by the clerk of the supreme court indefinitely. Nothing in these rules, however, shall preclude an applicant from obtaining the applicant’s own grade on the bar examination.
Rule 69. Passing grade; admission by court.

1. Upon receipt of a recommendation for admission from the board of bar examiners, the court may admit to the practice of law any and all applicants so recommended having a total scale score of not less than 75.00 on the examination, a scale score of not less than 75.00 on each of at least three essay questions, and a scale score of not less than 85.00 on the Multistate Professional Responsibility Examination.

2. A July applicant’s failure to meet all the qualifications for admission by January 31 of the year immediately following the date of the examination, or a February applicant’s failure to meet all qualifications for admission by August of the year of the examination, shall constitute a withdrawal of the application, unless the supreme court otherwise orders. Except during February and July, the board of bar examiners shall submit monthly petitions to the supreme court respecting the admission results. The board of bar examiners may submit further petitions to the supreme court as ordered by the supreme court.

3. The names of the applicants admitted to the practice of law in the state shall be promptly published in the state bar publication.
Rule 70. Applicants not recommended for admission: Notice.

The board of bar examiners shall provide notice to an applicant, at the applicant’s address given in the application, whenever the board recommends that such applicant be denied admission for failure to pass the examination. The board shall file proof of service of such notice in the supreme court. There shall be no right of appeal or review as to the examination or its results.
Rule 70.5. Confidentiality.

Except as otherwise provided by these rules, the contents of any application for admission to practice law in this state, the results of any investigation, including the transcript of any hearing, documentation regarding the application or applicant, and the grades of an individual applicant shall remain confidential. A petition for review filed in the supreme court pursuant to these rules shall remain confidential. An applicant may waive confidentiality with respect to such petition by filing a verified statement with the supreme court clerk.
Rule 71. Examination of examination papers, grades by applicant not recommended for admission.

With the exception of the Multistate Bar Examination and the Multistate Professional Responsibility Examination, any applicant not recommended for admission by the board of bar examiners shall have the right to inspect the applicant’s examination papers, the questions given and the ratings thereof at any time after the supreme court has received the report of the board of bar examiners recommending that the applicant be denied admission. The bar examination answers of all applicants recommended for admission shall be retained for one year. The bar examination answers of applicants not recommended for admission shall be retained for three years from the date of the bar examination.
Rule 72. Review when applicant not recommended for failure to meet character, other standards.

1. If an applicant is notified that the applicant has failed to qualify in any particular other than failure to pass the written examination or the Multistate Professional Responsibility Examination the applicant shall have the burden of proof to satisfy the court that the applicant should be admitted.

2. If an applicant has failed to qualify in the opinion of the board of bar examiners by reason of failure to meet the character standards required by the board of bar examiners, the applicant shall be entitled to review all of the reports except confidential reports regarding the applicant’s character submitted by the board of bar examiners.

3. There is reserved to the board of bar examiners the right to base its opinion regarding an applicant’s character upon confidential reports, provided such reports are reduced to writing and submitted to the court for its confidential information.
Rule 72.1. Admission of legal services members.

1. Requirements. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes employed by or associated with an organized legal services program funded from state, federal or recognized charitable sources and providing legal assistance to indigents in civil matters, may be admitted to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

2. Application and certification. An attorney applying for admission under this rule shall file an application for admission with the admissions director as provided in S.C.R. 56(1). The application shall be accompanied by:
   (a) Satisfactory evidence that the attorney has graduated from a law school approved by the American Bar Association;
   (b) A certificate of good standing indicating that the attorney has been admitted to practice law in another jurisdiction;
   (c) A certificate that the attorney has taken and passed either the Multistate Professional Responsibility Examination with a scale score of at least 85 or an equivalent course in ethics taken during the attorney’s law school attendance;
   (d) Certification by the supervising attorney that he or she believes that the attorney possesses the requisite character and fitness to practice law in this state; and
   (e) A certificate executed by the executive director of the organized legal services program that the attorney will be acting in connection with such program and under the supervision of a member in good standing of the State Bar of Nevada.
   (f) A non-refundable application fee of $250.

3. Character and fitness determinations. The admissions director shall submit the application to the board of bar examiners for a determination that the applicant meets the qualifications of S.C.R. 51.

4. Certification and recommendation to the supreme court. If, after such investigation as the board of bar examiners may deem necessary, it concludes that a prospective legal services attorney possesses the requisite moral character and fitness required of all other applicants for admission to practice law in the State of Nevada, the board shall recommend said individual for legal services membership in the State Bar of Nevada and shall transmit to the supreme court a certificate,
   (a) Showing whether the attorney has met the requirements of Rule 51; and
   (b) Containing a statement that the board of bar examiners believes that the applicant fulfills or does not fulfill the requirements for admission to practice under this rule.

5. Admission by the supreme court. Upon a positive recommendation by the board of bar examiners and fulfillment of all other requirements imposed by this rule, the court may, in its discretion, admit a qualified individual as a legal services member of the State Bar of Nevada.

6. Rights and responsibilities. Except for the limitations as set forth in paragraphs 7 and 8 of this rule, attorneys admitted to practice under this rule are subject to the same rules and regulations as active members of the state bar, including the obligation to pay annual membership dues in accordance with S.C.R. 98(9) and to comply with requirements regarding continuing legal education. Attorneys admitted to practice under this rule shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the laws of this state governing the conduct of attorneys to the same extent as other members of the State Bar of Nevada. Pending final disposition of any such matter, the court may suspend any right to practice that is granted under this rule, without notice or hearing.

7. Limitations. An attorney admitted to practice under this rule shall perform no legal services within the State of Nevada except for clients aided under the auspices of the organized legal services program by which the attorney is employed or with which he or she is associated and for such purposes only, and the attorney shall not accept any compensation for such services except such salary as may be paid by said organized legal services program or by a governmental body or charitable institution to enable him to work for said legal services program. All pleadings signed by an attorney admitted to practice under this rule shall bear the name and office address, and be signed on behalf of, the attorney in charge of the organized legal services program concerned, who shall be an attorney fully licensed to engage in the general practice of law within the State of Nevada, and who shall be deemed the attorney of record in the cases wherein such pleadings are filed.

8. Termination of legal services membership. Admission to practice under this rule shall terminate whenever the attorney ceases to be employed by or associated with the particular legal services program. When an attorney admitted under this rule ceases to be so employed or associated, the executive director of the particular legal services program with which said attorney was employed or associated shall file immediately a statement to that effect with the clerk of this court and the admissions director. Attorneys admitted to practice under this rule who cease to be
employed by or associated with a particular legal services program shall not retain membership with the State Bar of Nevada and shall not be considered for active membership unless they have made application for admission and have been examined in accordance with Rules 49 to 75, inclusive, in the same manner as all other applicants.

9. **Temporary certification.** The state bar, pending its review of an application for admission under this rule, may temporarily certify an attorney to practice under this rule. Such temporary certification shall in no event remain in effect longer than 1 year.

10. **Applicability.** This rule is applicable notwithstanding any rule of the court governing admission to the bar which:

   (a) Is in effect on the effective date of this rule; or
   (b) Becomes effective thereafter, except any such rule specifically referring to this rule.
Rule 72.3. Admission of general law faculty members.

1. Requirements. Notwithstanding any other provisions of these rules, upon compliance with the requirements of this rule and a positive recommendation from the board of bar examiners, the supreme court may admit an individual to practice law in this state provided that such individual has furnished satisfactory evidence that he or she has graduated from a law school approved by the American Bar Association; has been admitted to practice law in another state, federal territory or commonwealth or the District of Columbia for at least 5 years; has taken and passed either the Multistate Professional Responsibility Examination with a scale score of at least 85 or an equivalent course in ethics taken during his or her law school attendance; and who is a dean, associate dean or regular, full-time member of the general faculty of the William S. Boyd School of Law.

2. Application and certification. An individual applying for faculty membership shall file an application for admission with the admissions director as provided in S.C.R. 56(1). Prospective faculty members shall pay the state bar an application fee of $150 at the time the application is filed. The application shall further be accompanied by a certificate of good standing indicating that the prospective faculty member has been admitted to practice law in another jurisdiction, and has been a member in good standing in such jurisdiction for at least 5 years, together with:
   (a) A certificate executed by the president of the University of Nevada Las Vegas or the dean of the law school stating that the applicant is a full-time dean, associate dean or faculty member of the William S. Boyd School of Law;
   (b) Certification by the president or the dean that he or she believes that the applicant possesses the requisite character and fitness to practice law in this state.

3. Character and fitness determinations. The admissions director shall submit the application to the board of bar examiners for a determination that the applicant meets the qualifications of S.C.R. 51.

