

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99012-SCT

IN RE: RULES GOVERNING ADMISSION TO THE MISSISSIPPI BAR

ORDER

This matter has come before the Court, en banc, on petition of the Board of Bar Admissions seeking amendment to Rules III, IV and VI to the Rules Governing Admission to the Mississippi Bar. The Board requests increases in certain fees charged relating to bar examinations and adjustment in the deadline for applications seeking admission by comity. Having considered the petition, the Court finds that the fee increases are modest and justified, that the adjustment in filing deadlines are necessary to allow thorough investigation of applicants, and that the proposed amendments will promote the fair and efficient administration of justice.

IT IS THEREFORE ORDERED that Rule III, Section 1; Rule IV, Sections 2, 3, 4 and 6; and Rule VI, Section 2 of the Rules governing Admission to the Mississippi Bar be and the same are hereby amended to conform to the text of Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon the minutes of the Court and shall forthwith forward to West Publishing Company a true certified copy of this Order for publication in the *Southern Reporter, Second Series (Mississippi Edition)* and the *Mississippi Rules of Court*.

ORDERED, this the _____ of May, 1999.

EDWIN LLOYD PITTMAN, PRESIDING

JUSTICE, FOR THE COURT

SULLIVAN, PJ. WOULD DENY

EXHIBIT "A" TO ORDER

(Changes in text are shown by underscoring)

RULE III. APPLICATION FOR REGISTRATION AS A LAW STUDENT

Section 1. Application Forms

Law student applications, examination applications and all other forms used in the admissions process shall be in a form approved by the Board. There shall be a fee of \$10.00 for the packet of official application forms (money order, certified check or cash only). Application forms may be obtained by writing to the: Mississippi Board of Bar Admissions, P.O. Box 1449, Jackson, Mississippi, 39215-1449 or may be obtained at the Bar Admissions Office at First Floor, Mississippi Court of Appeals Building, 656 North State Street, Jackson, Mississippi.

No application shall be accepted which is not filed on official forms and which is not accompanied by the full amount of fees due. Payment of fees shall be made to "Board of Bar Admissions". (Money order, certified check or cash only). **ALL FEES AND OTHER MONIES PAID TO THE BOARD ARE NOT REFUNDABLE IN WHOLE OR IN PART.**

Applications must be COMPLETE (must include all required attachments) at time of filing and must include an executed authorization and release to enable the Board to obtain information concerning applicant from third persons.

The applicant must give a full and direct response to all inquiries on the Application and furnish all additional documents required by the Application.

The answers contained in any Application shall be made under oath. The duty to make a true and complete response shall be considered as continuing from the date of the filing of the Application until the date upon which the applicant is admitted to the Bar. If, at any time after the filing of any Application and before the applicant is admitted to the Bar, any answer or portion of any answer ceases to be fully true and complete

or fairly requires supplementation, the applicant shall notify the Board through the Bar Admissions Administrator immediately in writing. As soon as reasonably possible after so notifying the Board, the applicant shall provide such information, documents, and disclosures as are necessary to make the Application fully true and correct. Upon receipt of such notice or supplementation from applicant, or from other sources, the Board may, in its discretion, require further information, investigation, or hearings as it may deem appropriate under the circumstances and may defer consideration of the application until a subsequent bar examination.

[Effective July 1, 1 999]

RULE IV. EXAMINATION APPLICATIONS

Section 2. Examination Applications for Applicants Who Have Filed Law Student Registrations

Those applicants who have previously registered as law students under Rule III, Section 2(A) and those law students who previously registered late under Rule III, Section 3, must file with the Board an Application for Admission by Examination, designating the examination for which applicant desires to sit. Each Application for Admission by Examination must be accompanied by a fee of \$250.00, which shall be in addition to registration fees due under Rule III, Section 2(A) and 3. (Money order, certified check or cash only). Application must be filed with the Board on or before November 1st preceding the February examination for which applicant wishes to sit, or on or before April 1st preceding the July examination for which applicant wishes to sit.

Any law student who has not filed a law student application under Rule III, Section 2(A) or 3, must file the Application for Admission by Examination under Rule IV, Section 3 below.

[Effective July 1, 1999 for applications for the February 2000 and subsequent examinations]

Section 3. Examination Applications for Applicants not Registering as Law Students

Any applicant who has not previously filed an Application for Registration as a Law Student as provided in Rule III, Section 2(A) or 3, must file a completed Application for Admission by Examination with the Board on or before October 1st preceding the February examination for which he wishes to sit or on or before March 1st preceding the July examination for which he wishes to sit. A filing fee of \$550.00 must accompany the Application. (Money order, certified check or cash only.) Applicants admitted in other jurisdictions may be required to pay additional fees for character investigations. Such applicants must contact the Board of Bar Admissions Office for the amount of the additional fees required, if any.

[Effective July 1, 1999 for applications for the February 2000 and subsequent examinations]

Section 4. Late Application for General Bar Examination

Any applicant who failed to file a timely Application for Admission by Examination under Section 2 or Section 3 above may file a late Application for Admission by Examination with the Board October 2nd to December 1st preceding the February examination for which he wishes to sit or March 2nd to May 1st

preceding the July examination for which he wishes to sit. A filing fee of \$750.00 (less any fees, if any, previously paid) must accompany the Application. (Money order, certified check or cash only). Applicants admitted in other jurisdictions may be required to pay additional fees for character investigations. Such applicants must contact the Board of Bar Admissions Office for the amount of the additional fees required, if any.

When an Application for Admission by Examination is filed later than the prescribed deadlines the Board may act, but shall not be required to act, upon such application in time to permit the applicant to take such approaching examination.

However, under no circumstances will an application to sit for the examination be accepted after the prescribed late deadlines in this Section.

[Effective July 1, 1999 for applications for the February 2000 and subsequent examinations]

Section 6. Re-examination Deadlines and Fees

Any applicant who fails the bar examination shall be allowed to take the next scheduled examination without further investigation as to his character and fitness unless additional information requiring investigation comes to the attention of the Board.

The applicant must file an application on a form provided by the Board for reexamination with a fee of \$200.00 (money order, certified check or cash only) by December 1st preceding the February examination and by May 1st preceding the July examination.

[Effective July 1, 1999 for applications for the February 2000 and subsequent examinations]

RULE VI. ADMISSION BY COMITY AND RECIPROACITY

Section 2. Application

Any lawyer from another state desiring to practice in Mississippi must make application to the Board on the same forms as required of applicants for admission by general bar examination. Such application shall be subject to the provisions of Rule III, Sections 1 and 4 and Rule V. In addition, such applicant shall file with the Board evidence of his good standing to practice law in the states in which he has previously been admitted, including a certificate from the Clerk of the highest appellate court of each state in which he has been admitted and from two (2) members of the bar in each such state, certifying *to* his qualifications and good standing. The completed application of an attorney desiring to sit for the special "attorneys' examination" administered as part of the regular February bar examination must be filed on or before November 1 preceding the February examination. The completed application of any attorney desiring to sit for the special "attorneys' examination" administered as part of the regular July bar examination must be filed on or before April 1 preceding the July examination. The Board or the Committee on Character and Fitness may make additional inquiry as to the qualifications, good standing, and moral character of the applicant and may request submission of additional evidence by the applicant.

[Effective July 1, 1999 for applications for the February 2000 and subsequent examinations]