

STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE  
NOTICE OF PROPOSED RULES CHANGES

The Rules Committee has submitted its Two Hundred and Twenty-Fifth Report to the Supreme Court of Maryland, transmitting thereby proposed amendments to current Rules 19-101, 19-102, 19-103, 19-105, 19-201, 19-202, 19-203, 19-204, 19-205, 19-206, 19-207, 19-208, 19-209, 19-210, 19-214, 19-215, 19-218, 19-219, and 19-221.

The Committee's Two Hundred and Twenty-Fifth Report and the proposed Rules changes are set forth below.

Interested persons are asked to consider the Committee's Report and proposed Rules changes and to forward on or before September 10, 2025 any written comments they may wish to make to [rules@mdcourts.gov](mailto:rules@mdcourts.gov) or:

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Gregory Hilton  
Clerk  
Supreme Court of Maryland

**THE SUPREME COURT OF MARYLAND  
STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE**

**Hon. YVETTE M. BRYANT, Chair**  
**Hon. DOUGLAS R.M. NAZARIAN, Vice Chair**  
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August 11, 2025

The Honorable Matthew J. Fader,  
Chief Justice

The Honorable Shirley M. Watts

The Honorable Brynja M. Booth

The Honorable Jonathan Biran

The Honorable Steven B. Gould

The Honorable Angela M. Eaves

The Honorable Peter K. Killough,  
Justices

The Supreme Court of Maryland  
Robert C. Murphy Courts of Appeal Building  
Annapolis, Maryland 21401

Honorable Justices:

The Rules Committee submits this, its Two Hundred and Twenty-Fifth Report, and recommends that the Court adopt the proposed amendments to nineteen existing Rules in the two categories submitted in this Report.

In 2019, this Court adopted the National Conference of Bar Examiner's ("NCBE") Uniform Bar Examination ("UBE"), and began using NCBE's test materials in July 2019. The UBE is a score portability compact between participating states that allows test-takers to transfer their scores between participating states without retaking the examination. An individual desiring to transfer scores to Maryland must do so within three years of taking the examination.

In 2022, NCBE announced its intent to retire the current UBE examination, known as the "Legacy UBE," and replace it with the NextGen Uniform Bar Examination ("NextGen UBE"), a modern examination NCBE indicates is designed to test skills and knowledge that new admittees are expected to demonstrate. States that are party to the compact must plan to

retire the Legacy UBE following the February 2028 bar examination, at the latest.

In response to this Court's November 1, 2023 Administrative Order, through which the Court announced its intention to adopt the NextGen UBE, and NCBE's announcement that it will offer the NextGen UBE beginning in July 2026, the Rules Committee respectfully submits proposed amendments to Title 19 that the Committee believes will best assist in implementation of the new examination.

**Category One** consists of substantive amendments to the texts of nine Rules, as well as new cross-references and Committee notes considered either necessary or desirable for implementation of the NextGen UBE.

**Category Two** consists of non-substantive amendments, including conforming amendments, "housekeeping amendments," and stylistic changes.

**CATEGORY ONE: RULES 19-101, 19-105, 19-201, 19-203, 19-207, 19-209, 19-210, 19-214, AND 19-215**

Rule 19-101 (Definitions)

1. Housekeeping Amendment to SBLE's name

The Committee recommends a housekeeping amendment to 19-101 (c) to correct the name of the State Board of Law Examiners ("SBLE").

2. What Constitutes Filing

Some documents and fees are filed with SBLE electronically, and some may be filed in paper form. The recommended amendments to Rule 19-101 (e) clarify that filing by either method is not complete until both the required executed document and any required payment are submitted in accordance with SBLE's policies and instructions, as posted on SBLE's website.

3. Definitions of "Legacy UBE" and "NextGen UBE"

As part of the transition to the NextGen UBE, applicants will need to understand the distinction between the components of the Legacy UBE and the NextGen UBE. Consequently, the Committee recommends amending Rule 19-101 to include a definition of each examination.