4. Certification and recommendation to the supreme court. If, after such investigation as the board of bar examiners may deem necessary, it concludes that a prospective faculty member possesses the requisite moral character and fitness required of all other applicants for admission to practice law in the State of Nevada, the board shall recommend said individual for faculty membership in the State Bar of Nevada and shall transmit to the supreme court a certificate,
   (a) Showing whether the prospective faculty member has met the requirements of Rule 51, and
   (b) Containing a statement that the board of bar examiners believes that the applicant fulfills or does not fulfill the requirements for admission to practice under this rule.

5. Admission by the supreme court. Upon a positive recommendation by the board of bar examiners and fulfillment of all other requirements imposed by this rule, the court may, in its discretion, admit a qualified individual as a faculty member of the State Bar of Nevada.

6. Rights and responsibilities of faculty members. Except for the limitations as set forth in paragraphs 7 and 8 of this rule, faculty members who are admitted to the bar under the provisions of this rule shall have all the rights and obligations in accordance with these rules as all other active members of the state bar, including the obligation to pay annual dues in accordance with S.C.R. 98(9), and shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the laws of this state governing the conduct of attorneys to the same extent as other members of the State Bar of Nevada.

7. Limitations. Faculty members shall limit their practice hours in accordance with the limits imposed by the William S. Boyd School of Law, and shall in no event engage in compensated practice in Nevada for more than an average of eight hours per week during each calendar year. This limitation is inapplicable to pro bono representation or criminal defense representation undertaken pursuant to court order.

8. Termination of faculty membership. Faculty members who terminate their full-time faculty status at the William S. Boyd School of Law shall not retain faculty membership with the State Bar of Nevada and shall not be considered for active membership unless they have made application for admission and have been examined in accordance with Rules 49 to 75, inclusive, in the same manner as all other applicants.

9. Reporting. The dean of the William S. Boyd School of Law shall annually advise the executive director of the state bar that faculty members who have been admitted to the bar under the provisions of this rule have complied with the reporting requirements under university rules and the limits imposed by paragraph 7 of this rule. At the end of a two-year and four-year period following adoption of this rule, the dean of the William S. Boyd School of Law shall report to the chief justice of the supreme court, as well as the board of governors and the board of bar examiners of the State Bar of Nevada as to how the rule has operated.
Rule 72.5. Admission of law faculty members of The National Judicial College.

1. Requirements. Notwithstanding any other provisions of these rules, upon compliance with the requirements of this rule the supreme court may admit an individual to practice law in this state provided that such individual has furnished satisfactory evidence that he or she has graduated from a law school approved by the American Bar Association; has been admitted to practice law in another state, federal territory or commonwealth or the District of Columbia for at least 5 years; has taken and passed either the Multistate Professional Responsibility Examination with a scale score of at least 85 or an equivalent course in ethics taken during his or her law school attendance; and who is the president, dean or academic director of The National Judicial College in Reno, Nevada, including the director of The National Center for the Courts and Media.

2. Application and certification. An individual applying for admission to practice law in this state under the provisions of this rule shall file the application with the admissions director as provided in S.C.R. 56(1). The application shall further be accompanied by:

   (a) A certificate executed by the chair of the board of directors of The National Judicial College or The National Center for the Courts and Media stating that the applicant is the president, dean or academic director of The National Judicial College, or is the director of The National Center for the Courts and Media, and has been so engaged for at least 2 years.

   (b) An appropriate certificate stating that the applicant has been admitted to practice law in another jurisdiction and has been a member in good standing of the bar of such other jurisdiction for at least 5 years.

   (c) The application fee required by S.C.R. 54(2).

3. Character and fitness determination. The admissions director shall submit the application to the board of bar examiners for a determination that the applicant meets the qualifications of S.C.R. 51.

4. Certification and recommendation to the supreme court. When the board of bar examiners has completed any investigation that it deems necessary, the board shall transmit to the supreme court a certificate:

   (a) Showing whether or not the applicant has met the requirements of Rule 51; and

   (b) Containing a statement that the board of bar examiners believes that the applicant fulfills or does not fulfill the requirements for admission to practice under this rule, and a recommendation for or against such admission.

5. Admission by the supreme court. Upon a positive recommendation by the board of bar examiners and fulfillment of all other requirements imposed by this rule, the court may, in its discretion, admit a qualified individual as an active member of the State Bar of Nevada. An individual admitted to practice under this rule who ceases to be employed by The National Judicial College or The National Center for the Courts and Media retains active membership in the State Bar of Nevada and shall not be required to make a separate application for admission or be examined in accordance with Rules 49 to 75.
Rule 73. Attorney’s oath.
Upon being admitted, each applicant shall take and subscribe to the following oath:

I DO SOLEMNLY SWEAR, OR AFFIRM, THAT:
I will support the Constitution and government of the United States and of the State of Nevada;
I will maintain the respect due to courts of justice and judicial officers;
I will support, abide by and follow the Rules of Professional Conduct as are now or may hereafter be adopted by the Supreme Court;
I will conduct myself in a civil and professional manner, whether dealing with clients, opposing parties and counsel, judicial officers or the general public, and will promote the administration of justice; and
I will faithfully and honestly discharge the duties of an attorney at law to the best of my knowledge and ability.
Rule 74. Certificate and license; fees.

1. If an applicant for a license to practice as an attorney and counselor at law is duly qualified, the supreme court shall admit the applicant as an attorney and counselor at law in all the courts of this state, and shall direct an order to be entered to that effect upon its records. The applicant shall be issued a certificate of such record, which certificate shall be the license.

2. Every person before receiving a license to practice law shall pay the fee required by NRS 7.030. This fee shall be included as part of the filing fee for the application of admission to practice law, shall be paid at the time of filing said application for admission to practice law, and shall not be refunded for any reason.
Rule 75. Entry on roll of attorneys of district court.

Any district court may order to be entered upon its roll of attorneys the name of any person who produces a license given to him by the clerk of the supreme court, as provided in these rules.
Addendum 1

Policies and Procedures of the Board of Bar Examiners and the Moral Character and Fitness Committee

I. BOARD OF BAR EXAMINERS

1. Qualifications. A bar examiner should be a person with scholarly attainments and an affirmative interest in legal education and requirements for admission to the bar. A bar examiner should be willing and able to devote whatever time is necessary to perform the duties of the office. A bar examiner should be conscientious, studious, thorough and diligent in learning the methods, problems and progress of legal education, in preparing bar examinations, and in seeking to improve the examination, its administration and requirements for admission to the bar. A bar examiner should be just and impartial in recommending the admission or denial of applications. A bar examiner should exhibit conviction, judgment and moral stamina in refusing to recommend applicants who lack adequate general and professional preparation or who lack moral character and fitness.

2. Composition. In accordance with S.C.R. 49(2), the board of bar examiners is comprised of fourteen members and the immediate past chair as an ex officio member. A majority of the members are appointed by the supreme court (court), and a minority of the members by the board of governors. The chair is appointed by the court.

In addition to the members of the board, board members may hire as many qualified graders as the chair deems necessary to assist the board in the writing and grading of the essay examination. Said graders are to be paid in accordance with a schedule set by the chair and approved by the board of governors.

The board also maintains two subcommittees—the Committee on Moral Character and Fitness and the Functional Equivalency Committee.

A. The Committee on Moral Character and Fitness (C & F Committee). The C & F Committee was originally created by court order dated September 29, 1993, as a subcommittee of the board, and was formally codified in S.C.R. 49(3) in November 1996. The committee is composed of nine members who are active members of the State Bar of Nevada as well as up to four lay members who are professionals with expertise in fields that are germane to the determination of the character and fitness issues presented to the C & F Committee. Five attorney members are appointed by the court, and four attorney members by the board of governors. The lay members are appointed by the board of governors. The chair is selected by the court from the attorney members.

B. The Committee on Functional Equivalency (Equivalency Committee). Also by court order filed September 29, 1993, the court created the Equivalency Committee, a second subcommittee of the board, also formally codified in S.C.R. 49(3) in November 1996. The committee is composed of seven members who are active members of the State Bar of Nevada. Four of the members are appointed by the court, and three members are appointed by the board of governors. The chair is selected by the court from the appointed members.

3. Tenure. Members of the board and its subcommittees are appointed for a fixed term of three years. The immediate past chair of the board of bar examiners serves as an ex officio member of the board for one year following expiration of his or her tenure as chair. There is no limit on the number of terms an attorney may serve on the board of bar examiners or one of its subcommittees. Graders hired by the board are to be appointed for a period of time not to exceed the term of the board member to whom the grader is assigned. Members are appointed for staggered terms to ensure continuity of policy, but with sufficient rotation in the personnel of the board and its subcommittees to bring new views and to ensure continuing interest in their work.

