

IN THE SUPREME COURT OF ALABAMA
January 19, 2017

ORDER

IT IS ORDERED that Rule I, Rule II, Rule III, Rule V, Rule VI(B), and Appendix, Rules Governing Admission to the Alabama State Bar, be amended to read in accordance with Appendices A, B, C, D, E, and F to this order;

IT IS FURTHER ORDERED that these amendments are effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule I, Rule II, Rule III, Rule V, Rule VI(B), and Appendix:

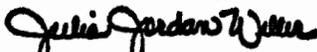
"Note from the reporter of decisions: The order amending Rule I, Rule II, Rule III, Rule V, Rule VI(B), and Appendix, effective January 19, 2017, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 3d."

Stuart, Bolin, Parker, Murdock, Shaw, Main, and Bryan, JJ., concur.

Wise, J., concurs as to Rule I, Rule III, and Rule VI(B) and dissents as to Rule II, Rule V, and Appendix.

I, Julia Jordan Weller, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 19th day of January, 20 17


Clerk, Supreme Court of Alabama

APPENDIX A

Rule I. Registration of Intent to Apply for Admission to the Alabama State Bar.

A. Registration of Law Students and Others Seeking Admission to the Alabama State Bar. Every person seeking to apply for admission to the Alabama State Bar shall, within 60 days following the commencement of the study of law in any law school, register with the Secretary ("the Secretary") of the Board of Commissioners of the Alabama State Bar ("the Board" or "the Board of Commissioners") by completing and filing the online registration application and such other papers as may from time to time be reasonably required by the Board. No fee shall be required if the registration application is filed within the first 60 days following the commencement of the study of law. If, however, the registration application is filed after 60 days, such application shall be accompanied by an appropriate fee of:

(1) \$50.00 if filed after 60 days but on or before the 180th day;

(2) \$100.00 if filed after 180 days but on or before the 390th day;

(3) \$250.00 if filed after 390 days.

The deadline date for filing the registration application shall be determined using the official date for the commencement of study announced by the registrant's law school. The registrant shall be responsible for submitting, as a part of the registration application, certified verification of that date upon the form supplied by the Board. Any fee required with a registration application filed pursuant to this rule shall be nonrefundable.

B. Committee on Character and Fitness. The Committee on Character and Fitness ("the Committee") (see Rule V) shall promptly conduct an initial review of the registration application for matters bearing on the registrant's character and fitness, including, but not limited to, alcohol or drug addiction or abuse, criminal history, financial responsibility, and mental-health issues. Thereafter, the Committee shall conduct an investigation or otherwise inquire into and determine the qualifications, character, and fitness

of every registrant who applies for admission to practice law in the State of Alabama and may request the personal appearance of any registrant at such reasonable time and place as the Committee may prescribe.

If the Committee, during the course of an investigation of the registrant, concludes that a complete set of his or her fingerprints would be of substantial assistance in the investigation, the Committee may direct the registrant to submit a complete set of his or her fingerprints. The failure of the registrant to submit, upon request, a complete set of his or her fingerprints, to fully and accurately comply with any reasonable request to produce documents or to appear personally before the Committee, or to fully and accurately provide such other information as reasonably may be requested by the Committee shall be a sufficient ground to deny approval of the registration.

If the Committee is reasonably satisfied that the registrant possesses good moral character, has completed the prelegal education required by these Rules (see Rule IV.A and B), and is fit to practice law in the State of Alabama in all other respects, it shall approve the registration, and the Secretary shall thereupon issue to the registrant a certificate of registration and cause a record thereof to be kept in the Secretary's office. If the registrant is found deficient in any of the aforementioned qualifications, the certificate of registration shall not be issued until and unless the Committee is satisfied that the registrant has overcome the deficiency.

A majority of the Committee may at any time and place, if in meeting assembled, act for the Committee, with the power of examination herein granted the Committee, regardless of when the registration application was filed with the Secretary.

In cases where a registrant does not file the registration application within 390 days following the commencement of the study of law and the degree of investigation required makes immediate review or resolution of the registration impractical, the Committee may in its discretion defer its review and investigation of the registration to allow a reasonable opportunity to thoroughly investigate the registrant's character and fitness.