As the amendments indicate, the Legacy UBE, currently in use, is administered by SBLE, using NCBE's Multistate Performance Test, Multistate Essay Examination, and Multistate Bar Examination. Rule 19-101 (f).

The NextGen UBE is a bar examination that will be administered by SBLE beginning in July 2026, using NCBE's new NextGen bar examination materials. Rule 19-101 (j).

#### 4. Definition of "Qualifying UBE Score"

A conforming amendment to Rule 19-101 (m) defines a qualifying UBE score as a score that is achieved on either the Legacy UBE or the NextGen UBE in a state that participates in the UBE and that meets or exceeds Maryland's minimum qualifying score threshold, as established by SBLE. This amendment is designed to conform the definition to NCBE's changing procedures associated with the transition to the NextGen UBE.

#### 5. Definition of "Signed Electronically"

Rule 19-101 (n) is new. It is designed to place applicants on notice of what constitutes an acceptable signature for electronic filings with SBLE.

#### 6. Definitions of "UBE," "UBE in Maryland," and "UBE Transfer"

##### a. Rule 19-101 (q) - UBE

Given that the UBE is a bar examination score portability compact that is coordinated by NCBE, rather than a bar examination, the Committee recommends amending the definition of UBE to conform to NCBE's changing procedures associated with the transition to the NextGen UBE.

##### b. Rule 19-101 (r) – UBE in Maryland

The Committee recommends defining the UBE in Maryland to clarify that it is a uniform bar examination, administered in Maryland by SBLE.

##### c. Rule 19-101 (t) - UBE Transfer

The Committee recommends defining the concept of a UBE transfer to clarify that the UBE transfer is a "pathway" to bar membership in Maryland based upon the applicant having obtained a qualifying score in another UBE state.

#### Rule 19-105 (Confidentiality)

In addition to various stylistic changes, the Committee recommends adoption of amendments to Rule 19-105 (c)(8) to align it to NCBE's requirements for administering examinations and score portability. To facilitate compliance with the Americans with Disabilities Act ("ADA"), testing accommodations granted to an applicant and the conditions for which the accommodations are granted are permitted to be disclosed to NCBE and bar admission officials in other states. Confirming the last four digits of an

applicant's social security number allows individuals to verify they are discussing the right applicant.

A Committee note following subsection (c)(8) explains that accommodations information is included in the subsection because SBLE and NCBE need to share information with each other and with commercial test centers to ensure that accommodations are afforded to applicants, as required by the ADA.

#### Rule 19-201 (Eligibility for Admission)

The Committee recommends amending Rule 19-201 (a) to include a UBE transfer as an alternative to taking the UBE examination in Maryland. Additionally, an amendment to Rule 19-201 (b)(2) updates a reference to a relettered section of Rule 19-101.

#### Rule 19-203 (Bar Examination)

The Committee recommends amending Rule 19-203 (a) to clarify that Maryland participates in the UBE and no longer generates its own bar examination materials. A Committee note is proposed as notice that the NextGen examination will be implemented in Maryland in 2026.

#### Rule 19-207 (Notice of Intent to Transfer a Qualifying UBE Score)

In addition to stylistic changes, the Committee proposes amending Rule 19-207 to add a cross reference following section (a) to direct applicants to Board Rule 5, so that applicants may easily ascertain what constitutes a qualifying score as established by SBLE.

#### Rule 19-209 (Notice of Bar Examination Grades and Review Procedure)

Historically, unsuccessful Bar applicants could request from SBLE written examination materials as well as a review of their scores. Maryland no longer generates its own examination and, with implementation of the NextGen UBE, will have no access to or control over applicants' completed examination materials. Consequently, the Committee recommends amending Rule 19-209 to require SBLE to provide information to applicants regarding NCBE's procedures for obtaining, from NCBE, examination materials, as permitted by NCBE. In an effort to avoid confusion, the Committee also recommends a Committee note, to place individuals on notice of the limited retention of pre-NextGen examinations and to make it clear that, with implementation of the NextGen UBE, examination materials no longer will be available from SBLE.

