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# Minnesota Board of Law Examiners

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## RULES FOR ADMISSION TO THE BAR

The Rules for Admission to the Bar are outlined on our website ([www.ble.mn.gov/rules](http://www.ble.mn.gov/rules)) and include:

1. Purpose
2. Definitions and Due Date Provisions
3. State Board of Law Examiners
4. General Requirements for Admission
5. Standards for Admission
6. Admission by Examination
7. Admission Without Examination
8. Admission by Temporary License for Legal Services Programs
9. Admission by Temporary House Counsel License
10. Admission by House Counsel License
11. License for Foreign Legal Consultants
12. Fees
13. Immunity
14. Confidentiality and Release of Information
15. Adverse Determinations and Hearings
16. Conditional Admission
17. Appeal to the Supreme Court
18. Reapplication
19. Bar Admissions Advisory Council

## PURPOSE OF THE BOARD

- To protect the public and safeguard the justice system.
- To ensure that those admitted have the necessary **competence** and **character** to justify the trust and confidence that clients, the public, the legal system, and the legal profession place in lawyers.

## RULE 5B(2): BURDEN OF PROOF ON CHARACTER AND FITNESS

- The Applicant bears the burden of proving good character and fitness to practice law. Pursuant to Rule 15, the standard is clear and convincing evidence.

## ESSENTIAL ELIGIBILITY REQUIREMENTS

Applicants must be able to demonstrate the following essential eligibility requirements for the practice of law (Rule 5A):

1. The ability to be honest and candid with clients, lawyers, courts, the Board, and others;
2. The ability to reason, recall complex factual information, and integrate that information with complex legal theories;
3. The ability to communicate with clients, lawyers, courts and others with a high degree of organization and clarity;
4. The ability to use good judgment on behalf of clients and in conducting one's professional business;
5. The ability to conduct oneself with respect for and in accordance with the law;
6. The ability to avoid acts which exhibit disregard for the rights or welfare of others;
7. The ability to comply with the requirements of the Rules of Professional Conduct, applicable state, local, and federal laws, regulations, statutes, and any applicable order of a court or tribunal;
8. The ability to act diligently and reliably in fulfilling one's obligations to clients, lawyers, courts, and others;
9. The ability to use honesty and good judgment in financial dealings on behalf of oneself, clients, and others; and
10. The ability to comply with deadlines and time constraints.

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***If you are concerned that your character and fitness may be of concern to the Board, review the 10 Essential Eligibility Requirements that each applicant must meet.***

***If you have questions, you may contact the Board office.***

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## APPLICATION FOR ADMISSION

### Process

- Complete online application
  - Make sure to submit all items requested
  - Timely deadlines: October 15<sup>th</sup> (Feb. exam) and March 15<sup>th</sup> (July exam)
  - Late filing deadlines: December 1<sup>st</sup> and May 1<sup>st</sup>

### Application Must Include:

- Certified Driving Record from State where license is active
- Photo ID Card
- Signatures (where required)
- Notarizations (where required)
- Authorization and Release
- 2 Affidavits—Follow Directions in 4B(4)
- All documentation requested by supplemental forms
- Appropriate Fee(s)
- Laptop Registration (if applicable)
- Testing Accommodation Forms (if applicable)

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***Full and complete  
disclosure is important***

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### What Needs to be Disclosed?

- Criminal conduct
- Traffic citations
- Legal proceedings
- Employment history
- Professional licensure
- Financial and tax history
- Misconduct in law school or undergrad
  - Revisit your law school application
- Whether you believe your ability to meet the essential eligibility requirements is currently impacted by chemical dependency or mental health issues and, if so, what affirmative actions you have taken to address

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***Applications are confidential  
subject to the provisions of  
Rule 14***

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### Required Forms and Documents:

- Read carefully what each form requires
- Fill in **ALL** fields of the application and upload the requested records (if applicable)
- Plan accordingly. You may need to locate: arrest reports, police reports, complaints, indictments, citations, dispositions, sentencing orders, appeals, court records, judgments, settlement agreements, administrative orders, findings, bankruptcy petitions and schedules, notice of objections, order of discharge, DD-214, payment arrangements on past due debts, dissolution documents, child support orders, general narratives, etc.  
\*If you cannot obtain requested documents, you must provide documentary evidence or a letter from the proper authority confirming that no records are available.