From a ruling of the Committee declining to approve the

application for registration, an appeal shall lie to the Disciplinary Board of the Alabama State Bar (which, when acting in such capacity, shall be referred to as the "Character and Fitness Appeal Board"), if notice of appeal is filed with the Secretary and a copy of the notice is also filed with the Disciplinary Clerk of the Alabama State Bar within 30 days after the applicant has been notified of the action of the Committee. Such appeal shall be heard, de novo, within 30 days after the filing of the notice of appeal or at such time as agreed upon by stipulation between the appellant and the General Counsel of the Alabama State Bar.

C. Registration Not an Application for Admission. The registration application filed by a registrant shall not be deemed an application for admission to the Alabama State Bar.

APPENDIX B

Rule II. Application for Admission to the Alabama State Bar.

A. Applications. Applications for admission to the Alabama State Bar, whether filed as a registrant under Rule I or as an applicant under this rule, are continuing in nature and must give the information sought correctly and fully as of the date that the applicant is sworn in as a member of the Alabama State Bar. To that end, every applicant or registrant shall immediately inform the Secretary of any change or discovered error in the requested information that may occur between the time that information is furnished to the Alabama State Bar and the date of the applicant's admission.

The Board may require that all the information furnished by given under oath.

As a condition for admission into the bar examination, every applicant shall state under oath when filing an application for admission that all information in every application and in all amendments thereto previously submitted is true and complete.

B. Residency Requirements.

(1) Applicants who:

(a) were residents of the State of Alabama at the time the application was submitted, and

(b) have neither applied, nor been admitted, to the bar of another state,

shall pay the amount prescribed in item (1) of the Fee Schedule (see Appendix).

(2) All other applicants, unless otherwise provided for by these Rules, shall pay the applicable amount prescribed in item (2) of the Fee Schedule (see Appendix).

Each applicant who qualifies under this subsection shall be required to undergo a separate character and fitness investigation conducted by the National Conference of Bar Examiners (NCBE) and to pay the costs associated therewith.

(3) The cost of a transcript or any record or document reasonably required by the Board in the conduct of an investigation or inquiry into the character and fitness of an applicant or a registrant shall be paid by such applicant or registrant.

C. Filing Deadlines.

(1) All applicants for admission by examination shall electronically submit their completed applications not later than October 1 preceding the February examination and not later than February 1 preceding the July examination.

(2) The Alabama State Bar will acknowledge receipt of all applications filed on or before the deadlines prescribed in subsection (1) of this section. Included in this acknowledgment will be the deadline for receipt of any paper components of the application that must be submitted in original hard-copy format.

(3) Any paper components of the application are deemed timely filed if they are (a) received on or before the deadline given in accordance with subsection (2) of this section; or (b) postmarked on or before the deadline given in accordance with subsection (2) of this section and received with seven (7) days of the postmark date.

D. Supporting Affidavits. In support of said application the applicant shall cause to be sent directly to the Secretary affidavits by three attorneys in good standing who have for five years been admitted to practice law in Alabama or in the state of the applicant's residency by the highest court of the applicant's residence. These affidavits must be to the effect that each affiant is acquainted with the applicant and should state the extent and duration of the association, the frequency of contact, the opportunity of observing and knowing the demeanor, habits, character, associates of and conduct of the applicant, the type of such associates, and generally the background, standing and position in life of the applicant, and that the applicant has a good character and reputation where the applicant resides, and enjoys the confidence and respect of the general public. Each such affidavit shall state whether affiant's appraisal of the applicant is based upon personal knowledge or upon inquiry.

E. Reexamination. Every applicant who is qualified and desires to repeat any part of the academic portion (see Rule VI(B) of the bar examination shall file a Reapplication for Admission to the Alabama State Bar. The reapplication shall be accompanied by the amount prescribed in item (3) of the Fee Schedule (see Appendix). The reapplication shall be filed in the office of the Secretary within the deadlines as specified under the provisions of this rule as they pertain to the examination such applicant desires to take. In those instances where the running of the deadline under this rule occurs before notification is given of the failure of any part of the examination, thus precluding compliance with the deadline by unsuccessful examinees, the deadline shall extend for a period of 10 days from the date of the release of results of the examination.

