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# **APPLICATION STEPS: FOR BAR EXAMINATION APPLICANTS**

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## **GETTING STARTED**

### **STEP 1 – RULES AND INSTRUCTIONS**

Read the Rules Governing Admission and all web pages listed under “Information” on the Admissions Home Page.

### **STEP 2 – APPLICANT TYPE**

Determine what kind of applicant you are.

- Student Examination Applicant (Rule 14-703)
- Attorney Examination Applicant (Rule 14-704)
- Disbarred Attorney Examination Applicant (Rule 14-717)

Review the Rules Governing Admission to ensure you understand all of the requirements for your applicant type.

### **STEP 3 - REGISTER**

Create an online account.

### **STEP 4 – TEST ACCOMMODATIONS AND COURTESY PROVISIONS**

If you need test accommodations that affect the format or administration of the exam (e.g. extra time, a private room, extra breaks, etc.) and you have a documented disability that qualifies you for test accommodations under the Americans with Disabilities Act (ADA), you may file a request for Test Accommodations using the Utah State Bar forms found on our website.

All requests must be accompanied by current, supporting medical documentation. *Incomplete requests will be denied.*

If there are any items that you need to bring with you into the exam room, such as food, medicine, special equipment, etc. which do not affect the format or administration of the test itself, use the Courtesy Provisions for Health-Related Conditions form to make your request. With the Courtesy Provisions form, you will need to provide a note from your doctor verifying your medical condition and explaining why you must have access to the item(s) at all times or why you need the special seating.

## **STEP 5 – REFERENCES**

Provide a copy of the Character Reference Form to the individuals you have asked to be your references. All Applicants need six Character Reference Forms: two forms to be completed by individuals generally known to the Applicant, two forms to be completed by attorneys generally known to the Applicant, and two forms to be completed by current or former employers.

If you have never been employed you may substitute law school professors. If you have been a sole practitioner you may substitute clients. Character Reference Forms may not be completed by persons related to you by blood or marriage, romantic partners, law school classmates, or current employees. **Each reference should return the completed form to you in a sealed envelope with their signature on the seal.**

**Do NOT have the references send the form to the Bar, and do NOT send them individually to the Bar as you receive them.** See Step 29.

## **STEP 6 – LAW SCHOOL GRADUATION**

Submit the Certificate of Law School Graduation Form to your law school Dean or Registrar for completion. The school must **mail the original of the completed document** to the Bar before the deadline. Once the document is received, the Bar will send an email confirmation.

Applicants to the Utah State Bar must have a J.D. from an ABA-approved law school. The only exceptions are covered under Rule 14-704(b) for domestic attorneys and Rule 14-704(c) for foreign attorneys.

If you will complete all law school academic requirements prior to the Bar Examination but your law degree (J.D.) will be conferred after the application filing deadline, you may still file your application. However, the completed Certificate of Law School Graduation must be submitted to the Admissions Office **at least 30 days prior to the Bar examination. If it is not received in that time frame, you will not be able to sit for the exam.**

## **GATHERING INFORMATION**

### **STEP 7 – CRIMINAL RECORDS**

If you have ever been arrested, served with a summons, cited, indicted, charged, tried, or investigated for an infraction, felony or misdemeanor in any jurisdiction, contact the appropriate court to obtain all available court records. Also contact the appropriate law enforcement agency to obtain a copy of the police report.

In many instances, a formal public records request is required to either obtain the police report or proof that it does not exist. (In Utah, this is called a GRAMA request.) Please note that you will be contacting two different authorities to

obtain the requisite documentation: the police department for the police report and the court for the court documents. Also note that in most states sealed records are still available to the subject of the record; if they are not you must provide evidence that access is forbidden. If you petitioned to have a record expunged, you must provide a copy of the expungement order or proof from the law enforcement agency that they have no record of you.

If either the police or the court do not have the requested documentation, you must obtain written confirmation from them.

## **STEP 8 – MILITARY RECORDS**

If you have ever been in the military, obtain copies of your DD-214(s) (or the equivalent). If you have been in the military in the last 5 years you must also obtain copies of your OER(s) (or the equivalent).

## **STEP 9 – FINANCIAL HISTORY**

Pull a credit report. Ensure that your finances are in order. (If you have any accounts past due you will not be approved by the Character and Fitness Committee).

Make a note of the following facts (you must report them even if they do not appear on your credit report):

(1) Any accounts that have been charged off, sent to collections, or settled for less than the full balance in the last ten years.

(2) Any accounts on which you have been more than 60 days late on a payment in the last two years.