### What to do if you do not know details or cannot get documents:

- Look up zip codes
- Provide an explanation if you do not recall your supervisor's name or the employer is no longer in business
- List periods of unemployment
- If you cannot provide court records, police records, etc.—include who you talked to and what information provided
- Update Board with any changes
- If you cannot remember details, include what you know and provide an explanation as to why you don't remember the details

### Affidavits of good character

Affiants must not be:

- Related by blood or marriage
- Living in the same household
- Fellow law students
- Persons listed as character references

Content of Affidavit Rule 4C:

- Time and circumstances knowing you
- Details about your character and reputation
- Other information about your fitness to practice

Affidavit format:

- Letter form OK
- Typed or handwritten
- Upload and retain original document
- Notarized or including declaration language
- Signed and dated

## THE CHARACTER AND FITNESS INVESTIGATION (RULE 5B)

Once an Applicant has filled out the bar application in its entirety and submitted it to the Board office, the character and fitness investigation begins. Most individuals find out the character and fitness determination at the same time as bar results. If there is a delay in an Applicant's character and fitness investigation, it is likely due to providing incomplete information in the initial application, incomplete responses to any request posted in the Applicant's portal, serious misconduct in the past or current probation, or a current inability to meet the essential eligibility requirements.

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***Check your portal frequently  
and provide timely  
responses to requests***

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## CHEMICAL DEPENDENCY AND MENTAL HEALTH

The Board recognizes the stresses of law school and other life factors may result in Applicants seeking assistance. If you have any concerns related to chemical dependency, mental health, or other issues that may impact your ability to meet the essential eligibility requirements, **seek assistance now rather than later**. Applicants should not allow concerns about future bar applications to dissuade the Applicant from obtaining treatment. **The Board views the decision to seek treatment as a positive factor** in evaluating applications. Recent or serious concerns related to misconduct may result in further inquiry. The Board seeks to obtain this additional information in the least intrusive way possible while balancing the need to protect the public. If a future Applicant has any concerns, the Board strongly encourages the applicant to contact the Board office for additional information as to how the Board has handled similar matters in the past.

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***The Board encourages individuals to  
contact Lawyers Concerned for Lawyers at  
651-646-5590. Information is not shared  
between Lawyers Concerned for Lawyers  
and the Board.***

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## CONDITIONAL ADMISSION (RULE 16)

Rule 16 permits the Board or an Applicant to propose conditional admission. The Board views conditional admission as a partnership with the Applicant. The process is in place to increase the likelihood that an Applicant will have a successful career as an attorney. It provides a mechanism by which the Board can protect the public, while allowing Applicants the ability to practice under agreed upon terms. Conditional admission is confidential and the names of the lawyers conditionally admitted are not disclosed to the public. Violations are reported to the Office of Lawyers Professional Responsibility to investigate. Common reasons for conditional admission include current probation, conditional admission in another jurisdiction, recent sobriety, significant past misconduct and limited evidence of rehabilitation.

## MOST COMMON REASONS FOR DENIAL OR DELAY

- **Lack of candor** in the application process is one of the most common reasons for denial. This may include failure to disclose, false statements, under-disclosure, or minimizing.
- Lack of evidence of **rehabilitation** is another common reason for denial. This may include failure to acknowledge and accept responsibility, failure to show good character and fitness going forward, lack of treatment or lack of positive social contributions.

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***The more significant the  
misconduct, the more evidence  
of rehabilitation should be  
provided. Rule 5B(5) outlines  
types of rehabilitation an  
applicant may submit.***

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## TIPS

- Revisit your law school application and **timely** correct any errors or omissions.
- **Honesty and integrity:**
  - Be truthful and complete. **Timely** correct errors and omissions.
- **Rehabilitation (Rule 5B(5)):**
  - Create a record of good conduct. Get help as needed.
- **Chemical dependency issues:**
  - Seek treatment. Follow recommendations, including attending sober recovery programs. Call Lawyers Concerned for Lawyers at 651- 646-5590.
- **Financial responsibility:**
  - Live within your means. Know your debt and stay current. Work with creditors if you fall behind on paying your debt.
  - Pull your credit report—it is free 1 time per year. It is good to know what is in your file.

## Questions? Contact us!

- Email us at [BLE@mbcle.state.mn.us](mailto:BLE@mbcle.state.mn.us)
- Visit our website at [www.ble.mn.gov](http://www.ble.mn.gov)
  - Reports with additional information in the process
  - FAQs
  - Application Materials
  - Bar Exam Information
  - Resources
    - From Diploma to License
    - Character and Fitness for Admission to the Bar
    - Board Policies
    - Information on preparing for the bar
    - UBE transfer services
- Call us at (651) 297-1857
  - Anonymous conversation with a member of the Board staff about your situation
  - Information about how the Board has handled issues similar to yours in the past