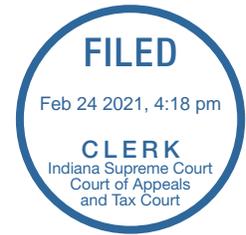


# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Rules of Admission to the Bar and the Discipline of Attorneys

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, the Indiana Rules for Admission to the Bar and the Discipline of Attorneys are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### **Rule 6. Admission on Foreign License**

#### **Section 1. Provisional License**

A person who has been admitted to practice law in the highest court of law in any other state (herein defined as state or territory of the United States or the District of Columbia), may be granted a provisional license to practice law in Indiana upon a finding by the State Board of Law Examiners that said person has met each of the following conditions:

...

- (g) The applicant has not failed the Indiana ~~Bar~~ examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of application.

...

#### **Section 2. Business Counsel License**

A person who establishes an office or other systematic and continuous presence in Indiana in order to accept or continue employment by a person or entity engaged in business in Indiana other than the practice of law may be granted a business counsel license to practice law in Indiana without examination so long as granting the license is in the public interest and such person:

- (f) has not failed the Indiana ~~Bar~~ examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of the application.

...

**Rule 6.1 Temporary License for Clinical Faculty, Legal Services, Public Defender, and Pro Bono Representation**

...

**Section 2. Conditions and Limitations on Practice Under Temporary License**

...

(c) The temporary license issued under this rule shall expire on the earliest of the following dates:

...

(2) the date the person's application for the Indiana bar is denied for any reason, including but not limited to failing to achieve a passing score on a qualifying the bar examination or failing to satisfy character and fitness or other eligibility requirements;

...

**Rule 14. Review**

~~Review of final action by the State Board of Law Examiners shall be as follows:~~

~~**Section 1.** The State Board of Law Examiners shall adopt such procedure for review of an applicant, aggrieved by failure of said board to award said applicant a satisfactory grade upon the bar examination, as shall be approved by the Supreme Court of Indiana. All applicants who have achieved a combined scaled score of 255 to 263 shall be eligible to appeal. The eligible examinees must make a written request to appeal on forms provided by the Board within fourteen (14) days of the issuance by the Board of the eligible examinee's results. No response other than the written request to appeal is permitted. The President of the Board shall designate certain of the Board's members as Appeals Reviewers. The Appeals Reviewers shall consider and decide all appeals of bar examination results. In the appeals process, all of an eligible examinee's responses shall be subject to review by the Appeals Reviewers. Multistate Bar Examination scores will also be available to the Appeals Reviewers. Eligible examinees that are deemed to have passed after review shall be treated as having passed that administration of the Indiana Bar Examination. No change in score shall be effectuated. Before the release of the results of the Indiana bar examination, the Board of Law Examiners shall review the written answers of all applicants who are within five (5) points of achieving a passing score of 264 on the examination to confirm that the written answers have been graded correctly. Applicants may not appeal the results of the examination. The determination by the Appeals Reviewers Board of Law Examiners whether to treat an **appealing** applicant as having passed the bar examination shall be final, subject to general principles of procedural due process.~~

**Section 2.** Any applicant aggrieved by the final action of the State Board of Law Examiners in refusing to recommend to the Supreme Court of Indiana the admission of the applicant to practice law in Indiana for any reason other than the failure to pass any examination ~~as set forth~~

~~in section (1)~~ may, within twenty (20) days of receipt of notification setting forth the reason for refusal, file a petition with the Supreme Court of Indiana requesting review by this Court of such final determination. The notification referenced herein shall be sent to the applicant by certified mail with return receipt requested. In the petition the applicant shall set forth specifically the reasons, in fact or law, assigned as error in the Board's determination. The Court may order further consideration of the application, in which event the State Board of Law Examiners shall promptly transmit to the Court the complete file relating to such applicant and his or her application, including the transcript of the record of any hearing held by the State Board of Law Examiners relating thereto. The Court shall enter such order as in its judgment is proper, which shall thereupon become final. The petition for review must be accompanied by a fifty dollar (\$50.00) filing fee unless the petitioner previously paid an application fee to the State Board of Law Examiners as provided in these rules.

...

### **Rule 17. Admission Upon Examinations**

**Section 1.** The Indiana bar examination shall consist of the Uniform Bar Examination (UBE) developed by the National Conference of Bar Examiners. To qualify for admission upon examination, an applicant must achieve a scaled score of at least 264 on the Indiana bar examination.

