

IN THE SUPREME COURT OF TENNESSEE

1. AT NASHVILLE

IN RE: AMENDMENT TO SUPREME COURT RULE 7 –

ARTICLE II, Section 2.02; ARTICLE III, Sections 3.01 and 3.06; ARTICLE V;

ARTICLE VI, Sections 6.03 and 6.04; and ARTICLE VIII, Section 8.01

Filed March 23, 2004

ORDER

After due consideration, the Court hereby amends Supreme Court Rule 7 as follows:

Article II, Section 2.02, is amended by deleting the words “is accredited by the American Bar Association” and substituting in their place the words “was accredited by the American Bar Association at the time of applicant’s graduation,” so that the section will read:

Sec. 2.02. Approval of Law Schools. – Each applicant to take the examination must have completed a course of instruction in and graduated from a regularly organized law school which was accredited by the American Bar Association at the time of applicant’s graduation, or one which has been approved by the Board pursuant to Section 2.03.

The title of Article III is amended by adding the words “BY EXAMINATION,” so that the title will read:

ARTICLE III – APPLICATIONS FOR ADMISSION BY EXAMINATION

Article III, Section 3.01, is amended by deleting the words “prepare, and from time to time revise, a uniform application form, which shall be furnished to and completed by all applicants for admission,” and substituting in their place the words “cause a uniform application form to be furnished to and completed by all applicants for admission,” so that the section will read:

Sec. 3.01. Application Form. – The Board shall cause a uniform application form to be furnished to and completed by all applicants for admission. The application form shall require the

submission of such information as the Board deems necessary or appropriate for the determination of the eligibility of applicants for admission pursuant to the criteria and standards set forth in this Rule.

Article III, Section 3.06, is amended by adding the words "see Article V" at the end of the first sentence, so that this section will read:

Sec. 3.06. Applications by Persons Admitted in Other Jurisdictions Seeking Waiver of Criteria. – Applications for admission by persons admitted in other jurisdictions seeking waiver of examination may be filed at any time - see Article V. In addition to the information required on the uniform application form, such applicants shall furnish such additional information as may be required by the Board or the Administrator to enable the Board to determine the applicant's eligibility for such admission.

The title of Article V is amended by deleting it in its entirety and substituting in its place the following:

ARTICLE V – PERSONS ADMITTED IN OTHER JURISDICTIONS

SEEKING WAIVER OF EXAMINATION

Article VI, Section 6.03, is amended by adding the following new subsection (b):

(b) As part of the character and fitness requirement for licensing, each applicant is required to have a current completed background investigation conducted by the National Conference of Bar Examiners (NCBE). It is the responsibility of each applicant to make the request to the NCBE for a background investigation and pay the required fee directly to the NCBE.

Former subsection (b) of Section 6.03 will become subsection (c) and is amended by deleting the words "refer the application to the National Conference of Bar Examiners and shall," so that the new subsection (c) will read:

(c) The Administrator shall transmit the results of the background investigation to a local investigating committee.

Former subsection (c) of Section 6.03 will become subsection (d), and former subsection (d) of Section 6.03 will become subsection (e).

The first sentence of Article VI, Section 6.04, is amended by deleting the words "any Tennessee law school" and substituting in their place the words "the law school," and by adding the following new sentence at the end of the section: "If the applicant has been previously admitted to another jurisdiction, a certificate of good standing from the highest court of each state to which applicant has been admitted must accompany the application to the Tennessee Board of Law Examiners." Section 6.04 will then read:

6.04. Certificate of Good Moral Character. – An applicant seeking admission to practice law in Tennessee must submit to the Board of Law Examiners, before permission is granted to take the Examination, a certificate from the dean or supervising authority of the law school from which the applicant graduated indicating that to the best of its knowledge and belief the candidate has

demonstrated such reputation and character in the opinion of the law school that indicates no reasonable basis for substantial doubt that the applicant would adhere to the standards of conduct required of attorneys in this state and that the law school has provided full and complete information requested by the Board of Law Examiners regarding the character and fitness of the candidate. If the applicant has been previously admitted to another jurisdiction, a certificate of good standing from the highest court of each state to which applicant has been admitted must accompany the application to the Tennessee Board of Law Examiners.

Article VIII, Section 8.01(a), is amended by adding the words “or admission by comity” after the words “A statement by the applicant before examination,” so that the section will read:

(a) A statement by the applicant before examination, or admission by comity, that the applicant intends to engage in the practice of law in Tennessee, and agrees to abide by the duties and standards imposed from time to time on attorneys in this State.

It is so ORDERED.

FOR THE COURT:

Frank F. Drowota, III, Chief Justice