4. Responsibilities and Powers of the Board. The board has all those powers and duties delegated in the Supreme Court Rules to the board of bar examiners relating to the application, screening and testing procedures for all persons seeking admission to the bar.

A. The C & F Committee. The C & F Committee has those powers and duties delegated in the Supreme Court Rules to the board of bar examiners relating to the conduct of investigations and hearings, and the submission of reports and recommendations to the court respecting those applicants seeking admission to the bar.

B. The Equivalency Committee. The Equivalency Committee has all those powers and duties delegated under the Supreme Court Rules to the board of bar examiners relating to the conduct of investigations and hearings, and the submission of reports and recommendations to the board of bar examiners and the court respecting those prospective applicants seeking certification pursuant to S.C.R. 51.5.
5. **Conflicts of Interest.** A member of the board or one of its subcommittees should not have adverse interests, conflicting duties or inconsistent obligations that will in any way interfere or appear to interfere with the proper administration of the examiner’s functions. A member should not participate directly or indirectly in courses for the preparation of applicants for bar admission. The conduct of a member should be such that there may be no question that the member’s judgment may be swayed by improper considerations. Members of the board are precluded from simultaneously serving on the board and on the board of governors.

II. **ELIGIBILITY OF APPLICANTS**

6. **Burden of Proof.** The burden of establishing eligibility to take the bar examination is on the applicant in all instances and in all proceedings before the board, its subcommittees or the court.

7. **College Education.** Unless otherwise ordered by the court, each applicant is required to have successfully completed at least three-fourths of the work acceptable for a baccalaureate degree at an accredited college or university before beginning the study of law.

8. **Law School Education.** In accordance with S.C.R. 51(3), each applicant is required to have completed all requirements for graduation with a J.D. or LL.B. degree from a law school approved by the American Bar Association. Neither private study, correspondence study or law office training, nor age or experience may be substituted for law school education. However, a prospective applicant who fails to meet the law school accreditation requirement of S.C.R. 51(3), but who meets the requirements set forth in S.C.R. 51.5, may be permitted to petition the functional equivalency committee for certification in accordance with the procedures set forth in S.C.R. 51.5 and the policies and procedures of the functional equivalency committee. Such certification must be obtained prior to applying for admission to the State Bar of Nevada. Applications for admission submitted without prior certification shall immediately be rejected, and the application fee shall not be refunded.

III. **APPLICATION PROCEDURES**

9. **Application Packages.** Application packages are available for the July exam after December 15 of the year immediately preceding the exam. Application packages are available for the February exam after August 15 of the year immediately preceding the exam. Applicants are required to submit a written request which must be accompanied by a $50.00 application package fee. Application packages from prior examinations may not be utilized. Application forms submitted from previous administrations of the examination shall be rejected in accordance with S.C.R. 52(1)(a). Resubmission following a rejected application shall be subject to such late fees as are set out in S.C.R. 54.

10. **Filing.** The Verification Form, to be supplied by the admissions director after successful submission of an application, must be filed in duplicate; each Verification Form to contain an original signature, initials, and a notary jurat; and a photograph. The Verification Form must be accompanied by an original and four copies of a properly executed Authorization and Release Form and two completed FBI fingerprint cards. Applicants shall, at their own expense, arrange to be fingerprinted on cards provided to them by the admissions director. Fingerprint cards obtained from any other agency or jurisdiction shall be rejected. Resubmission following a rejected application shall be subject to such late fees as set in SCR 54.

11. **Supplemental Information.** All applicants must submit two letters of reference, certified law school transcripts, certificated undergraduate transcripts, and Department of Motor Vehicle printouts from every state in which the applicant has been licensed to drive in the five years immediately preceding the submission of the application. In addition to the foregoing, all attorney applicants (as defined in SCR 54(2)) must provide certificates of good standing and disciplinary history reports from each jurisdiction in which they have successfully taken and passed the bar examination, whether or not the applicant is licensed in that jurisdiction. These items shall be filed not later than 21 days after the submission of the application.
12. **Applicants Reapplying for Admission.** Applicants who have previously applied for admission to the State Bar of Nevada must submit all the documentation required for first-time applicants, with the exception of educational transcripts and letters of reference. If prior application was made more than one year preceding the year of application, however, letters of reference must be resubmitted.

13. **Rejected Applications.** Applications that are incomplete and/or Verification Forms that are incomplete, illegible or not submitted in duplicate with original signatures, notary jurats, and photographs (photocopies of photographs are not acceptable), shall immediately be rejected. Resubmission following a rejected application shall be subject to such late fees as are set out in SCR 54.

14. **Fees.**
   A. **Timely Submission.** Applications for the July bar exam filed on or before March 1 shall be accompanied by the appropriate filing fees as set out in SCR 54(1) and (2). Applications for the February bar exam filed on or before October 1 of the preceding year shall be accompanied by the appropriate filing fees as set out in SCR 54(1) and (2). Applicants who have not been previously admitted in another jurisdiction, or who have not taken and passed a bar exam in another jurisdiction shall pay $700 to the State Bar of Nevada. Applicants who have taken and passed a bar exam or who have been admitted in another jurisdiction shall pay $1,000 to the State Bar of Nevada. Application fees must accompany the application at the time of filing. In the event that an application fee check is returned for any reason (i.e. insufficient funds, stop payment), the applicant shall be assessed a late fee (if applicable), as well as a return check charge. After a check is returned, all subsequent fees must be paid by cashier’s check, money order or credit card.
   B. **Refunds.** There is no provision for a refund of application fees, and except as provided in SCR 56(3), applications and fees may not be held in abeyance for subsequent bar examinations.
   C. **Late Fees.** Applications for the July exam filed after March 1, and applications for the February exam filed after October 1, in addition to a $25 licensure fee, shall be accompanied by such late fees as are set out in SCR 54(3). Any applicant failing to pass the examination who applies to take the next subsequent examination within the time frame provided by SCR 52(1)(c) shall not be required to pay the fees provided in SCR 54(3) for late application. (See the inside cover of the Nevada Supreme Court Rules Regulating Admission.)

15. **Deficient Applications.** The director of admissions shall attempt to notify applicants within 60 days of receipt of the filed application of any deficiencies in the application. Pursuant to SCR 56(1)(a), deficient applications must be cured within thirty (30) days of receipt of said notification. Except as provided by SCR 51(3), SCR 55(2), SCR 65.5, and SCR 69, if the application is not completed within the allotted time, the admissions director shall recommend to the board that the application be rejected. The board shall reject the application if the deficiencies in the application are such that the board cannot adequately and thoroughly investigate the applicant’s moral character, qualification and fitness to practice law.

16. **Attorney Applicants.**
   A. **Admission by Motion or Reciprocity.** SCR 42 provides that an attorney admitted to practice in another jurisdiction shall not be admitted to practice law in the State of Nevada by motion or on the basis of reciprocity. Attorney applicants must make application for admission and be examined in accordance with Supreme Court Rules 49-75, inclusive, in the same manner as all applicants.
   B. **Multistate Bar Exam Scores.** There is no “Attorney Exam” and applicants may not substitute scores from any other jurisdiction’s Multistate Bar Exam for the Multistate Bar Exam portion of the Nevada Bar Exam.

IV. **MORAL CHARACTER AND FITNESS**

17. **Purpose.** The purposes of character and fitness screening before admission to the bar are the protection of the public, the efficient administration of the system of justice, and the protection of the reputation of the legal profession. The lawyer licensing process is incomplete if only testing for minimal competence is undertaken. The public is protected better by a system that attempts to evaluate character and fitness as those elements relate to the practice of law. The public interest to be served is that those who are admitted to the bar are worthy of the trust and confidence that clients may reasonably place in their lawyers.
18. **Duty.** This C & F Committee is a subcommittee of the board and is responsible to the Court to administer character and fitness screening by appropriate investigation.

19. **Development and Publication of Standards.** Character and fitness standards are articulated and published herein and are approved by the court. Standards are to be applied in a consistent manner.

20. **The Investigative Process.** The burden of producing information always remains on the applicant. The applicant, upon making application for admission, authorizes the state bar, and its agency and representatives, to acquire from any source any information it may request concerning the applicant’s professional, academic and moral character and fitness qualifications and shall consent to the disclosure of all such information pursuant to any request by the applicant’s law school(s), any state bar, bar association, the National Conference of Bar Examiners or other admitting authority.

   A. **Authorization and Release.** Each investigation is initiated by requiring the applicant to execute under oath a thorough application and to sign an authorization and release form that extends to the board and its subcommittees, the state bar, and its agency or representatives, and to any persons or institutions supplying information thereto.

