

RULES OF THE BOARD*

BOARD RULE 1. FEES

(a) Application and Examination Fees.

(1) Uniform Bar Examination.

(A) A character questionnaire filed pursuant to Rule 19-205 shall be accompanied by a fee in the amount of \$350.

(B) An updated character questionnaire filed pursuant to Rule 19-205 (e) shall be accompanied by a fee of \$100.

(C) A Notice of Intent to Take the UBE in Maryland pursuant to Rule 19-206 or Rule 19-210 shall be accompanied by a fee of \$400.

(D) A Notice of Intent to Transfer a Qualifying UBE Score pursuant to Md. Rule 19-207 shall be accompanied by a fee of \$400.

(2) Admission Without Examination.

(A) A petition filed pursuant to Rule 19-215 shall be accompanied by a fee of \$700 and a separate check, money order, or credit card authorization payable to the National Conference of Bar Examiners in the amount required to cover the cost of the character and fitness investigation and report.

(B) A petition filed pursuant to Rule 19-215 by an applicant who previously failed or was absent from an out-of-state attorney examination given pursuant to former Rules 19-212 and 19-213 shall be accompanied by a fee of \$250, and if the petitioner's most recent petition filed pursuant to Rules 19-212 and 19-213 was filed more than three years prior to the petition filed pursuant to Rules 19-215 and 19-216, the petitioner shall provide a separate check, money order or credit card authorization payable to the National Conference of Bar Examiners in the amount required to cover the cost of the renewed or supplemental character and fitness investigation and report.

(b) Other Fees.

(1) A request for copies of examination answers pursuant to Rule 19-209 shall be accompanied by a fee in the amount of \$20.

(2) A request for a copy of a Bar application filed pursuant to Rule 19-105 (b) shall be accompanied by a fee in the amount of \$20.

[Adopted June 6, 2016, eff. July 1, 2016. Amended Dec. 4, 2018, eff. March 1, 2019.]

*These Rules of the Board, as amended, are promulgated and posted pursuant to Md. Rules 19-102 (c)(2) and 19-102(d), effective October 1, 2024.

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BOARD RULE 2. FILING LATE FOR GOOD CAUSE

An applicant's written request for acceptance of a Notice of Intent filed late for good cause pursuant to Rule 19-206 or Rule 19-210, shall include a statement indicating:

- (a) whether the applicant's failure to timely file was due to facts and circumstances beyond the applicant's control, and stating those facts and circumstances;
- (b) whether the applicant presently has a bar application pending in any other state;
- (c) whether the applicant presently is a member of the Bar of any other state; and
- (d) the specific nature of the hardship that would result if the applicant's request is denied.

[Adopted June 6, 2016, eff. July 1, 2016. Amended Dec. 4, 2018, eff. March 1, 2019.]

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BOARD RULE 3. TEST ACCOMMODATIONS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT

(a) Policy. In accordance with the ADA, the Board shall provide test accommodations to an individual taking the bar examination or the attorney examination or the Maryland Law Component, to the extent that such accommodations are reasonable, consistent with the nature and purpose of the examination and necessitated by the applicant's disability.

(b) Requesting Test Accommodations. An individual shall apply for admission to the Bar of Maryland prior to or contemporaneously with requesting test accommodations. In order to request test accommodations, an individual shall file a completed Applicant's Accommodations Request Form along with the specified supporting documentation. The Applicant's Accommodations Request Form shall be filed not later than the deadline for filing a Notice of Intent to Take the UBE in Maryland pursuant to Rules 19-206 or 19-210.

(c) Review by Board.

(1) *Initial Review for Timeliness and Sufficiency.* The Board's staff shall conduct an initial review of a request for test accommodations. The Board's staff shall reject a request that is untimely unless applicant establishes that the untimeliness is substantially justified. The Board's staff shall reject a request that fails to adequately specify the test accommodations required, or if the supporting documentation is substantially incomplete or is otherwise substantially deficient. If the request is rejected, the Board's staff shall advise the applicant in writing of the deficiencies in the request and supporting documents and shall provide the applicant an opportunity to correct any deficiencies in the accommodation request before the filing deadline for the current examination or, if the current deadline has passed, before the filing deadline for the next administration of the examination.

(2) *Board Determination.* If there is uncertainty about whether the requested test accommodation is warranted pursuant to the ADA, the applicant's request and all supporting documentation may be referred to a qualified expert retained by the Board to review and analyze whether the applicant has documented a disability and requested a reasonable accommodation. Thereafter, a designated member of the Board shall determine whether test accommodations should be granted after examining the applicant's request and the report of the Board's expert. The Board's staff shall advise the applicant in writing whether the request for test accommodations is granted or denied in whole or in part.