F. Postponement of Examination. Applicants seeking to postpone their submission to the Alabama State Bar examination shall be permitted to do so upon payment of a fee of \$100.00 to the Alabama State Bar. A written notice of postponement and the \$100.00 fee must be received by the Alabama State Bar at least seven days in advance of the commencement of the examination.

Any applicant who has not made an appropriate postponement at least seven days in advance of the commencement of the examination shall be deemed to have forfeited the entire examination fee if the applicant fails to take the examination for which application has been made.

Any postponement made in accordance with the provisions of this section shall be effective only until the examination immediately following the examination from which the applicant is postponing. All applicants who have postponed their submission to examination may file a reapplication for the next examination. Any applicant who has postponed his or her submission to examination and who does not reapply and sit for the examination immediately following the postponed examination shall be deemed to have forfeited the entire examination fee.

G. Application Fees Nonrefundable. Any fee required with an application filed pursuant to these Rules shall be nonrefundable.

APPENDIX C

Rule III. Persons Entitled to Admission Without Examination.

A. Reciprocity. No person shall be admitted to the Alabama State Bar without examination except as follows:

(1) An applicant who meets the requirements of (a) through (k) of this rule may, without examination, be admitted to the practice of law in Alabama. The applicant shall

(a) have been admitted to practice law in another state, territory, or the District of Columbia;

(b) hold a first professional degree of law (J.D. or L.L.B.) from a law school that was on the approved list of the American Bar Association or the Association of American Law Schools at the time the degree was conferred;

(c) have been primarily engaged in the active practice of law in one or more states, territories, or the District of Columbia for five of the six years immediately preceding the date upon which the application is filed;

(d) establish that the state, territory, or the District of Columbia in which the applicant has or had his or her principal place of business for the practice of law, or in which he or she was or is domiciled and admitted before seeking admission here, would allow attorneys from Alabama a similar accommodation as set forth in this rule;

(e) establish that the applicant is currently a member in good standing in all jurisdictions where he or she is admitted;

(f) establish that the applicant is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction;

(g) establish that the applicant possesses the character and fitness to practice law as determined by the Committee on Character and Fitness under Rule V of these Rules;

(h) establish that the applicant has not, within the 10 years prior to making application, taken and failed the Alabama Bar examination;

(i) be a permanent resident of the State of Alabama at the time of application or certify his or her intention to conduct the primary practice of law in Alabama and to maintain an office for the practice of law in this State. The "primary practice of law" shall mean at least 75% of the time devoted to the practice of law will be conducted in this State;

(j) have taken and achieved a score of 75 or better on the MultiState Professional Responsibility Examination (MPRE); and

(k) have paid the appropriate fee as prescribed in item (4) of the Fee Schedule (see Appendix) attached to these Rules.

(2) For the purposes of this rule, the "active practice of law" under subsection A(1)(c) shall include the following activities, if performed in a jurisdiction in which the applicant is admitted, or is performed in a jurisdiction that affirmatively permits such activity by a lawyer not admitted to practice; however, in no event shall activities listed under A(2)(e) and (f) that were performed within Alabama in advance of Bar admission here be accepted toward the durational requirement:

(a) Representation of one or more clients in the practice of law;

(b) Service as a lawyer with a local, state, territorial, or federal agency, including military service;

(c) Teaching law at a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association;

(d) Service as a judge in a federal, state, territorial, or local court of record;

(e) Service as judicial law clerk; or

(f) Service as corporate counsel.

(3) For the purposes of this rule, the active practice of law shall not include work that, as undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located.

(4) Teachers in a law school situated in this State and accredited by the American Bar Association or American Association of Law Schools, who have been full-time teachers at said law school for a period of not less than three consecutive calendar years prior to the date of their application and who satisfy the requirements of paragraphs A(1)(a), (b), (d)-(k) may be admitted to the practice of law in Alabama. All such applicants shall give proof of the qualifications prescribed herein, which shall be certified to by the dean of the law school at which they teach.