   B. **Further Inquiry.** The applicant may be asked to provide facts and/or explanations, in addition to the questions asked on the bar application. In order to verify the accuracy of the information provided in the application, or to obtain additional information, the committee may also contact the applicant’s references, the applicant’s employers, colleges and law schools, courts, medical providers, police agencies, credit agencies, and the military, if the applicant has served in the Armed Forces, or any other source deemed relevant. The committee can employ its own investigator and/or may use the investigative services of the National Conference of Bar Examiners.

   The board, in its discretion, may refuse to permit an applicant whose application complies with the requirements of S.C.R. 52 to take the bar examination if the board has not completed its investigation into the applicant’s moral character or fitness for admission. If the applicant subsequently receives final approval of the board, the applicant shall be permitted to take the bar examination next following such approval without submission of further fees or applications, except as the board, in its discretion may order.

   C. **Review and Recommendation by the Director of Admissions.** The director of admissions shall review each application for admission to determine whether it has been completed and filed in compliance with the requirements of S.C.R. 51 through S.C.R. 55. After thorough investigation, the director may determine that the application be cleared or that a formal hearing or an informal interview be conducted with the applicant to determine if the applicant has failed to demonstrate good moral character, or mental or emotional fitness to practice law. The chair of the C & F Committee may accept the director’s recommendation and proceed accordingly, or, may make such other determinations as the chair, in his/her sole discretion, deems appropriate.

21. **Standard of Character and Fitness.** A lawyer should be one whose record of conduct justifies the trust of clients, adversaries, courts and others with respect to the professional duties owed to them. A record manifesting a deficit in the honesty, trustworthiness, diligence or reliability of an applicant may form the basis for denial of admission with or without prejudice.

22. **Relevant Conduct.** The discovery of any of the following may be considered by the C & F Committee in determining character and fitness to practice law:

   - unlawful conduct
   - academic misconduct
   - false statements, including omissions
   - misconduct in employment
   - acts involving dishonesty, fraud, deceit or misrepresentation
   - abuse of process
   - neglect of financial responsibilities, including student loans
• failure or neglect of child and/or spousal support
• neglect of professional obligations
• violation of an order of a court or other tribunal
• contempt of court
• mental or emotional instability
• substance or alcohol dependency or abuse
• denial of admission to, or suspension from, the bar in another jurisdiction
• disciplinary action by a lawyer disciplinary agency or other professional disciplinary or licensing authority of any jurisdiction.

23. **Use of Information.** The determination of the C & F Committee shall be as to the current character and fitness of an applicant and may include consideration of the following:

- the applicant’s age at the time of the conduct
- the time elapsed between the conduct and the application
- the reliability of the information concerning the conduct
- the seriousness of the conduct
- the cumulative effect of conduct or information
- the evidence of rehabilitation
- the applicant’s positive social contributions since the conduct
- the applicant’s candor in the admissions process
- the materiality of any omissions or misrepresentations.

The investigation conducted by the C & F Committee is to be thorough in every aspect and concluded as expeditiously as possible. Information may be developed in the course of the investigation that is not germane to the question of licensure, which will be disregarded. Conduct that is merely controversial or a disability that is not relevant to character and fitness for law practice shall not be considered.

24. **Rehabilitation.** The C & F Committee’s standard for admission is current good character and fitness. Rehabilitation is an important factor the C & F Committee uses to determine whether past problems should lead to denial of admission. Generally, the C & F Committee will assess whether the problems of the past continue and, if they do not, whether the applicant’s life has changed in ways that suggest the problems are unlikely to recur. To prove rehabilitation, an applicant must show some positive contribution to society; in most cases it is not enough that an applicant led a blameless life since the prior problems.

25. **Substance or Alcohol Abuse or Dependency, or Treatment for Either.** Because conduct related to substance or alcohol dependency or abuse is one of the “relevant conduct” factors about which the C & F Committee must inquire, applicants should be prepared to provide treatment records, as well as other records of incidents which were associated with the addictive behavior. The C & F Committee may, in its discretion, require an applicant to undergo an alcohol and/or substance abuse or dependency assessment by a qualified and certified specialist at the applicant’s expense and to submit a written report therefrom. This specialist shall be selected from the approved list of the C & F Committee and shall practice in the State of Nevada.

26. **Counseling/Treatment/Recovery.** If an applicant has a problem with drugs or alcohol or any other mental or emotional problems, he/she is strongly encouraged to seek counseling or treatment needed. An applicant’s recognition of the problem and his/her treatment record may be evidence of recovery to be positively considered by the C & F Committee. The C & F Committee encourages active participation in a recovery program where appropriate.

27. **Psychiatric or Psychological Counseling.** Mental or emotional instability, like substance dependency or abuse, is one of the factors which the C & F Committee considers. The C & F Committee may, in its discretion, require an applicant to undergo a psychological evaluation or psychiatric assessment at the applicant’s expense and to submit a written report.

The C & F Committee recognizes that the stresses of law school, as well as other life factors, frequently result in applicants seeking psychiatric or psychological counseling. Again, the C & F Committee encourages applicants to
obtain such counseling or treatment. An applicant should not allow a future bar application to color that decision. Only those forms of mental or emotional problems which have been determined to have an adverse impact on the ability to practice law will trigger an investigation or have an impact on bar admission decisions.

Questions on the Application for Admission regarding professional counseling, treatment, and medication are not intended to invade unnecessarily the applicant’s privacy or to discourage applicants from seeking professional assistance. Occasional short-term counseling for relationship problems or situational stress, standing alone, are generally not reasons for further inquiry. The director of admissions will not seek mental health treatment records without first notifying the applicant and obtaining the proper medical authorization and release form from the applicant.

28. ** Arrests.** There are many reasons why arrests do not result in convictions, and some of which may have no bearing on guilt or innocence. The C & F Committee inquires into all areas of possible relevant applicant misconduct. Applicants are required to report all incidents, irrespective of the disposition, and to provide evidence of rehabilitation and current good character. An acquittal or dismissal is relevant, but not dispositive. Applicants maintain the obligation to be completely forthright regarding all matters about which the committee inquires.

29. **Financial Irresponsibility.** The C & F Committee recognizes that law students and attorneys sometimes have financial problems associated with the expense of law school, or with ongoing family obligations. It also recognizes that mishandling of client funds is a frequent and serious cause for professional discipline. The C & F Committee is interested in whether applicants have dealt honestly and responsibly with creditors, and whether they are doing so at the time of application. Responsible dealings may include maintaining contact with the creditor(s), making timely payments or arrangements, or reaffirming the underlying obligation. The C & F Committee may, in its discretion, require an applicant to undergo an evaluation by a credit counselor at the applicant’s expense and to submit a written report therefrom.

30. **Candor and Honesty.** A pattern of dishonesty or deception in dealings with employers, schools, or authorities, including the board and the C & F Committee, may be a reason for denial of admission. Any false or deceptive statement on the application, or failure to supply or supplement information required on the form, shall be sufficient cause for denial of admission. Any lack of candor in the admissions process may be cause for denial of admission.

31. **Hearings Before the C & F Committee.**
   A. **Authority to Conduct Hearings.** The C & F Committee has the authority to conduct a hearing on the qualifications of the applicant for admission and may hear relevant evidence, administer oaths and affirmations, require substance or psychological evaluations, and compel by subpoena the attendance of witnesses and the production of books, papers, and documents.
   B. **Notice.** The applicant has the right to be present at the hearing and shall be entitled to 5 days’ notice thereof if served personally and 10 days’ notice if served by mail. The notice only requires that the applicant is advised that “matters generally pertaining to your character and fitness may be inquired into.” The notice shall advise the applicant that he/she has the right to be represented by counsel of choice at the proceedings, the power to compel the attendance of witnesses, and the production of books, papers and documents pertaining to the matter under investigation, and the names of the witnesses the C & F Committee plans to call (if any). The notice shall further inform the applicant that the C & F Committee is required to assess and require advance payment of further fees and costs (the amount shall be detailed therein) against an applicant that, in its opinion, are reasonably necessary to conduct an investigation or hearing or to take depositions either within or without the State of Nevada concerning the character of the applicant.
   C. **Procedure.**
      (i) Composition of the Committee (Quorum). The C & F Committee consists of nine members of the State Bar of Nevada, and up to four nonlawyers who specialize in professions whose expertise is germane to matters of moral character and fitness to practice law. Members of the C & F Committee shall be appointed to serve for terms of three years. There is no limit on the number of terms an attorney may serve on the committee.
      (a) Formal Hearing. The C & F Committee may be divided by its chair into as many hearing panels composed of a minimum of four members, on a case-by-case basis, one of whom may be a non-lawyer, as the chair
believe necessary to conduct hearings. The chair will assign applicants for hearings to the panels and may sit as
chair for the panel or designate an attorney to sit as acting chair in his/her place.