(d) Appeal to the Accommodations Review Committee. If the Board denies a request for test accommodations in whole or in part, the applicant may file an appeal with the Accommodations Review Committee pursuant to Rule 19-208.

[Adopted June 6, 2016, eff. July 1, 2016. Amended Dec. 4, 2018, eff. March 1, 2019.]

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BOARD RULE 4. MARYLAND LAW COMPONENT--SUBJECT MATTER

Pursuant to Rule 19-212 (b)(1)(A), the Maryland Law Component shall address substantive distinctions of Maryland law and procedure in the following subject areas:

- (a) criminal law;
- (b) criminal procedure;
- (c) evidence;
- (d) family law;
- (e) Maryland civil procedure;
- (f) professional responsibility;
- (g) torts; and,
- (h) trust and estates.

[Adopted June 6, 2016, eff. July 1, 2016. Amended Dec. 4, 2018, eff. March 1, 2019.]

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BOARD RULE 5. EXAMINATION FORMAT, QUALIFYING UBE SCORE AND GRADING

(a) Authority. Pursuant to Rule 19-203, the State Board of Law Examiners shall administer the Uniform Bar Examination, published by the National Conference of Bar Examiners (NCBE). The subject matter, format, and specifications of the UBE are determined by the NCBE. The UBE currently consists of the Multistate Bar Examination (MBE), the Multistate Essay Examination (MEE) and the Multistate Performance Tests (MPT).

(b) Qualifying UBE Score. Pursuant to Rule 19-203 (d), the Board determines that a qualifying UBE score is a scaled score of 266 earned by an applicant on an administration of the UBE given in Maryland or in an administration of the UBE given in another UBE State within the 3 years preceding the filing of a Notice of Intent to Transfer a Qualifying UBE Score pursuant to Rule 19-207. The 3-year period shall be deemed to run from August 1 next following a July administration of the UBE through July 31 three years later, and from March 1 next following a February administration of the UBE through the last day of February three years later. In the event that a UBE administration scheduled for a July or a February is postponed, scores earned on the postponed administration shall be treated as if the UBE had been administered on the originally scheduled dates.

(c) Grading.

(1) The MBE is a multiple-choice test published and scored by the National Conference of Bar Examiners (NCBE) and its agents.

(2) The MEE and MPT are essay tests published by the NCBE and graded by the Board. Scaling of Raw MEE scores and raw MPT scores to the MBE is performed by NCBE.

(3) Calculation of an applicant's total UBE score is performed by NCBE.

(d) No Regrade or Appeal. After the NCBE calculates an applicant's UBE score, the Board shall not regrade or otherwise reconsider any MPT or MEE answer. Except as provided in Rule 19-209 (a), an applicant's examination results shall not be subject to appeal.

(e) How UBE transfer score to be reported. Each individual who files a Notice of Intent to Transfer a Qualifying UBE Score pursuant to Rule 19-207 shall cause the Board to receive from the NCBE a valid score report demonstrating that the individual achieved a Qualifying UBE Score.

[Adopted June 6, 2016, eff. July 1, 2016. Amended June 11, 2021, eff. July 26, 2021.]

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BOARD RULE 6. MULTISTATE PROFESSIONAL RESPONSIBILITY EXAM (MPRE)

(a) Authority

Pursuant to Rule 19-213, the Board hereby determines that a qualifying MPRE score is a scaled score of 85 or greater earned on an administration of the MPRE that occurred:

(1) for individuals not currently admitted in good standing to the Bar of another U.S. State – not earlier than 3 years prior to the date the individual files a Notice of Intent to Take the UBE in Maryland or a Notice of Intent to Transfer a Qualifying UBE Score to Maryland;

(2) for individuals currently admitted in good standing to the bar of another U.S. state – at any time, so long as the score report satisfies the requirements of subsection (b) below of this Rule.

Nothing in this rule shall prevent an applicant or petitioner from earning a qualifying MPRE score after applying or petitioning for admission in Maryland; however, failure to report a qualifying MPRE score prior to the expiration of the 24-month deadline set forth in Rule 19-214(b) shall not constitute good cause for an extension of that deadline pursuant to Rule 19-214(c).