(3) Any credit card or charge account that was revoked or closed for non-payment in the last ten years.

## **STEP 10 – BANKRUPTCY**

If you have had a bankruptcy, obtain copies of all bankruptcy documents, including the petition, schedules, and discharge order. If you have a pending Chapter 13 bankruptcy you must obtain a copy of your payment history. If any adversary proceedings or other suits were filed in relation to the bankruptcy, be sure to gather those documents.

## **STEP 11 – TAXES**

Ensure that you are current on all of your tax obligations. Applicants with unpaid taxes will NOT receive character and fitness approval.

If any tax liens have ever been filed against you, obtain a copy of the lien and its release or a copy of the court docket showing the lien has been released. In some instances proof of payment arrangements and six months of on-time payments can stand in for the release.

## **STEP 12 – CHILD/SPOUSAL SUPPORT**

If you are required to pay child and/or spousal support, obtain a copy of your support payment history OR an affidavit from the support recipient confirming that you are current on your payments.

Applicants who are behind on their support obligations will not receive approval from the Character and Fitness Committee until they are current and have at least a six-month history of on-time payments.

## **STEP 13 – CIVIL CASES**

If you have ever been a party to or if you have ever been named or described in any civil proceeding, action, suit, arbitration, or administrative proceeding (including family law cases), contact the appropriate court or administrative body to obtain a copy of the court docket(s) and all filings made with the court. If the documents are not available, obtain written confirmation.

## **STEP 14 – TRAFFIC VIOLATIONS**

Gather information on all traffic citations you have received in the last ten years by searching court records in the jurisdictions where you could have received them.

Although a full driver's license history from the DMV is helpful, it is not always complete—all citations are filed with a court but they are not all reported to the DMV.

## **STEP 15 – PROFESSIONAL DISCIPLINE**

If you have ever been disciplined or denied a license for any trade, occupation, etc. (other than as an attorney), contact the appropriate authority and obtain all available documentation. If no documentation is available, obtain written confirmation.

## **STEP 16 – PAST ADDRESSES**

Gather the complete addresses of all places where you have lived in the past ten years.

## **STEP 17 – EDUCATIONAL OR TESTING DISCIPLINE**

If you have ever been investigated, charged, or disciplined for a violation of any policy by a college, university, law school, or testing entity (e.g. LSAC or another Bar), obtain a copy of all available documentation.

If the discipline occurred more than ten years ago, no documentation is required, but you will still need to report the matter on the application. If the discipline was academic probation, a copy of the correspondence notifying you of the start and end of the probationary period or a copy of your transcript will be sufficient.

## **STEP 18 – PAST JOBS**

Gather information on all jobs you have held in the last ten years. This information should include the address, the name and email of your supervisor and the name of a coworker.

## **STEP 19 – DISCIPLINARY HISTORY**

If you are an attorney, request a disciplinary history from the appropriate authority in every jurisdiction where you are admitted.

This document must cover both public and private discipline and reference whether there have ever been any complaints or charges received against you.

## **STEP 20 - CERTIFICATE OF GOOD STANDING**

If you are an attorney, you must obtain and upload a certificate from all jurisdictions where licensed, dated no more than 60 days prior to final submission of your application.

A Certificate of Good Standing verifies your date of admission and whether you are currently subject to any discipline. If you are not in good standing in any jurisdiction where you are admitted, you are not eligible for admission in Utah.

## **STEP 21 – BAR COMPLAINTS**

If you have ever had public or private, formal or informal complaints, charges, or grievances concerning your conduct as an attorney, contact the appropriate authority to obtain a copy of all available documentation. If no documentation is available, obtain written confirmation.

You must report Bar complaints or charges even if they do not appear on your disciplinary history.

# **APPLICATION**

## **STEP 22 – ONLINE APPLICATION**

Using the information you have gathered, complete and submit an accurate and complete online application.

## **STEP 23 – SUPPLEMENTAL DOCUMENTATION**

Using the information and documentation previously gathered, upload all supporting documentation required.

## STEP 24 – FBI BACKGROUND CHECK

Arrange to be fingerprinted and send the background check request to the FBI. Upload the FBI Background Report as soon you receive it.

Instructions for completing the fingerprint card are available on our website. If you have not received the background report by the filing deadline, you may upload the FBI Declaration form as a temporary placeholder.

The background report cannot be dated more than six months prior to the date you file the application.