**Section 2.** No person shall be licensed to practice law in this state who has not taken and passed a the Indiana Bbar examination as provided in these rules, except applicants admitted on a transferred UBE score under these rules or attorneys who are licensed in another jurisdiction and who qualify for admission without examination under the provisions of Admission and Discipline Rule 6.

**Section 3.** Any applicant for admission upon examination on any Indiana bar examination administered after July 1, 2021, shall be required to complete the Indiana Law Course, a jurisdiction-specific component on Indiana law, not later than six (6) months after the date of the applicant's admission to the Indiana bar. If an applicant fails to complete the Indiana Law Course within the required time period, the Board of Law Examiners may certify such fact to the Supreme Court with the recommendation that the applicant's license be suspended pending completion of the course.

**Section 24.** In addition, each applicant for admission upon examination, before being admitted, must pass the Multistate Professional Responsibility Examination (MPRE). The passing score for the MPRE shall be a scaled score of eighty (80) and must be achieved no earlier than two (2) years before the date the applicant successfully ~~takes sits for~~ the Indiana ~~two-day-essay~~ bar examination.

**Section 35.** An applicant who successfully passes the Indiana Bbar examination must complete all requirements for, and receive, a law degree and be admitted to the practice of law before the

Court within ~~two~~ five (25) years of the last date of the applicant's bar examination, or the bar examination must be repeated.

**Section 46.** The bar examination shall be administered with the identity of the applicant remaining anonymous throughout the examination, grading and review. The Executive Director shall adopt such procedures necessary for the identity of all applicants by number only. It shall be a violation of these Rules for the applicant, or anyone upon the applicant's behalf, to attempt to reveal the identity, ~~origin, gender or race~~ any identifying characteristics of the applicant at any time throughout the examination and review process.

~~**Section 5.** The Executive Director of the Board of Law Examiners shall notify each applicant, promptly after request for application, of the subject matter which the applicants may expect to be covered in the bar examination interrogatories.~~

~~Since the bar examination attempts to establish the applicant's ability to practice law in the State of Indiana, questions requiring answers determining an understanding of Indiana law will be expected. From time to time, the Board shall publish a listing of subject matters to be covered on examinations~~

...

### **Rule 17.1. Admission by Transferred Uniform Bar Examination Score**

**Section 1.** An applicant who has taken the UBE in a jurisdiction other than Indiana and achieved a scaled score of at least 264 may be admitted to the Indiana bar if he or she satisfies the following conditions:

- (a) The scaled score was attained on a UBE administered within five (5) years preceding the date of application;
- (b) The applicant received a scaled score of eighty (80) on the MPRE no earlier than two (2) years before the applicant sat for the UBE on which he or she achieved a scaled score of 264;
- (c) The applicant is a member in good standing of the bar(s) of admission;
- (d) The applicant meets the character and fitness requirements of Indiana; and
- (e) The applicant graduated from an ABA accredited law school.

**Section 2.** Any applicant for admission by a transferred UBE score shall be required to complete the Indiana Law Course, a jurisdiction-specific component on Indiana law, not later than six (6) months after the date of the applicant's admission to the Indiana bar. If an applicant fails to complete the Indiana Law Course within the required time period, the Board of Law Examiners may certify such fact to the Supreme Court with the recommendation that the applicant's license be suspended pending completion of the course.

**Section 3.** Applications for admission by a transferred UBE score shall be filed through the electronic application procedures prescribed by the Board of Law Examiners. The application shall be in such form and shall request such information as may be required by the Board of Law Examiners. The Board of Law Examiners may require additional information deemed by it to be necessary.

Section 4. An affidavit of the dean of the applicant's law school, or the dean's designee, to the effect that there is nothing in the school records or personal knowledge of the dean or faculty of such school to indicate that the applicant is not of good moral character or that the applicant is not fit for admission to the practice of law must be filed with the Board of Law Examiners. The Board shall provide forms for such certification.

Section 5. A certified transcript of the law school record of the applicant showing the date of graduation and the degree conferred must be filed with the Board of Law Examiners before the applicant can be admitted to the bar.

Section 6. Applications for admission by a transferred UBE score shall be accompanied by a filing fee of five hundred dollars (\$500).

...

**Rule 18. Report on Examinations**

**Section 1.** Unless otherwise ordered by the Court, there shall be two (2) bar examinations held annually, in February and July. The examination shall be supervised by the Board. ~~The number and form of the questions and the subject matter tested shall be determined by the Board of Law Examiners with the approval of the Supreme Court.~~

...

This amendment shall take immediate effect.  
Done at Indianapolis, Indiana, on 2/24/2021.



Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.