(b) How Score to be Reported

An individual who applies for admission pursuant to Rule 19-202 or who petitions for admission pursuant to Rule 19-216 shall cause the Board to receive from the NCBE a valid score report demonstrating that the applicant or petitioner achieved a qualifying MPRE score, or, if the qualifying MPRE score is not reportable by NCBE due to the age of the score, the individual may cause the bar admissions officials of a U.S. State to report and certify the score to the Board in Maryland.

[Adopted January 25, 2019, eff. July 1, 2019.]

*These Rules of the Board, as amended, are promulgated and posted pursuant to Md. Rules 19-102 (c)(2) and 19-102(d), effective October 1, 2024.

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BOARD RULE 7. ELIGIBILITY FOR ADMISSION TO THE MARYLAND BAR BY UNIFORM BAR EXAMINATION PURSUANT TO RULE 19-201 (B)(2)

In order for an additional degree from an ABA-approved law school to qualify under Rule 19-201 (b):

(a) the applicant, in the course of meeting the requirements of the award of the degree from the applicant's law school, shall complete a minimum of 26 credit hours from among the subjects tested on the UBE, except that the applicant may substitute up to 3 credit hours of Professional Responsibility in place of an equivalent number of credit hours of UBE course work; and,

(b) the applicant shall furnish the following documents and certifications in a form required by the Board:

(1) a certification from the dean, assistant dean or acting dean of an ABA-approved law school that the applicant's foreign legal education, together with the applicant's approved law school degree, is the equivalent of that required for an LL.B. or a J.D. Degree in that law school;

(2) a certification from the dean, assistant dean or acting dean of an ABA-approved law school that the applicant has successfully completed LLM course work meeting the requirements of subsection (a), above; and

(3) all documents considered for admission of the applicant to the degree program of an ABA-approved law school must be submitted by the law school and translated into the English language.

[Adopted June 6, 2016, eff. July 1, 2016. Amended June 11, 2021, eff. July 26, 2021.]

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**BOARD RULE 8. REQUESTING REVIEW OF WRITTEN EXAMINATION MATERIALS
AND REVIEW OF MBE SCORES**

On written request filed within 60 days after the date notice of the examination results is transmitted, an unsuccessful applicant may (1) review in person in the Board's office, and upon payment of the required fee obtain copies of, the applicant's MEE answers and question book, MPT answer and question books, and the NCBE's MEE and MPT point sheets; and (2) upon submitting to the Board's office a request form and check payable to the NCBE in the required amount, the Board will obtain confirmation of the applicant's MBE score. No further review of the MBE shall be permitted.

[Adopted June 6, 2016, eff. July 1, 2016. Amended Dec. 4, 2018, eff. March 1, 2019.]

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BOARD RULE 9. ESSENTIAL ELIGIBILITY REQUIREMENTS

(a) The State Board of Law Examiners establishes the following essential eligibility requirements for admission to the practice of law in Maryland:

- (1) the ability to conduct oneself with a high degree of honesty, integrity, and trustworthiness in all professional relationships and with respect to all legal obligations;
- (2) the ability to conduct oneself diligently and reliably in fulfilling all obligations to clients, attorneys, courts, and others;
- (3) the ability to conduct oneself with respect for and in accordance with the law and the Maryland Attorneys' Rules of Professional Conduct;
- (4) the ability to communicate clearly with clients, attorneys, courts, and others;
- (5) the ability to reason, analyze, and recall complex factual information and to integrate such information with complex legal theories;
- (6) the ability to exercise good judgment in conducting one's professional business;
- (7) the ability to avoid acts that exhibit disregard for the health, safety, and welfare of one's self and others;
- (8) the ability to use honesty and good judgment in financial dealings on behalf of oneself, clients, and others;
- (9) the ability to comply with deadlines and time constraints; and
- (10) the ability to conduct oneself professionally and in a manner that engenders respect for the law and the profession.

(b) In determining whether an applicant or petitioner for admission to the Maryland Bar meets the applicable burden of proof set forth in Rule 19-204(d) or Rule 19-216(d)(1), the State Board of Law Examiners and the Character Committees shall consider whether the applicant or petitioner meets the essential eligibility requirements set forth in section (a) of this Board Rule.

[Adopted March 21, 2023, eff. May 5, 2023.]