## Rule 19-210 (Re-examination after Failure)

In addition to a non-substantive stylistic change in section (e), the Committee recommends a harmonizing amendment to section (c) and, as set forth in section (d), imposition of a limit to the number of times an applicant may take the bar examination in Maryland.

### 1. Time for Filing

To harmonize Rule 19-201 (c) with the provisions of Rule 19-206, adopted by the September 13, 2024 Rules Order pertaining to the 222<sup>nd</sup> Report, the Committee recommends amending the Rule to point applicants to the deadline (and fees) established by Board Rule when filing a Notice of Intent.

### 2. Limitation on Number of Attempts

The Committee recommends limiting to a total of five, the number of times an applicant may take the Bar examination in Maryland. The limitation encompasses examinations taken in Maryland, regardless of the format of the test, a UBE examination taken in any state, or a combination of the two. An applicant who has taken five or more examinations in Maryland prior to July 1, 2026 would be afforded grace to take an additional examination, with a view to avoiding an ex post facto prohibition where each of the applicant's tests was taken in the State of Maryland.

The Committee understands that the recommendation calls for the Court to make a policy change. Currently, after three failures, SBLE has discretion to condition re-taking of the Bar examination on successful completion of additional study. Should the Court adopt the proposed amendment, SBLE would lose that discretion.

The proposed limitation of five attempts, requested by SBLE, is partly in response to a trend that suggests that Maryland is becoming a haven for test-takers unable to pass the bar examination in jurisdictions that currently impose limitations on unsuccessful applicants, including Washington, D.C., New York, and other jurisdictions. SBLE expressed concerns about the administrative burden these haven-seekers impose on Maryland's limited resources.

Additionally, as the proposed Committee note indicates, an individual who, after more than five attempts, achieves a transferrable passing score on an examination taken outside of the State of Maryland is not prohibited from transferring the score from the jurisdiction in which the applicant received a qualifying score.

#### Rule 19-214 (Order of Admission; Time Limitation)

In addition to non-substantive stylistic changes to section (e), the Committee recommends adding a Committee note to address the situation where the Supreme Court makes an individual admission decision. In that case, the Order of Ratification following the Board's report to the Court, which also serves as the Order of Admission, would not include that individual. In that instance, the Supreme Court issues a separate Order of Admission.

#### Rule 19-215 (Eligibility of Out-of-State Attorney for Admission Without Examination)

The Committee recommends amending Rule 19-215 (a) to conform to proposed amendments to Rules 19-201 and 19-203, referencing the UBE and transfer scores. Additionally, a stylistic amendment to section (b) is made.

#### **CATEGORY TWO – NON-SUBSTANTIVE AMENDMENTS TO RULES 19-102, 19-103, 19-202, 19-204, 19-205, 19-206, 19-208, 19-218, 19-219, and 19-221.**

The ten Rules in Category Two contain conforming amendments, “housekeeping” amendments, and stylistic changes. Capitalization of the term “Character Questionnaire” is repeated in multiple Rules, split infinitives are addressed, some minor word preferences are implemented, and certain references are amended in order to conform to changes proposed in this Report.

For the further guidance of the Court and the public, following the proposed amendments to each existing Rule is a Reporter's note describing in further detail the reasons for the proposals. We caution that the Reporter's notes are not part of the Rules, have not been debated or approved by the Committee, and are not to be regarded as any kind of official comment or interpretation. They are included solely to assist the Court in understanding some of the reasons for the proposed changes.

Respectfully Submitted,

/ s /

Yvette M. Bryant  
Chair

cc: Hon. Douglas R. M. Nazarian, Vice Chair  
Greg Hilton, Clerk

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 100 – STATE BOARD OF LAW EXAMINERS AND CHARACTER  
COMMITTEES

AMEND Rule 19-101 by adding “Maryland State” to and deleting “of the State of Maryland” from section (c), by deleting the provision pertaining to the administrative office of the Board from section (e), by adding a provision to section (e) and new subsections (e)(1) and (e)(2) pertaining to when a document is considered filed with the Board, by adding new section (f) to define the term “Legacy UBE,” by adding new section (j) to define the term “NextGen UBE,” by making conforming amendments to section (m), by adding new section (n) to define the term “signed electronically,” by making conforming amendments to section (q), by adding new section (r) to define the term “UBE in Maryland,” by adding new section (t) to define the term “UBE transfer,” and by making stylistic changes, as follows:

Rule 19-101. DEFINITIONS

In this Chapter and Chapter 200 of this Title, the following definitions apply, except as expressly otherwise provided or as necessary implication requires:

(a) ADA

“ADA” means the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.