(b) Informal Interview. For those whose applications reflect conduct or information warranting further
inquiry, but may not necessarily require a formal hearing, the chair and the director of admissions, or their designee,
may conduct an informal interview in an attempt to counsel with an applicant, or to resolve a matter informally.

(ii) Burden. As in all other admission matters before the board and the court, in an informal interview and
in a formal hearing before the C & F Committee, the burden remains upon the applicant to prove that he/she has the
requisite moral character and fitness to practice law in the State of Nevada.

(iii) Standard of Proof. In all proceedings before the board and the C & F Committee, the standard of
proof is clear and convincing evidence.

(iv) Order of Presentation. Although hearings before the C & F Committee are conducted informally, and
may deviate from time to time, the following generally describes the manner in which hearings will be conducted.

(a) Formal Hearing. All formal hearings will be reported by a certified court reporter and a transcript of
the proceedings may be ordered by the chair, the court or the applicant. The transcript will be ordered for any
adverse recommendation reviewed by the court. The transcript is deemed to be confidential. The chair will call the
hearing to order and make an opening statement, introduce the hearing panel members, and explain the purpose for
the hearing and the duty of the C & F Committee in conducting the hearing. The applicant or applicant’s counsel
will then be asked to make an opening statement if desired, and to present any witnesses or present such evidence
that the applicant deems necessary. All witnesses must testify under oath. Members of the hearing panel may also
inquire of the witness(es). At the conclusion of the hearing, the applicant or his/her counsel is invited to make a
closing statement.

(b) Informal Interviews. Informal interviews shall be conducted informally and shall not be reported.

D. Decision and Recommendation. The C & F Committee shall submit findings and make a
recommendation to the court (see section titled “Due Process” for adverse recommendations by the committee).

(i) Formal Hearing. The Board of Bar Examiners shall notify the applicant of the results of the hearing
within 30 days of the conclusion of any formal hearing. The hearing panel chair will submit findings and
recommendations to the court with proof of service upon the applicant in accordance with S.C.R. 69(2). If the board
has permitted an applicant to take the bar examination and the applicant is successful on an examination, the C & F
Committee must complete its investigation and make its recommendation to the court prior to June 1 of the year
immediately following the year in which a February applicant is successful on the examination or January 1 of the year
immediately following the year in which a July applicant is successful on the examination or January 1 of the year
immediately following the year in which a July applicant is successful on the examination. Should the applicant
fail to pass the examination, a character and fitness hold will continue until the applicant is successful on a later
examination.

(ii) Informal Interview. The chair, or his/her designee, may clear the applicant for character and fitness
after an informal interview or may refer the matter for a formal hearing.

E. Denial With or Without Prejudice. Only the C & F Committee or the board may recommend denial,
with or without prejudice, of an application on the grounds that the applicant has not demonstrated requisite moral
character and fitness, pursuant to S.C.R. 64. In the absence of the timely filing of a petition for review set forth
in S.C.R. 64, the court shall not disturb an adverse recommendation of the C & F Committee or board.

If the recommendation as approved by the court is to deny admission without prejudice, the C & F
Committee or the board may impose conditions which the applicant must fulfill before the applicant will be
permitted to file a subsequent application for admission. Further the C & F Committee or the board shall recommend
a period of time, not to exceed 5 years, before the applicant may reapply.

If the recommendation as approved by the court is to deny admission with prejudice, the applicant will not
be permitted to reapply for admission to practice law in this state at any time thereafter.

F. Conditional Admission. In exceptional cases where applicants possess character and fitness
problems, which although serious, do not warrant denial of admission with or without prejudice, the C & F
Committee may recommend that an applicant be conditionally admitted under S.C.R. 49.7. If the C & F Committee
recommends conditional admission, it shall also recommend terms and conditions of said admission. The terms and
conditions recommended by the C & F Committee must be approved by the court, which may modify the
recommendation as it deems appropriate. If the court approves the recommendation for conditional admission, the
applicant must consent in writing to the conditions of admission approved by the court. The C & F Committee shall
provide the applicant with a written consent form within 10 days of the court’s order setting the conditions for
admission under S.C.R. 49.7. The applicant must sign and return the written consent form to the C & F Committee
within 30 days of the court’s order setting the conditions for admission. An applicant’s failure to consent will result
in a denial of admission under S.C.R. 49.7.
(i) The period during which the applicant is conditionally admitted shall be designated as the probationary period and shall be monitored by and through the office of Bar Counsel of the State Bar of Nevada. Any alleged violation of the terms or conditions of the probationary period shall be referred to a probationary hearing panel of the C & F Committee by the office of Bar Counsel.

(ii) An applicant recommended for conditional admission shall consent to the disclosure of all information obtained by the board to the office of Bar Counsel, except that information received by the board under a specific agreement of confidentiality or otherwise restricted by law.

(iii) The C & F Committee shall recommend the length of time of the probationary period and shall set forth that period of time in its recommendations to the court.

(iv) Upon successful completion of the probationary period, in the absence of any disciplinary action by Bar Counsel and upon written application by the applicant, the board may recommend that an applicant be eligible for unconditional admission to the State Bar of Nevada.

(v) The costs of monitoring an applicant’s probation, if any, shall be paid by the applicant admitted pursuant to this order before expiration of the probationary period. The probationary hearing panel, when possible, will be comprised of the members of the hearing panel who recommended that the applicant be admitted pursuant to this rule.

(vi) Any alleged violation, however de minimis, of the terms and conditions of the order of conditional admission shall be brought before the probationary hearing panel of the C & F Committee. Upon ten (10) days’ written notice to the applicant, the probationary hearing panel of the C & F Committee will convene to determine if a violation of the conditions or terms has occurred and what action, if any, should be taken.

(vii) If the probationary hearing panel of the C & F Committee determines that the alleged violation(s) is not proved, no further action will be taken. If it finds that a violation of the terms or conditions of the order of conditional admission exists, it may recommend to the court suspension or revocation of the conditional license. If it determines that the violation does not rise to the level of suspension or revocation, it may recommend to the court the extension of the terms or imposition of such additional conditions to the order of conditional admission as it deems appropriate.

(viii) Any grievance(s) filed with the office of Bar Counsel of the State Bar of Nevada concerning actions of an applicant admitted pursuant to an order of conditional admission during the probationary period shall be submitted to a screening panel of the Southern or Northern Nevada Disciplinary Board.

(a) If the disciplinary screening panel recommends anything other than dismissal, such findings shall be submitted to the probationary hearing panel of the C & F Committee. The probationary hearing panel of the C & F Committee may, upon ten (10) days’ written notice to the applicant, convene a hearing to determine the impact of these findings on the applicant’s conditional admission.

(b) Based upon the existence of a pending recommendation by a disciplinary screening panel of anything other than dismissal, the probationary hearing panel of the C & F Committee may recommend revocation of the conditional license to the court, or the extension of the terms or imposition of such additional conditions of the order of conditional admission as it deems appropriate.

(ix) The actions taken by the probationary hearing panel of the C & F Committee regarding disciplinary grievances shall not impair the independent authority of the Southern or Northern Disciplinary Board, or the court, to impose discipline.

(x) The order of conditional admission shall be imposed pursuant to a confidential order of the court and shall remain confidential except as is required by an application to be admitted to the United States Supreme Court, and/or to the bar of any other state or jurisdiction, or at the request of the applicant admitted pursuant to the Order of Conditional Admission.

G. Petitions for Review. Where the C & F Committee recommends to the court that an applicant be denied admission with or without prejudice, the findings and recommendations shall be stated in writing and shall be filed with the clerk of the court, together with proof of service of the recommendation upon the applicant. The C & F Committee shall not consider evidence as a basis for an adverse recommendation without disclosing that information to the applicant and affording the applicant an opportunity to respond. Any applicant, so notified, may within a period of 30 days from service of the notice, file a verified petition for review with the court, with proof of service upon the director of admissions and the chair of the C & F Committee. Such petition shall contain any relevant information necessary for the court’s understanding of the matter, a statement of facts supported by adequate citation to any record, and legal points and authorities setting forth the legal basis for each ground upon which the board’s recommendation is alleged to be erroneous. Service by mail is complete upon mailing.

If the court is of the opinion that the C & F Committee’s recommendation should not be disturbed, it may deny the petition. Otherwise, the court may enter an order fixing the time within which an answer may be filed by the C &
F Committee. Should the court determine that the petitioner is entitled to relief, it may direct the board of bar examiners to take such action as is deemed warranted under the circumstances.

In any proceeding before the C & F Committee, or before the court, the applicant shall have the burden of proving that the applicant meets the qualifications required for admission to practice in this state. Should an applicant fail to meet this burden of proof, the court shall refuse to disturb the adverse recommendation of the C & F Committee.