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BOARD RULE 10. APPLICATION AND EXAMINATION MISCONDUCT

(a) In accordance with the procedures set forth in this Rule, the Board may charge an applicant with having engaged in fraud, dishonesty, or other misconduct when it appears to the Board that there is credible evidence establishing that the applicant has:

- (1) either by omission or commission falsified the application or proofs required for eligibility for admission to the Maryland bar by the Uniform Bar Examination (UBE), or otherwise provided untruthful information in corresponding with the Board;
- (2) either by omission or commission misrepresented the applicant's eligibility to sit for the UBE in Maryland or the Maryland Law Component (MLC);
- (3) either by omission or commission falsified the application or proofs required for admission by transferred UBE score, or misrepresented the applicant's eligibility to apply for admission by transferred UBE score;
- (4) either by omission or commission falsified the proofs required for admission to practice without examination or misrepresented the applicant's eligibility to be admitted to practice without examination;
- (5) either by omission or commission falsified documentation submitted in support of a request for test accommodations under Maryland Rule 19-206 and/or Board Rule 3, or secured such documentation under false pretenses;
- (6) obtained through fraud or deceit and possessed or used at the UBE in Maryland any document, software, or other material for use at the UBE in Maryland, including but not limited to exam tickets/seat number letters, letters granting accommodations, and/or laptop security or other examination software;
- (7) brought any item or material prohibited by the Board through any security checkpoint at the UBE in Maryland, or possessed any such item or material at any time between the commencement and conclusion of a testing session at the UBE in Maryland;
- (8) reviewed and/or accessed, intentionally or inadvertently, any item or material, including any electronic document, prohibited by the Board at any time after passing through any security checkpoint at the UBE in Maryland, or did so at any time between the commencement and conclusion of a testing session of the UBE in Maryland, or secreted any such item or material with the intent to review and/or use it;
- (9) broken the seal on the question booklet, opened the question booklet, or reviewed the questions in the question booklet prior to the announcement that the UBE in Maryland session has begun;

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- (10) written, typed or designated any answers to questions or other unauthorized information on any UBE in Maryland materials, answer sheet or booklet prior to the announcement that the UBE in Maryland session has begun;
- (11) written, typed or designated any answers to questions or other information on any UBE in Maryland materials, answer sheet or booklet after the announcement of the conclusion of the UBE in Maryland session;
- (12) entered the examination software prior to the instruction to do so or failed to exit the examination software when instructed to do so;
- (13) sought, obtained, or used answers or information from another applicant or other person, including but not limited to by surreptitiously copying another's answers, during the UBE in Maryland or the MLC;
- (14) given answers or information to another applicant or any other person, including but not limited to by permitting another to copy the applicant's answers, during the UBE in Maryland or the MLC;
- (15) otherwise violated any of the oral or written instructions given in connection with the administration of the UBE in Maryland or the MLC, or violated the copyright protections afforded to the UBE or MLC;
- (16) removed or attempted to remove any complete or partial UBE materials or notes made during the UBE in Maryland from the examination room;
- (17) reported the substance of bar examination or MLC questions or answers to any person or entity engaged in, or affiliated with any person or entity engaged in, the preparation of applicants to take the UBE in Maryland and/or the MLC;
- (18) compromised or disrupted the process for admission to or administration of the UBE in Maryland;
- (19) otherwise violated the Board's UBE in Maryland security policy or other written examination notice;
- (20) engaged in fraud, dishonesty, or other misconduct in connection with an application for, or the administration of, the Multistate Professional Responsibility Examination (MPRE) or a bar examination of any other jurisdiction;
- (21) sat for the UBE in Maryland without having a bona fide intention to seek admission to practice law in the State of Maryland;
- (22) violated the Board's civility policy; or

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(23) failed to cooperate in a misconduct investigation made pursuant to this Board Rule, or made a false statement in connection with a misconduct investigation.

(b) Notice of Charges. The applicant shall be served with written notice of such charges by regular mail and email at the last address provided to the Board by the applicant. The charges shall state with particularity the facts upon which they are based. The applicant's examination results shall be withheld pending the decision on the charges by the Board.

(c) The applicant shall be entitled to be represented and advised by counsel, at the applicant's own expense, at every stage of the proceeding.

(d) Applicant's Answer. The applicant, no later than 30 days after the service of charges, shall cause to be delivered to the office of the Board a written answer to such charges. The answer shall be signed under oath upon personal knowledge pursuant to Maryland Rule 1-304. Such answer shall identify with specificity the charges disputed by the applicant, who shall set forth any evidence which can be adduced by the applicant in contradiction of such charges.