(b) Applicant; Petitioner



“Applicant” means an individual who applies for admission to the Bar of Maryland (1) pursuant to Rule 19-202, or (2) as a “petitioner” under Rule 19-216.

(c) Board

“Board” means the Maryland State Board of Law Examiners ~~of the State of Maryland~~.

(d) Court

“Court” means the Supreme Court of Maryland.

(e) Filed

“Filed” means received by the Board ~~in the administrative office of the Board during normal business hours~~. A document is considered filed when:

(1) the document and any required fee are submitted electronically through the Board’s electronic filing system; or

(2) the document and any required fee are received by the Board in accordance with the Board’s policies and instructions posted on the Board’s website.

(f) Legacy UBE

“Legacy UBE” means a bar examination administered using NCBE’s Multistate Performance Test, Multistate Essay Examination, and Multistate Bar Examination in accordance with the UBE.

~~(f)~~(g) Member of the Bar of a State

“Member of the Bar of a ~~State~~ state” means an individual who is unconditionally admitted to practice law before the highest court of that state.

~~(g)~~(h) MPRE

“MPRE” means the Multistate Professional Responsibility Examination published and administered by NCBE.

~~(h)~~(i) NCBE

“NCBE” means the National Conference of Bar Examiners.

(j) NextGen UBE

“NextGen UBE” means a bar examination administered using NCBE’s NextGen Bar Examination materials in accordance with the UBE.

~~(i)~~(k) Oath

“Oath” means a declaration or affirmation made under the penalties of perjury that a certain statement of fact is true.

~~(j)~~(l) Qualifying MPRE ~~score~~ Score

“Qualifying MPRE score” means a score achieved on the MPRE that meets or exceeds the minimum passing score in Maryland established by Board ~~rule~~ Rule within the required time period established by Board ~~rule~~ Rule.

~~(k)~~(m) Qualifying UBE ~~score~~ Score

“Qualifying UBE score” means a score achieved on the Legacy UBE or the NextGen UBE in a state that ~~administers~~ participates in the UBE that meets or exceeds the minimum ~~passing~~ qualifying score in Maryland established by Board ~~rule~~ Rule within the ~~required~~ time period established by Board ~~rule~~ Rule.

(n) “Signed Electronically”

“Signed electronically” means a document is deemed to have an electronic signature because the document includes:

(1) a name typed in the space where a signature otherwise would appear, preceded by the characters “/s/”; or

(2) an electronic or scanned image of a signature.

~~(h)~~(o) State

“State” means (1) a state, possession, territory, or commonwealth of the United States or (2) the District of Columbia.

~~(m)~~(p) Transmit

“Transmit” means to convey written material in a manner reasonably calculated to cause the intended recipient to receive it.

~~(n)~~(q) UBE

“UBE” means the “Uniform Bar Examination,” published and which is a bar examination score portability compact coordinated by the National Conference of Bar Examiners NCBE.

(r) UBE in Maryland

“UBE in Maryland” means a bar examination administered by the Board in accordance with the UBE.

~~(o)~~(s) UBE State

“UBE State” means a state participating in the UBE to which or from which a qualifying UBE score may be transferred.

(t) UBE Transfer

“UBE transfer” means a bar application pathway in this State based upon a qualifying UBE score transferred from another UBE State.

Source: This Rule is derived in part from former Rule 1 of the Rules Governing Admission to the Bar of Maryland (2016) and is in part new.

REPORTER'S NOTE

In order to facilitate the adoption of the NextGen Bar Exam in July of 2026, the Rules Committee proposes amendments to the Title 19 Rules.