There are three methods for obtaining the FBI Background Report (a.k.a. Identity History Summary Check). Please visit the following website and complete the instructions according to the option you select:

<https://www.fbi.gov/services/cjis/identity-history-summary-checks>. The three options are:

- (1) Electronic submission directly to the FBI (eDO). This option takes a week or less. Please note that the request is submitted electronically, but the fingerprint card must still be sent via mail.
- (2) Submission through an FBI-Approved Channeler. This is usually the quickest method. However, it is also the most expensive. The FBI's website provides a list of approved channelers.
- (3) Submission by mail directly to the FBI. (Do not use this option unless no other option will work; this option takes months to process and may delay your admission.)

The FBI does not send a duplicate copy of the completed report to the Bar, nor should you give the Bar's address as the address where the report should be mailed. **The form should be returned directly to you so that you can upload it.**

**Please note that you are not submitting the request for employment or licensing—you are submitting it for “Personal Review” and then uploading the information to the Bar.**

## STEP 25 – DMV RECORDS

Obtain and upload a 3-year driving record from every jurisdiction where you have held a license in the last three years.

This must be dated no more than 60 days prior to your application being filed. The record does not need to be certified; however, it must be obtained directly from the authority which issues the license (usually called the Department of Motor Vehicles or the Department of Public Safety). If you have held a license in more than one state in the last three years, you will need to obtain a record from each of those states.

For Applicants licensed in Utah, information on obtaining your MVR is available at the Department of Public Safety's website: <http://www.driverlicense.utah.gov>.

**Please note:** although the driving record only has to cover three years, you are required to report every traffic citation you have received in the last 10 years.

## **STEP 26 – PHOTO**

Obtain and upload a passport-style photograph that can be used for identification purposes.

This photograph will be used on your bar card. It will also be used to verify your identity at the examination. The photograph must be in color, it must be recent (within the last year) and it must be different from your government ID (i.e. do not simply scan your driver's license or passport). Your appearance should be the same on the day of the test so if something changes (e.g. hair color or facial hair), you will need to upload a new photo.

## **STEP 27 – NOTARIZATION**

Arrange to sign and have notarized the forms that require it (Applicant Verification and Authorization and Release). Upload them when you are done.

## **STEP 28 – MAIL**

Mail (or drop off) your unopened character references in a single package so that you can be sure they will reach the Bar's offices by the deadline. **This package must be received in the Bar's offices by deadline, NOT postmarked.**

The mailing address is:

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

If you want to be able to confirm receipt of the references, you should hand-deliver them or send the package with tracking capability because the Bar will not be able to immediately confirm receipt.

If you have not received confirmation that your Certificate of Law School Graduation was received by the Bar, follow up with your law school to ensure that it will reach the Bar by the deadline.

## **STEP 29 – CLICK THE FINAL SUBMIT BUTTON AND PAY**

After conducting a final review of your application to ensure it is complete and accurate and that you have complied with all instructions, click the Final Submit button. You will then be prompted to pay.

Application fees are as follows:

\$550 for Student Exam Applications  
\$850 for Attorney Exam Applications  
+\$150 for laptop use  
+\$100 if the application is filed after March 1<sup>st</sup> for the July Exam or  
October 1<sup>st</sup> for the February Exam  
+\$300 if the application is filed after March 15<sup>th</sup> for the July Exam or  
October 15<sup>th</sup> for the February Exam

**The date you click the Final Submit button and submit payment is the date your application is considered FILED.** If the Admissions Office finds you have clicked the Final Submit button even though your application is not complete, **you may be subject to additional fees or your application may be rejected.**

## **POST-SUBMISSION**

### **STEP 30 – MPRE SCORE REPORT**

Request a copy of your MPRE score report be sent to the Bar.

MPRE scores are deemed valid only if transferred to the Utah State Bar directly from the MPRE testing authority. Please visit the NCBE's website for information on requesting the transfer of your score to Utah.

The report does not have to be received before the filing deadline or prior to sitting for the examination. However, all Applicants are required to successfully pass the MPRE before admission.

A scaled score of 86 is required before an Applicant can be admitted to the Utah State Bar. The MPRE is administered by the National Conference of Bar Examiners. Any questions about registration, content or study helps should be directed to the NCBE. The NCBE's website is [www.ncbex.org](http://www.ncbex.org). The MPRE is administered three times each year, usually in March, August, and November.

Applicants who want to be admitted on the May motion for admission should not wait to take the exam in March, since it is possible the score will not be received in time for them to be included on that motion. Likewise, applicants who want to be admitted in October should not wait until August to take the exam.

### **STEP 31 – EMAIL**

Check your email and your online account regularly for announcements and correspondence. Respond promptly if the correspondence requests anything from you.