(e) Hearing. The applicant may request in such written answer a hearing before the Board to dispute any factual issue. Failure to request a hearing in the answer constitutes a waiver of any hearing. Upon receipt of an answer, the Board shall disclose to the applicant the evidence in its possession that forms the basis of the charges.

(f) In the event such applicant does not submit a written answer as provided in section (d) the Board shall deem the facts set forth in the written charges to be true.

(g) In the event such applicant does not request a hearing as provided in section (d) the Board may render a decision based on the evidence submitted, or may, of its own accord, decide to conduct a hearing.

(h) If the applicant requests a hearing or if the Board, of its own accord, determines to conduct a hearing, the Board shall set a date for a hearing. Reasonable notice of the hearing shall be provided to the applicant. The hearing shall be conducted before a quorum of the Board. The Board is not bound by the formal rules of evidence.

(i) If the applicant is found to have breached any provisions contained in section (a) of this Rule by reason of:

(1) the applicant's admission that such charges are true, in whole or in part; or

(2) the applicant's default in answering the written charges, in whole or in part; or

(3) a decision of the Board, after a hearing, or, where no hearing was conducted, after the Board's review of the evidence submitted, the Board shall issue a written decision in which one or more of the following penalties, and any other penalty which the Board may deem appropriate, may be imposed:

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- (i) forfeiture of all fees paid by such applicant;
- (ii) nullification of the relevant UBE or MLC score in Maryland, if already taken, and/or nullification of the Notice of Intent made by such applicant to take the UBE in Maryland, if the determination precedes the exam;
- (iii) invalidation or striking of one or more relevant answers of the examination taken by such applicant, or the reduction of applicant's final score by one or more points;
- (iv) disqualification of the applicant from applying for admission to the Maryland bar by UBE in Maryland, admission by transferred UBE score, and/or for admission without examination for a period not to exceed five years from the date of such determination;
- (v) placement of a copy of the Board's written decision into the applicant's character and fitness file for review and consideration by the Character Committee, the Board, and/or the Supreme Court of Maryland during the applicant's character review under Maryland Rule 19-204;
- (vi) transmission of a copy of the Board's written decision to the bar admission authority and/or disciplinary authority in any jurisdiction of the United States and, where applicable, to any foreign jurisdiction deemed appropriate by the Board;
- (vii) denial of the applicant's request to transfer an MBE score, earned in Maryland, to another jurisdiction.

(j) If the applicant is found not to have breached any of the provisions contained in this Rule, or if the Board determines that the charges should be dismissed, the applicant shall be notified in writing of the Board's decision and the Board shall release the applicant's examination results or permit the applicant to take the UBE in Maryland, if the determination precedes the exam.

(k) The Board shall serve its written decision on the applicant by regular mail and email at the applicant's official addresses on file with the Board as soon as practicable. If the Board's determination is adverse to the applicant, the Board shall include with the notice of decision information on the applicant's right to review in the Supreme Court of Maryland.

(l) The Board, in its discretion, may hold in abeyance any application submitted by an applicant to take the UBE in Maryland or for admission upon transferred UBE score or for admission without examination pending the outcome of a misconduct investigation and/or proceeding against such applicant pursuant to this Rule or in connection with the administration of the UBE in Maryland or in another jurisdiction.

(m) Review in the Supreme Court of Maryland

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(1) Notice of Appeal. An applicant who has filed an Answer to the Notice of Charges and whom the Board has found to have breached any provision(s) contained in this Rule may note an appeal of the Board's decision to the Supreme Court of Maryland by filing a written Notice of Appeal with the Board within 30 days of the date the Board served its written decision on the individual, pursuant to section (k) above.

(2) Transmittal of Record. Upon receiving a Notice of Appeal, the Board promptly shall (A) transmit to the Clerk of the Supreme Court of Maryland the following: a copy of the Notice of Appeal; a copy of the Notice of Charges and any documentation supporting the charges; a copy of the Applicant's Answer, if any, and any supporting documentation submitted by the Applicant; a copy of the Board's written decision; and a copy of the transcript of any hearing held in the matter; and, (B) transmit to the applicant notice of the transmittal and a copy of the record sent to the Supreme Court.

(3) Proceedings in the Supreme Court. Proceedings in the Supreme Court shall be on the record made before the Board. After reviewing the record, the Court may issue a decision on the Applicant's appeal with or without first holding a hearing. If the Court decides to hold a hearing, the Court shall order the applicant to appear for such a hearing and to show cause why the Board's determination should not be upheld.

[Adopted 6/14/2024, eff. 7/29/2024]

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