A housekeeping amendment is proposed to section (c) of Rule 19-101 to correct the name of the State Board of Law Examiners ("SBLE").

The definition of "filed" in section (e) is proposed to be expanded to cover files received electronically as well as in person at the SBLE office.

New section (f) is proposed to introduce the term "Legacy UBE" which covers the current existing UBE bar examination.

The definition of "NextGen UBE" is proposed as new section (j) and covers the new UBE testing materials produced by the National Conference of Bar Examiners ("NCBE") that will be implemented in this State in the summer of 2026.

Conforming amendments are proposed to section (m) to conform the definition of "qualifying UBE score" to the changing procedures of NCBE with the NextGen UBE.

New section (n) is proposed to permit and define the parameters of what an acceptable electronic signature will be for SBLE.

Conforming amendments are proposed to section (q) to conform the definition of "UBE" to the changing procedures of NCBE with the NextGen UBE.

New section (r) is proposed to define the term "UBE in Maryland" as a UBE exam administered in Maryland by SBLE.

New section (t) is proposed to define the term "UBE transfer" as a bar application pathway in this State that is based upon a qualifying UBE score from another UBE State.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 100 – STATE BOARD OF LAW EXAMINERS AND CHARACTER  
COMMITTEES

AMEND Rule 19-105 by adding the last four numbers of an applicant's Social Security number and information concerning an applicant's testing accommodations to the list of information in subsection (c)(8) that may be disclosed in certain situations, by adding a Committee note following subsection (c)(8), and by making stylistic changes, as follows:

Rule 19-105. CONFIDENTIALITY

(a) Proceedings Before Accommodations Review Committee, Character Committee, or Board

Except as provided in sections (b), (c), and (d) of this Rule, the proceedings before the Accommodations Review Committee and its panels, a Character Committee, and the Board, including related papers, evidence, and information, are confidential and shall not be open to public inspection or subject to court process or compulsory disclosure.

(b) Right of Applicant

(1) Right to Attend Hearings and Inspect Papers

An applicant has the right to attend all hearings before a panel of the Accommodations Review Committee, a Character Committee, the Board, and the Court pertaining to the application. Except as provided in subsection (b)(2)

of this Rule, and subject to any protective order issued by a circuit court for good cause on motion by the Board, an applicant has the right to be informed of and inspect all papers, evidence, and information received or considered by the panel, Committee, or the Board pertaining to the applicant.

Committee note: The intent of this subsection, with the exceptions noted in subsection (b)(2) of this Rule, is to permit inspection by the applicant of all information received or considered by a Character Committee, the Accommodations Review Committee, or the Board. There may be information, however, such as identifying information regarding a victim that is not germane to any issue before those entities and that should not be revealed. Shielding of such information would have to be approved by a court.

(2) Exclusions

Subsection (b)(1) of this Rule does not apply to (A) papers or evidence received, considered, or prepared by ~~the National Conference of Bar Examiners~~ NCBE, a Character Committee, or the Board if the Committee or Board, without a hearing, recommends the applicant's admission; (B) personal memoranda, notes, and work product of members or staff of ~~the National Conference of Bar Examiners~~ NCBE, a Character Committee, or the Board; (C) correspondence between or among members or staff of ~~the National Conference of Bar Examiners~~ NCBE, a Character Committee, or the Board; or (D) an applicant's bar examination grades and answers, except as authorized in Rule 19-209.

(c) When Disclosure Authorized

The Board may disclose:

(1) to any person, statistical information that does not reveal the identity of an individual applicant;

(2) to any person, the fact that an applicant has passed the bar examination and the date of the examination;

(3) to any person, if the applicant has consented in writing, any material pertaining to the applicant that the applicant would be entitled to inspect under section (b) of this Rule;

(4) for use in a pending disability or disciplinary proceeding against the applicant as an attorney or judge, a pending proceeding for reinstatement of the applicant as an attorney after suspension or disbarment, or a pending proceeding for original admission of the applicant to the Bar, any material pertaining to an applicant requested by:

(A) a court of this State, another state, or the United States;

(B) Bar Counsel, the Attorney Grievance Commission, or the attorney disciplinary authority in another state;

(C) the authority in another jurisdiction responsible for investigating the character and fitness of an applicant for admission to the bar of that jurisdiction; or

(D) Investigative Counsel, the Commission on Judicial Disabilities, or the judicial disciplinary authority in another jurisdiction;

Committee note: The term “jurisdiction” is used in ~~subsection~~ subsections (c) (4)(C) and (D) of this Rule because requests occasionally are received from authorities in Canada or other countries.