(5) If the applicant is found to satisfy all the requirements of this rule, the Secretary shall certify such fact to the Board of Commissioners and to the clerk of the Alabama Supreme Court.

B. Application and Fees. The Secretary is authorized and empowered to prepare the necessary forms of application and affidavits to effectuate the purpose of this rule. Those who seek admission under provisions of this rule must make application for admission to practice law, as other applicants are required to do by these Rules and any associated regulations. Any fee required with an application filed pursuant to this rule shall be nonrefundable.

APPENDIX D

Rule V. Committee on Character and Fitness.

A. Establishment of Committee. For the purpose of determining the fitness, character, and qualifications of applicants who desire to be admitted to the practice of law in the State of Alabama there is hereby created the Committee on Character and Fitness of the Alabama State Bar. The Committee on Character and Fitness may be divided into as many panels as may be necessary to carry out the duties of the Committee. Each panel of the Committee on Character and Fitness shall be composed of three lawyers appointed by the president of the Alabama State Bar and shall be known as a "Committee on Character and Fitness."

B. Duties of Committee. The Committee on Character and Fitness is hereby charged with the power, duty, and responsibility of determining the age, the character and fitness, and the educational qualifications of each applicant for admission to the Bar of Alabama. To that end, the Committee may make such investigation as it sees fit, may require the production before it of any affidavits deemed by it to have any bearing upon these questions, and may require the applicant to appear in person before it and be by it examined. The vote of a majority of the members of a Committee on Character and Fitness, if in meeting assembled, shall constitute the action of the Committee. The Secretary is directed to secure and have printed, at the expense of the Board, appropriate application blanks and other forms for the purpose of the Committee on Character and Fitness and to furnish such blanks to applicants and to other persons upon request.

The burden is on the applicant to establish to the reasonable satisfaction of a majority of the Committee on Character and Fitness that the applicant possesses such character and qualifications as to justify the applicant's admission to the Bar and qualify the applicant to perform the duties of an attorney and counselor at law.

When, but not until, a majority of the Committee is reasonably satisfied as to the applicant's character and fitness, and that the applicant is of the proper age and possesses the educational qualifications now or hereafter prescribed as provided by law, the Committee shall endorse its

approval on the application, and the application and all papers accompanying it shall remain on file in the Secretary's office.

From a ruling of the Committee on Character and Fitness declining to approve the application for registration as a law student or declining to approve the application to take the State Bar Examination or making any finding or ruling adverse to any applicant, an appeal shall lie to the Disciplinary Board of the Alabama State Bar (which, when acting in such capacity, shall be referred to as the "Character and Fitness Appeal Board"), if notice of appeal is filed with the Secretary within 30 days after the applicant has been notified of the action of the Committee. Such appeal shall be heard, de novo, within 30 days after the filing of the notice of appeal or at such time as agreed upon by stipulation between the appellant and the General Counsel of the Alabama State Bar. An appeal from a ruling of the Character and Fitness Appeal Board to the Supreme Court of Alabama shall be perfected by filing a notice of appeal with the clerk of the Supreme Court of Alabama within 30 days after the decision of the Character and Fitness Appeal Board. The record on appeal shall be prepared in accordance with the provisions of Rule 12(f), Rules of Disciplinary Procedure of the Alabama State Bar.

The members of the Committee on Character and Fitness may separately and without assembling in meeting consider any application that is required by these Rules to be submitted to such Committee, together with the data submitted in support of such application, and may endorse upon such application their approval or disapproval thereof; unanimous action of all the members of the Committee, so taken, shall constitute valid action of the Committee, but if such action is not unanimous, the Committee, or a majority thereof, shall further consider and act upon such application in a meeting assembled.

If the applicant whose application has been so approved is entitled thereby to take the examination, the Secretary shall issue to such applicant a certificate substantially as follows:

The Committee on Character and Fitness of the Board of Commissioners of the Alabama State Bar does hereby certify, after investigation and examination made by it, that it is reasonably satisfied that _____ is entitled to take the examination for admission to the Bar administered on _____ to be held in Montgomery, at _____.