V. BAR EXAMINATION

32. **Times and Location.** The July bar examination is given in Reno and Las Vegas simultaneously the last Tuesday, Wednesday, and Thursday of July. The February bar examination is given in Las Vegas the last Tuesday, Wednesday, and Thursday of February.

33. **Composition of the Exam.** The bar examination is composed of the Multistate Bar Examination, to be administered nationally the second day of the exam, and the Nevada Essay Exam, the first session to be administered on the first day of the exam, the second session on the third day of the exam. Beginning with the July 1997 examination, the board shall also administer one or more performance tests. Applicants may choose to use a personal computer, or hand write the essay examinations and performance tests. Nevada essay examination subjects and the skills to be tested by the performance exam are set forth in S.C.R. 66.

A. **Multistate Bar Examination (MBE).** The MBE is a national bar examination prepared by the National Conference of Bar Examiners. It is scored and analyzed by American College Testing Service. It consists of 200 multiple choice questions involving the following areas of law: real property, contracts, torts, evidence, criminal law and constitutional law. It is a six-hour examination administered in two, three-hour sessions.

B. **Essay Examination.** The eight Nevada essay questions are prepared and graded by the board. The exam is composed of eight essay questions, including a question on legal ethics, and beginning with the July 1997 exam, one or more performance test question(s). The essay examination is designed to test applicants on their knowledge of both fundamental legal principles and Nevada law. The performance test is designed to test an applicant’s ability to use fundamental lawyering skills in a realistic situation. It is administered in one or more questions and may examine six fundamental lawyering skills that are required for the performance of many lawyering tasks. These skills are as follows: problem solving, legal analysis and reasoning, factual analysis, communication, organization and management of a legal task, and recognizing and resolving ethical dilemmas. The Nevada essay questions are designed to be answered in one hour and the performance test question(s) in 90 minutes.

34. **Admission Tickets (Notice to Appear at the Exam).** Pursuant to S.C.R. 56(2), no applicant for examination for a license to practice as an attorney and counselor at law in this state shall be eligible for examination until the applicant has received the written approval of the board. No later than 30 days prior to the bar examination, eligible applicants shall be sent written authorization to appear for the examination designating the previously selected location and method (computer or writing) for the examination. If the applicant cannot appear at the designated location or take the examination by the designated method, it is imperative that the applicant contact the admissions department immediately so the board may place the applicant’s identification badge at the correct site. Failure to notify the admissions department in writing may result in a withdrawal of the applicant’s application. Written authorization to appear does not preclude the C & F Committee or the board from placing an administrative or a character and fitness hold on an applicant in the event adverse information is received or discovered prior or subsequent to the written authorization.

35. **Accommodation(s).** Without impairing the integrity of the examination process, the board has adopted the following procedures for those applicants whose disabilities are covered within the scope of the Americans with Disabilities Act (“ADA”).

A. **Definitions.**
   (i) “Disability” shall mean any of the following:
   (a) A physical or mental impairment that substantially limits one or more of the major life activities of the applicant and that substantially limits the ability of the applicant to demonstrate, under standard testing conditions, that the applicant possesses the essential skills and aptitudes that the Supreme Court of Nevada and the board have determined are appropriate for admission to the practice of law in Nevada;
(b) A record of having such an impairment:
(c) Being regarded as having such an impairment.
(ii) “Physical impairment” shall mean any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organ, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.
(iii) “Mental impairment” shall mean any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
(iv) “Otherwise qualified applicant with a disability” shall mean an applicant with a disability who, with or without reasonable modifications to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for admission to the practice of law in Nevada.
(v) “Reasonable accommodation” shall mean an adjustment or modification of the standard testing conditions that ameliorates the impact of the applicant’s disability without doing any of the following:
   (a) Fundamentally altering the nature of the examination or the board’s ability to determine through the bar examination whether the applicant possesses the essential skills and aptitudes that the Supreme Court of Nevada and the board have determined are appropriate to require for admission to the practice of law in Nevada;
   (b) Imposing an undue burden on the board;
   (c) Compromising the security of the examination; or
   (d) Compromising the integrity, the reliability or the validity of the examination.

B. Procedures for Requesting Accommodation(s). An applicant requesting accommodation(s) must submit a request in writing at the time of the filing of the application. Requests must be submitted no later than the final deadline for filing applications. The board shall, within twenty-one days of receipt, serve upon the applicant an application for accommodation(s). Applicants seeking accommodation(s) must submit the completed application together with medical and/or psychological verification completed by a licensed professional with appropriate specialty training describing the nature and extent of the disability and accommodation(s) requested not later than June 1 if the application is for the following July examination, and not later than January 1 if the application is for the following February examination.

The verification shall, at a minimum, fully describe:
   (i) All test(s) performed to diagnose the disability and the particular disability diagnosed;
   (ii) the effect of the disability on the applicant’s ability to take the examination under normal testing conditions, or special conditions;
   (iii) The accommodation(s) requested and testing conditions believed necessary to accommodate the disability in such a way that administration and validity of the examination would not discriminate unfairly against the applicant.

If requested, the applicant may be required to submit an authorization for release of records from the medical and/or psychological authorities who completed certificates submitted with the request (or other medical provider(s) who have treated the applicant) if the board reasonably determines that access to those records is reasonably necessary to determine whether an applicant’s condition meets the criteria for accommodation(s).

C. Expert Panel. The board, after consultation with its expert panel comprised of physicians and specialists whose professions are germane to the stated disability, shall then determine the extent of the accommodation to be allowed, if any, and notify the applicant in writing of its decision.

D. Procedure for Review. The board shall review all requests for accommodation(s) that are properly filed in accordance with this policy. An applicant who is notified that the accommodation(s) granted by the board are less than that which the applicant requested, or that the requested accommodation(s) have been denied, may, within a period of 15 days, file a petition for review with the chair of the board. This petition shall contain proof of service of the petition upon the director of admissions and shall state with particularity each ground upon which the board’s recommendation is alleged to be less than adequate or inadequate, and shall be accompanied by documentation necessary to support the matters set forth in the petition. The petition may further be accompanied by points and authorities, setting forth legal basis for the relief requested, or such additional medical documentation necessary to substantiate the relief requested.

The chair shall review the petition and may enlist advice from the expert panel regarding any new information presented in the petition. If the chair is of the opinion that relief is not warranted, he/she will deny the petition. Or, the chair may amend the original accommodation(s) granted. The chair (or his/her designee) shall so notify the applicant in writing.
The burden shall be upon the applicant to establish that the granted accommodation(s) are less than adequate or inadequate. Should the applicant fail to meet this burden, the chair will not modify the original accommodation(s) granted.

E. Standards for Decision on the Merits. The board shall grant a request and provide disability accommodation(s) to an applicant if it finds all of the following or is otherwise required to do so by law:

(i) The applicant is a qualified applicant with a disability who is otherwise eligible to take the bar examination;
(ii) The accommodation(s) are necessary to ameliorate the impact of the applicant’s disability;
(iii) The accommodation(s) are reasonable.

The board shall determine, based on the information available to it, what accommodation(s) are reasonable. The board may provide accommodation(s) different from those requested by the applicant if the board determines that the accommodation(s) provided will ameliorate the impact of the applicant’s disability.

If an applicant is permitted to dictate answers to the essay portion of the examination, those answers shall be transcribed by personnel selection solely by the board for that purpose.

VI. GRADING BAR EXAMINATIONS

36. Grading the Examination. The board is aware of the bar examination’s importance to each applicant and has established procedures calculated to ensure a fair system of grading. The bar examination currently consists of two sections: the Nevada Essay section, consisting of eight essays, and beginning with the July 1997 examination, one or more performance test questions, and the 200-item Multistate Bar Examination. The essay portion of the examination is worth at least twice that of the MBE and an overall total scaled score of no less than 75.00 is needed to pass. A score which is less than the passing standard on one portion may be compensated for by a higher score on the other portion. Essay raw scores are scaled to the MBE and combined to achieve a total scaled score.

The board, and its graders, score the answers to the essay exam and beginning in July 1997, score the performance test question(s) as well. The board has adopted commonly accepted procedures for the calibration of graders to assure uniformity of the grading standards. The grading process and grade distributions are periodically reviewed in order to assure uniformity in grading.

37. Anonymity of the Applicant. The anonymity of the applicant is preserved throughout the grading process. Each applicant is assigned a code number which is not known to any person responsible for grading the exams until after the applicant’s final grade is determined. The reader who grades the exam has no knowledge of the identity of its author, the author’s background, legal education nor prior experience, if any, with the bar examination. Consequently, no factor other than the applicant’s exam has any bearing on the applicant’s success or failure.

