

CHARACTER AND FITNESS PROCESS

For General Bar Admission

For Out of State Attorney Bar Admission

General Bar Admission

The Court of Appeals of Maryland (“the Court”) is the admitting authority for attorneys in the State of Maryland. The Court appoints Character Committees (“Committee”) in the seven Appellate Judicial Circuits to review the character and fitness of applicants. The members of these Committees are volunteer attorneys who conduct investigations, hearings and interviews. The State Board of Law Examiners Board Members (Board) are also appointed by the Court in the seven Appellate Judicial Circuits. The Board is mandated to oversee the process for becoming licensed as an attorney in the State of Maryland. The Board will review the character and fitness of applicants as well. Both the Committee and Board serve at the pleasure of the Court.

Maryland has a three step process for evaluating character and fitness. The Committee makes the initial admission recommendation with regard to the applicant. The application is then sent to the Board. The Board may conduct further proceedings based on the investigation by the Committee or other information which has come to the Board’s attention. The Board then makes an admission recommendation. The Court makes the final decision with regard to the admission of an applicant.

Procedure

1. After an application to the Maryland Bar is filed and accepted by the Board’s office (complete with proper documents/fees), the Part II of the application (Character Questionnaire) is sent to the Chair of one of the Character Committees (generally the Appellate Circuit where the applicant resides).
2. The Chair of the Committee assigns the application to one of the Committee Members for investigation. The Committee Member then sends out all references for response. It is the burden of the applicant to ensure that the inquiries are responded to in a timely fashion. The Committee Member will inform the applicant if the references have not responded.
3. When all references have responded and any other requests for information by the Committee Member have been satisfied, the Committee Member will schedule an interview. Any person applying to the Maryland Bar through this process must be personally interviewed.
4. The Committee Member makes a recommendation and sends the application to the Committee Chair for review. If the Member cannot recommend admission, there may be further proceedings in the Committee. The Committee Chair reviews the application. If he or she concurs with the Committee member, the Chair will sign off on the application and send it to the Board’s office for review. If the Committee Chair does not concur, there may be further proceedings in the Committee.
5. The Board may conduct further proceedings based on the investigation by the Character Committee or concur with the Committee and transmit the recommendation to the Court of Appeals.
6. The final decision as to admission of a candidate rests with the Court. If the recommendation of the

Committee and/or Board is adverse, the Court will hold a show cause hearing. *Please see Rule 5, Rules Governing Admission to the Bar of Maryland.*

Please Note: *The burden is on the Applicant to show good moral character and fitness for the practice of law. Rule 5, Rules Governing Admission to the Bar of Maryland. Meeting this burden is as important as the bar examination and should be treated that way.*

Out of State Attorney Bar Admission

This process only applies to those qualified to take the Out-of-State Attorney's Examination under Rule 13, Rules Governing Admission to the Bar of Maryland

The Court of Appeals of Maryland ("the Court") is the admitting authority for attorneys in the State of Maryland. The State Board of Law Examiners Board Members ("Board") are appointed by the Court in the seven Appellate Judicial Circuits. The Board is mandated to oversee the process for becoming licensed as an attorney in the State of Maryland. When a petition is received by the Board from a prospective out-of-state attorney applicant, the Request for Character Report is sent to the National Conference of Bar Examiners ("NCBE").

The NCBE conducts an investigation of all Out-of-State Attorneys. A report is sent to the Board's office. The Board may conduct further proceedings based on the investigation of the NCBE or other information which has come to the Board's attention. The Board then makes an admission recommendation to the Court. The Court makes the final decision with regard to the admission of an Out-of-State Attorney applicant.

Procedure

1. When a complete Petition for Admission to the Bar of Maryland is filed by an Out-of-State Attorney, the Request for Character Report is sent to the NCBE for investigation.
2. Once the NCBE investigation is complete, meaning all references and verifications have been returned, or multiple attempts made to no avail, a report is returned to the administrative office of the Board. The report is reviewed for completeness. The Petitioner may be asked for additional documentation at this time. It is the burden of the Petitioner to obtain the documentation that NCBE could not.
3. Once the entire Petition file is complete, it is sent to the Board, who are seven practicing attorneys from around the state. The Board conducts a review of whether the Petitioner meets the burden of Rule 13(j) of the Rules Governing Admission to the Bar of Maryland. If it is determined the burden is met, the Board recommends to the Court of Appeals that the Petitioner be admitted to the Bar of Maryland. If it is concluded the burden is not met, further proceedings may be conducted by the Board.

Please Note: *Out –of –State Attorneys are admitted by mail after they have met all requirements of the Rules Governing Admission to the bar of Maryland. This includes the requirements of Rule 11, attending the course on professionalism. There is no interview or swearing in for an Out-of-State Attorney.*