COMMITTEE ON CHARACTER AND FITNESS OF THE ALABAMA
STATE BAR

BY: _____

Secretary, Board of Commissioners of
the State Bar

Such certification shall be presented and verified before such applicant enters upon the examination, and the Board of Bar Examiners shall not examine any applicant by whom such certificate has not been presented and verified. The Secretary, upon issuing or refusing to issue the said certificate, shall preserve in his or her office a record of the fact that such certificate was or was not issued and the date of such action, and shall preserve in his or her office said application with the papers attached thereto, and other records in connection with the said application, all of which shall be kept on file until the examination is completed, report made thereon, and pending application finally disposed of. If an applicant is not admitted to the practice of law, the application and all other papers in connection therewith shall be kept on file in the Secretary's office for reference in connection with any future application for admission to the Bar, or for investigation and examination of the record by any person entitled thereto.

C. Determination of Committee and Disposition of Fees. Notwithstanding any other provision of these Rules, an applicant whose application is denied by the Committee on Character and Fitness and who does not prevail on appeal of such denial shall forfeit all fees paid in conjunction with the filing of said application.

APPENDIX E

Rule VI(B). Bar Examination.

A. Bar Examination Subjects.

(1) Academic Bar Examination. Beginning with the Bar Examination given in July 2014, the Academic Bar Examination shall consist of the Uniform Bar Examination ("the UBE"). The UBE is prepared by the National Conference of Bar Examiners and includes the Multistate Essay Examination ("the MEE"), the Multistate Performance Test ("the MPT"), and the Multistate Bar Examination ("the MBE").

(2) Legal Ethics Examination. The Multistate Professional Responsibility Examination ("the MPRE," see Rule VI(B)E) prepared by the National Conference of Bar Examiners shall be used as the examination on Legal Ethics and Professional Responsibility.

An applicant must pass both the Academic Bar Examination and the Legal Ethics Examination to be certified as a successful candidate.

(3) Course on Alabama Law. Before being admitted to the practice of law in Alabama, all applicants shall complete a course on Alabama law, the content and delivery of which shall be determined by the Board of Bar Examiners.

B. Preparing, Conducting, and Grading Examinations.

(1) Preparing Examinations. The MBE, the MEE, and the MPT will be prepared by the National Conference of Bar Examiners, which shall determine the contents of those examinations and test.

(2) Conducting Examinations. The Board of Bar Examiners shall have the right, power, and authority to adopt rules consistent with the laws of the State of Alabama or orders of the Supreme Court or the Board of Bar Commissioners governing the control, methods, and details of conducting examinations.

The Secretary of the Alabama State Bar, at the time an applicant is certified to the Board of Bar Examiners under these Rules, shall issue to the applicant a card containing a personal-identification number, the purpose and use of which

shall be carefully explained to the applicant. The Secretary shall preserve a duplicate of that number in the Secretary's office. When taking the MEE and the MPT, the applicant may not sign his or her name to or upon any paper or documents, or identify his or her examination answers other than by that number or by such method as is required by the National Conference of Bar Examiners to identify UBE scores, and is forbidden to disclose that number to any member of the Board or to any other person. If any applicant violates this requirement in any particular, the Board of Bar Examiners shall not consider the applicant's examination papers, and if it be discovered that disclosure of the number was made, the applicant shall be subject to disciplinary action for deceit and misrepresentation. This requirement shall again be called to the attention of the applicant by the Board of Bar Examiners before the applicant is permitted to begin the examination.

The express purpose of the immediately preceding paragraph is to provide a method by which the Board of Bar Examiners, in passing upon the sufficiency of answers to questions propounded by it, shall be unacquainted with the identity of the person whose answers it is passing upon.