38. Calculations. Pursuant to S.C.R. 65(3), at least 30 days before each examination, or within such further time as the court may permit, the board files with the court for approval, a proposed formula upon which the MBE will be applied with the other portions of the total examination results and a proposed formula for grading the entire examination.

A. MBE. The MBE is equated to previous administrations of the exam through a comparison of the performance of all examinees on items used on the current and the prior examinations. Raw MBE scores are converted to scaled scores representing the same level of competence or performance as corresponding scaled scores on prior examinations.

B. Essay Exam. The board assigns a raw score to each essay answer. Essay raw scores are then combined with MBE scaled scores and submitted to a psychometrician for calculation. Beginning with the July 1997 exam, performance test question(s) are allotted one and one-half the weight of an essay question prepared by the board. The psychometrician, employing recognized statistical methods, calculates the total scaled score utilizing a formula previously approved by the court. The psychometrician ensures that the raw essay scores are converted to a distribution that has the same mean and standard deviation as the Nevada MBE scaled scores, that the essay examination is given at least twice the weight of the MBE; and, except as is otherwise ordered by the court, that the standard of passing is held constant across administrations of the examination.

39. Re-grade Procedures. Applicant’s examinations with total scaled scores immediately below the passing point are reconsidered before final certification to the court. The board believes that this grading system affords each
applicant a fair and careful consideration of all answers on the bar examination and that subsequent to the
certification of the grades to the court, no useful purpose would be served by further consideration by the board.
Thus, after the filing of the first order admitting applicants by the court, the board shall not reconsider any essay
answers.

Regrade of the MBE. Applicants may request that ACT hand grade the MBE examination for an
additional administrative fee. Applicants requesting a manual regrade must submit a written request to the
department of admissions accompanied by a check in the amount of $6.00 made payable to American College
Testing. The state bar will not accept the score of a manual regrade of the MBE unless it is reported to the second
decimal place.

40. Notification of Results. Applicants shall be notified at the bar examination of the anticipated release
date of the results. This date is generally ten weeks after the bar exam. An applicant may call the office of the State
Bar of Nevada at the designated date and time to find out if the applicant was successful or unsuccessful on the
exam. This information is unofficial and applicants should not rely on telephone notification as official notification.
The court will send the applicant official notification whether the applicant passed or failed the examination, and
whether there are any other holds that would prevent the applicant from immediate admission and attending the
swearing-in ceremony. Additionally, in accordance with S.C.R. 69(3), the Nevada Lawyer, a publication of the State
Bar of Nevada, shall publish the names of all applicants successful on the Nevada Bar Examination.

41. MBE Score Transfers. Successful applicants cannot review their MBE or essay examinations nor can
they find out their total scaled scores on the examination. An applicant who wishes to transfer MBE scores to
another jurisdiction must put the request in writing and send it, accompanied by a check for $10.00 made out to the
State Bar of Nevada to cover administrative costs, to the Admissions Department of the State Bar of Nevada.

42. Unsuccessful Applicants.
A. Notification. Applicants who are unsuccessful on the bar examination shall be notified in writing by
the State Bar of Nevada within 30 days of the date the order is filed admitting applicants to practice law in the State
of Nevada. This notice shall be accompanied by a statistical analysis of the applicant’s scores with an explanation of
the grading procedures employed by the board’s psychometrician. A $25.00 refund of the license fee shall be sent
within 30 days of the notification by the board.
B. Review of Answers. To obtain copies of essay exam answers and questions, applicants must send
$25.00 to the Admissions Department of the State Bar of Nevada. Requests for copies of answers must include the
applicant’s ID number as well as a sample of his/her handwriting. Answers are available for three years from the
date of the bar examination. Marks or comments from the graders do not appear on the essay answers. There shall be
no right of appeal or review as to the examination or its results.

43. Confidentiality. Contents of any application for admission to practice law in this state, the results of any
investigation and documentation regarding the application or applicant, including transcripts of hearings and the
grades of an individual applicant shall remain confidential and shall not be disseminated without the express written
authorization of the applicant.

Pursuant to S.C.R. 52(3), however, any applicant who makes application for admission, shall consent to the
disclosure of all information as set forth in S.C.R. 52 pursuant to any request by any state bar, bar association, the
National Conference of Bar Examiners or other admitting authority.

VII. ADMISSION

44. Swearing-In. After the filing of the order admitting applicants to the practice of law in the State of
Nevada is filed by the court, applicants eligible for admission will be notified of the time and place of the swearing-
in ceremony before the court and will be provided with an oath of attorney. Applicants may take the oath of office at
this ceremony or before any judge or any notary public or any other person authorized to administer oaths in any
jurisdiction. The attorney’s oath is located in S.C.R. 73. Upon filing the signed oath with the court, an applicant
becomes a member of the Nevada State Bar. The signed original oath must be filed with the court on or before
January 31 of the year following the year the applicant took the July examination or on or before August 31 of the
year the applicant took the February examination, or the application is deemed withdrawn. Those applicants
admitted to practice after the January 31 deadline or the August 31 deadline shall have 30 days to file the oath with the court before their application is deemed withdrawn.

45. **Multistate Professional Responsibility Exam (“MPRE”).** Pursuant to S.C.R. 65.5 and S.C.R. 69, prior to the admission to the practice of law, and not earlier than 3 years preceding the year in which an applicant passes the bar examination, and no later than 3 years after the year in which the applicant passes said examination, an applicant must take and pass the MPRE with a scale score of no less than 85. There is no limit to the number of times an applicant may take the MPRE during this period, however, failure to pass the MPRE during this period will preclude admission and the applicant must retake the entire bar examination. An applicant may take the MPRE in another jurisdiction, however he/she is responsible to have the score transferred to the admissions department by the National Conference of Bar Examiners. Questions regarding the MPRE or requests for score transfers should be directed to the National Conference of Bar Examiners at (319) 337-1287.

46. **Supreme Court License.** The supreme court license is ordered and disseminated by the court. Licenses are mailed to new admittees approximately 150 days following the date of admission. Any inquiries regarding a license should be directed to the clerk of the supreme court.

47. **Bar Number.** The Nevada State Bar is a mandatory bar and one must be a member to practice law in Nevada. Bar numbers shall be issued following the swearing-in ceremonies in Reno and Las Vegas. Applicants sworn in prior to the ceremony must show evidence that they have filed their oath of attorney with the court before a bar number is issued. Bar numbers must be placed on all pleadings and/or other documents filed with the Nevada courts.

48. **Bar Cards and Bar Dues.** The State Bar of Nevada issues bar cards for new admittees following the swearing-in ceremonies. Active members admitted to practice in any jurisdiction less than five (5) years shall pay an annual membership fee of $200.00, and active members admitted to practice in any jurisdiction five (5) years or more shall pay $350.00. Dues shall be billed on or around December 1 of the year the new admittee passed the bar examination. Inactive dues are $75.00 for an attorney who wishes to be placed on the mailing list, and $25.00 for an attorney who does not wish to receive any correspondence.

49. **Additional Inquiries.** Please direct any additional inquiries to the State Bar of Nevada, Attention: Admissions Department, 600 East Charleston Boulevard, Las Vegas, Nevada 89104, (702) 382-2200, Fax (702) 382-6676.
Addendum 2

Policies and Procedures of the Functional Equivalency Committee

1. Number of Members on the Committee. By order filed September 29, 1993, ADKT No. 171, the Supreme Court of Nevada created the Committee on Functional Equivalency (“committee”). The committee was formally codified in Supreme Court Rule 49 in 1996. The committee is composed of seven members who are active members of the State Bar of Nevada. Four of the members are appointed by the Supreme Court of Nevada (“court”), and three members are appointed by the board of governors. The chair will be selected by the court from the appointed members.

2. Terms of Office. The terms of the members of the committee shall be three years. There is no limit on the number of terms an attorney may serve on the committee.

3. Responsibilities and Powers of the Committee. The committee shall have all those powers and duties delegated under the Nevada Supreme Court Rules to the board of bar examiners relating to the conduct of investigations and hearings, and the submission of reports and recommendations to the board of bar examiners and the court respecting those petitioners seeking certification in accordance with S.C.R. 51.5.

   A. Chair. The chair will be selected by the supreme court from the committee members and is responsible for ensuring that petitions for certification of the qualifications set forth in S.C.R. 51.5 are processed in accordance with the Supreme Court Rules and the policies and procedures of the committee as set forth herein.

   B. Vice-Chair. The vice-chair is to be appointed by the committee and shall take on the duties and responsibilities of the chair in his/her absence.

4. Quorum. No less than four of the seven members of the committee, meeting either in person or by telephone conference, shall constitute a quorum for the purposes of a hearing. Committee decisions and recommendations require a majority vote of those in attendance.