(3) Grading Examinations. MEE and MPT questions will test the applicant's ability to reason logically, to analyze legal problems accurately, to demonstrate a knowledge of the fundamental principles of law, to be able to apply those principles, and to perform basic legal tasks. The grade of the paper shall be measured by the reasoning power shown as well as by the correctness or incorrectness of the answers. Answers to MEE questions shall be analyzed and graded using the model answers provided by the National Conference of Bar Examiners and according to general principles of law. MEE and MPT questions will be scored by the Board of Bar Examiners.

Using the personal-identification numbers assigned to identify the respective applicants, the Board of Bar Examiners shall certify final grades to the Secretary of the Alabama State Bar no later than April 15 following a February examination and September 15 following a July examination.

The Secretary shall make a permanent record in the Secretary's office of the grades attained by each examinee in each subject and shall inform each examinee whether he or she has passed or failed the examination.

Each examinee will be furnished the following information at the time examination results are released: his or her MBE scaled score, total scaled score on written examinations (MEE and MPT), total UBE scaled score, and the raw score on each question on the MEE and the MPT.

Within sixty (60) days after the announcement of the results, a failing examinee shall be entitled to examine his or her own papers in the State Bar headquarters for the purpose of ascertaining that grades were transcribed correctly, and, upon payment of \$5.00 per section of the MEE or the MPT, the examinee shall be entitled to receive a copy of his or her answer or answers. The UBE questions and model answers are protected by copyright owned by the National Conference of Bar Examiners, and examinees should contact the National Conference of Bar Examiners to obtain copies of those.

C. Results of Examinations.

(1) Basic Rule. Raw scores on the MEE and the MPT portions of the UBE shall be weighted so that the MEE is worth 30% and the MPT is worth 20%. The total weighted raw score on the MEE and the MPT combined shall be scaled to the MBE. The applicant's scaled score on the MEE and the MPT portions of the UBE shall be expressed on the MBE range of scores (0-200) and shall be combined and weighted equally with the applicants scaled MBE score to determine the examinee's total UBE scaled score. An examinee who achieves a total UBE score of 260 or above passes the Academic Bar Examination.

(2) Transfer of MBE Score. An applicant who has taken and passed a bar examination in another jurisdiction, who has been admitted to practice in that jurisdiction, and who made an MBE scaled score 140 or above in that jurisdiction may be excused from taking the MBE. The transferred MBE score will be valid for a period of twenty-five (25) months after taking the MBE on which the transferred score was received. The applicant's transferred MBE score will be combined with the applicant's scaled scores on the MEE and the MPT portions of the UBE according to the basic rule. Applicants who transfer an MBE score to seek admission in Alabama will not earn a transferable UBE score that can be used to seek admission in other jurisdictions.

The applicant shall have the option to take all sections of the Academic Bar Examination; if the applicant chooses this option, the score of all sections will be combined under the basic rule.

(3) Carryover of MBE Scores. An applicant who has taken and failed the bar examination in Alabama but who made an MBE scaled score of 140 or above may be excused from taking the MBE. The MBE scaled score may be carried over to any future examination for which the examinee is eligible, provided that the examination is administered within twenty-five (25) months after the earlier bar examination in which the applicant scored 140 or above on the MBE was administered, and the MBE scaled score will be combined with the applicant's scaled score on the MEE and the MPT portions of the UBE according to the basic rule. Applicants who carry over an MBE score from an earlier bar examination to seek admission in Alabama will not earn a transferable UBE score that can be used to seek admission in other jurisdictions.

The applicant shall have the option to take all sections of the Academic Bar Examination; if the applicant chooses this option, the score of all sections will be combined under the basic rule.

(4) Carryover of Written Test Score. An applicant who has taken and failed the bar examination in Alabama, but who made a scaled score of 140 or above on the MEE and the MPT portions of the UBE, as determined in accordance with the basic rule, may be excused from taking those portions of the bar examination that contribute to the scaled written score on the MEE and the MPT. The scaled written score may be carried over for any future bar examination for which the examinee is eligible, provided that the examination is administered within twenty-five (25) months after the earlier bar examination in which the carry-over score was received, and the scaled written score will be combined with the applicant's MBE score according to the basic rule. Applicants who carry over a scaled score on the MEE and the MPT to seek admission in Alabama will not earn a transferable UBE score that can be used to seek admission in other jurisdictions.

The applicant shall have the option to take all sections of the Academic Bar Examination; if the applicant chooses this option, the score of all sections will be combined under the basic rule.

(5) Time of Election to Transfer or Carry Over Scores. Elections regarding the transfer from another jurisdiction of an MBE score or the carryover of an MBE score or the carryover of a scaled written score on the MEE and the MPT from a previous examination taken in Alabama must be made at the time an application to sit for an examination is filed.

(6) Transfer of UBE Score. An applicant who has taken the entire UBE in a single administration in another jurisdiction and earned a total UBE scaled score of 260 or above may transfer his or her UBE score and be excused from taking the UBE in Alabama. The transferred UBE score will be valid for a period of no longer than twenty-five (25) months after the date of administration of the UBE that resulted in the transferred score.

Applicants seeking admission on the basis of a transferred UBE score may file an application for admission to the Alabama State Bar at any time after their UBE score has been released by the transferring jurisdiction. At the time of filing such application, the applicant must pay the fee prescribed in item (5) of the Fee Schedule (see Appendix) attached to these Rules. No later than the date the application is filed, such applicants shall request an official UBE score transcript be sent to the Board of Bar Examiners by the National Conference of Bar Examiners.

The transferred UBE score must be valid in accordance with the provisions of this subsection on the date the applicant may otherwise be certified for admission to the Alabama State Bar. If the transferred UBE score becomes invalid on or before said date, then the application for admission shall be withdrawn, and the applicant shall not be entitled for admission on such application.

D. Access to Information Regarding the UBE. The Board of Bar Examiners shall make available to applicants sample and informational materials that will acquaint applicants with the general content and format of the MBE, the MEE, and the MPT. This requirement may be met by routinely distributing to all applicants the information booklets on these examinations published by the National Conference of Bar Examiners, and by advising applicants of the availability, through the National Conference of Bar Examiners, of sample questions and analyses. A reasonable fee, to be determined by the Board of Bar Examiners with the concurrence of the Board of Bar

Commissioners, may be charged to parties outside the routine distribution who request copies of the materials.

E. The MPRE. Before admission to the Bar, each applicant must have successfully passed the MPRE. To successfully complete the MPRE, the applicant must achieve a scaled score of at least 75, as that score is determined by the testing authority. Successful completion of the MPRE by an applicant for admission by examination at any time within the twenty-five (25) months preceding the Academic Bar Examination will be accepted. If an applicant has passed the Academic Bar Examination but has not successfully completed the MPRE, he or she shall have a period of twenty-five (25) months from the date of the Academic Bar Examination in which to successfully complete the MPRE. Applicants who transfer a UBE score from another jurisdiction must successfully complete the MPRE no earlier than twelve (12) months before the date of administration of the UBE in which the transferrable UBE score was earned.

Completed application materials for testing, as well as all other correspondence, inquiries, and requests concerning application materials and the administration and processing of the MPRE should be directed to the National Conference of Bar Examiners.

F. Time of Bar Examination. The examination will be given on Tuesday and Wednesday of that week in February and in July on which the UBE is administered. The MPT and the MEE will be on Tuesday, and the MBE on Wednesday.

APPENDIX F

Appendix. Fee Schedule.

- (1) \$575.00, see Rule II.B(1) (in-state residents who have never made application to any other bar).
- (2) \$575.00, see Rule II.B(2) (out-of-state citizens of the United States, any applicant who has previously made application to another bar, foreign-education or foreign-practicing-attorney applicants). Applicants in this category must undergo a separate character and fitness investigation performed by NCBE and pay costs associated with such investigation.
- (3) \$575.00, see Rule II.E (reapplications).
- (4) \$875.00, see Rule III (out-of-state attorneys qualifying for reciprocity). Applicants in this category must undergo a separate character and fitness investigation performed by NCBE and pay costs associated with such investigation.
- (5) \$575.00, see Rule VI(B)C(6) (UBE-score transfer applicants). Applicants in this category must undergo a separate character and fitness investigation performed by NCBE and pay costs associated with such investigation.