5. Certification Procedure. Before submitting an application for examination for a license to practice in Nevada, a prospective applicant who has received a degree of bachelor of laws or an equivalent law degree from a law school that has not been approved by the Committee on Legal Education and Admissions to the Bar of the American Bar Association as required by S.C.R. 51(3) must first obtain certification by the committee that the prospective applicant has met the qualifications set forth in S.C.R. 51.5 (“certification”). Applications for admission submitted without prior certification shall immediately be rejected and the application fee shall not be refunded.

   To apply for certification, a prospective applicant who has met the standards set forth in S.C.R. 51.5 must submit to the director of admissions an original and two (2) copies of a verified petition for certification under S.C.R. 51.5, together with a $750.00 filing fee, and proof of service of the petition on the chair of the functional equivalency committee. The chair may be served at the office of the State Bar of Nevada. The petition must be filed no later than September 1 of the year prior to the year in which the petitioner seeks to sit for the bar examination, and shall contain a statement of facts accompanied by copies of all relevant documents, a statement of each ground upon which relief is alleged to be warranted, and legal points and authorities, setting forth the legal basis for each ground for the relief requested.

   In this petition, the burden of proof shall be upon the petitioner, without imposing an excessive burden on the committee, to demonstrate that he or she meets the qualifications set forth in subsection 1(a), 1(b), or 1(c) of S.C.R. 51.5.

   Listed below are the minimum qualifications that will be considered by the committee in its investigation. Petitioners shall provide the committee with evidence addressing the following applicable items:

   1. Quality of Law School (profit vs. non-profit, correspondence vs. attendance, etc.)
   2. Curriculum (courses taken, content, common law subjects, length of classes for individual sessions, semester or other term, participation required, moot court, etc.)
   3. Faculty (number of full-time faculty members, faculty/student ratio, professional credentials, availability of faculty to students after class, etc.)
   4. Admission Standards (requirement of LSAT or equivalent, average GPA, BA/BS required or AA acceptable, number of students, etc.)
5. Resources and Research Facilities (library facility, number of volumes in library, types of volumes in library, study facilities, etc.)

6. Physical Plant (size, classroom size, moot court facilities, offices for faculty, separation of law school from general university, etc.)

7. Existing Accreditation, Prior Accreditation History or Attempt (prior ABA accreditation or provisional accreditation, attempt at ABA accreditation, accreditation of foreign law school by agency analogous to ABA, etc.)

8. Evidence of experience in the full-time practice of law in any state of the United States of America, a territory of the United States of America, the District of Columbia, or a foreign country for at least ten of the preceding twelve years. Such evidence should include, but not be limited to: a sworn affidavit detailing the nature and extent of the petitioner’s legal work experience during the time the petitioner claims to have engaged in the full-time practice of law; legal memoranda prepared by the petitioner; copies of published cases resulting from the petitioner’s pleadings and/or pleadings and papers filed by the petitioner in his/her capacity as an attorney and counselor at law as a sole practitioner or for a law firm, legal services office, legal clinic or the like, or as an attorney for an individual, a corporation, partnership, trust; and/or letters of reference from the bench and bar in the jurisdiction in which the petitioner has been engaged in the practice of law.

The above listing is not meant to be exhaustive. Rather, it is illustrative of the minimum qualifications that the committee will consider in determining whether the petitioner has met the qualifications set forth in S.C.R. 51.5.

6. Fees and Expenses. Verified petitions for certification shall be accompanied by a $750 filing fee which shall be paid to the State Bar of Nevada. The filing fee shall cover those costs which in the opinion of the committee are reasonably necessary to conduct investigations and to hold hearings. Costs under this rule shall include, without limitation, the cost of court reporters, consultants, experts, telephone and telecopy, as well as transportation, meals and lodging incurred by the members of the committee in the furtherance of its investigation.

In the event the initial filing fee shall prove to be inadequate to cover the actual costs of the investigation and hearings, an invoice shall be served on the petitioner. Within ten (10) days of service of the invoice, the petitioner shall pay the additional invoiced amount to the state bar. Failure to pay the filing fee or any subsequent invoiced costs under this rule shall result in denial of the petition.

7. Hearings. In accordance with S.C.R. 57, the committee may, in conducting its investigations, take and hear relevant evidence, administer oaths and affirmations, and compel by subpoena the attendance of witnesses and the production of books, papers and documents, subject to the Supreme Court Rules.

Upon payment of the filing fee and estimated expenses, the committee shall review such evidence and conduct such hearings as it deems necessary to investigate the grounds asserted by the petitioner and to make a determination whether the petitioner has met the qualifications set forth in S.C.R. 51.5. The petitioner shall be entitled to notice as set forth in section 8, and to be present, together with counsel, if desired, to present evidence to substantiate the claim. The petitioner shall also be entitled to all rights and privileges as are set forth in the Supreme Court Rules relating to the conduct of investigations and hearings. In any proceeding before the committee, the petitioner shall bear the burden of proof to demonstrate that the petitioner meets the qualifications as set forth in S.C.R. 51.5.

8. Notice. In accordance with S.C.R. 59, whenever a petitioner is required to appear before the committee the petitioner shall be entitled to five (5) days’ notice thereof if served personally, and ten (10) days’ notice if served by mail at the petitioner’s last-known address.

9. Recommendation to the Board of Bar Examiners. On or before January 1 of the year in which the petitioner seeks to sit for the bar examination, the committee shall make a determination whether the petitioner meets the qualifications as set forth in S.C.R. 51.5. If the committee has noted questions relating to the petitioner’s ability to meet the moral character and fitness requirements of S.C.R. 51(4), (5), (6), (7), (8), or (9), the committee may recommend to the board of bar examiners that the petitioner be referred to the committee on moral character and fitness for further investigation and/or hearings prior to review by the committee.

A. Favorable Recommendation. If the committee recommends that certification be granted in accordance with S.C.R. 51.5, the committee shall reduce such recommendation to writing and shall transmit to the board of bar examiners, together with proof of service by mail on the petitioner, its certification that the petitioner has met the
qualifications set forth in S.C.R. 51.5(1)(a), (b), or (c). Service shall be complete upon mailing. The report shall be filed with the board of bar examiners within thirty (30) days of the conclusion of any hearing, unless otherwise ordered by the board of bar examiners. Upon receipt of such certification, the board of bar examiners shall permit the petitioner to apply for admission, unless the board determines that further investigation is necessary. The petitioner may, in the board’s discretion, be permitted to sit for the bar examination if the petitioner meets all other applicable requirements.

B. Adverse Recommendation. If the committee recommends that certification be denied based upon its determination that the petitioner has not met the qualifications set forth in S.C.R. 51.5 the committee shall file a report with the board of bar examiners, together with proof of service by mail on the petitioner, describing the basis for the committee’s adverse recommendation. Service shall be complete upon mailing. The report shall be filed with the board of bar examiners within thirty (30) days of the conclusion of any hearing, unless otherwise ordered by the board of bar examiners. Absent a timely verified petition for review filed in accordance with section 10 below and S.C.R. 51.5(7), the board of bar examiners shall approve the adverse recommendation of the committee, unless the board of bar examiners determines that further investigation is necessary.

10. Procedure for Review by the Supreme Court. If the committee recommends to the board of bar examiners that a petitioner be denied certification, the petitioner may, within fifteen (15) days from the date of service of such report, file an original and two (2) copies of a verified petition for relief with the supreme court, which shall be accompanied by a non-refundable $200.00 filing fee and proof of service of a copy upon the director of admissions of the state bar, the chair of the board of bar examiners, and the chair of the functional equivalency committee. Such petition shall contain any relevant documentation necessary for the court’s understanding of the matter, a statement of facts supported by adequate citation to any record, and legal points and authorities setting forth the legal basis for each ground upon which the committee’s recommendation is alleged to be erroneous.

Within fifteen (15) days of service of any verified petition, the board of bar examiners shall file the committee’s report with the court. Additionally, within fifteen (15) days of service of any verified petition, the board of bar examiners and/or the committee, or their representative may file a supplement to the committee’s report addressing any issues raised in the petition.

If the court is of the opinion that the committee’s recommendation should not be disturbed, it may deny the petition. Otherwise, the court may enter an order fixing the time within which an answer may be filed by the committee, if the committee has not already filed an answer. Should the court determine that the petitioner is entitled to relief, it may direct the board of bar examiners to permit the petitioner to file an application for admission and to process the application in accordance with Supreme Court Rules 49 to 75.

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[1] The board’s investigation and inquiry will be conducted in accordance with the Americans with Disabilities Act.
[2] The board’s investigation and inquiry will be conducted in accordance with the Americans with Disabilities Act.