(5) any material pertaining to an applicant requested by a judicial nominating commission or the Governor of this or any other state, a committee of the Senate of Maryland, the President of the United States, or a committee of

the United States Senate in connection with an application by or nomination of the applicant for judicial office;

(6) to a law school, the names of individuals who graduated from that law school who took a bar examination, whether they passed or failed the examination, and the number of bar examination attempts by each individual;

(7) to the Maryland State Bar Association and any other bona fide bar association in the State of Maryland, the name and address of an individual recommended for bar admission pursuant to Rule 19-211 or 19-216;

(8) to Bar admissions officials in any state and to ~~the National Conference of Bar Examiners~~ NCBE, the following information regarding applicants for admission pursuant to Rule 19-202 or petitioners pursuant to Rule 19-215: the applicant's name and any aliases, applicant number, birthdate, NCBE number, the last four digits of the applicant's Social Security number, law school, date that a juris doctor or equivalent degree was conferred, bar examination raw and scaled scores, results and pass/fail status, ~~and~~ the number of bar examination attempts, and a summary of any ADA test accommodations granted to an applicant and the conditions for which any such accommodations were granted;

Committee note: Disclosure of information related to ADA test accommodations is required for NCBE to configure the applicant's electronic bar examination materials and to provide the applicant with appropriate test accommodations if the examination is administered by a commercial test center.

(9) to any member of a Character Committee, the report of any Character Committee or the Board following a hearing on an application; and



(10) to the Child Support Enforcement Administration, upon its request, the name, Social Security number, and address of an individual who has filed a ~~petition~~ an application for admission pursuant to Rule 19-202 or a petition for admission pursuant to Rule 19-216.

Unless information disclosed pursuant to subsections (c)(4) and (5) of this Rule is disclosed with the written consent of the applicant, an applicant shall receive a copy of the information and may rebut, in writing, any matter contained in it. Upon receipt of a written rebuttal, the Board shall forward a copy to the individual or entity to whom the information was disclosed.

(d) Proceedings and Access to Records in the Supreme Court

(1) Subject to reasonable regulation by the Supreme Court, Bar Admission ceremonies shall be open.

(2) Unless the Court otherwise orders in a particular case:

(A) hearings in the Supreme Court shall be open, and

(B) if the Court conducts a hearing regarding a bar applicant, any report by the Accommodations Review Committee, a Character Committee, or the Board filed with the Court, but no other part of the applicant's record, shall be subject to public inspection.

(3) The Supreme Court may make any of the disclosures that the Board may make pursuant to section (c) of this Rule.

(4) Except as provided in subsections (d)(1), (2), and (3) of this Rule or as otherwise required by law, proceedings before the Supreme Court and the

related papers, evidence, and information are confidential and shall not be open to public inspection or subject to court process or compulsory disclosure.

Source: This Rule is derived from former Rule 19 of the Rules Governing Admission to the Bar of Maryland (2016).

REPORTER'S NOTE

The Rules Committee proposes conforming amendments to subsection (c)(8) of Rule 19-105 to conform this Rule to the requirements of the National Conference of Bar Examiners ("NCBE") for administering UBE examinations and the portability of UBE scores by allowing the Board to disclose to Bar admissions officials in other states and to NCBE the last four numbers of the applicant's Social Security number and information concerning an applicant's testing accommodations.

A Committee note is also proposed following subsection (c)(8) to provide an explanation as to why information concerning testing accommodations is included in this subsection. NCBE requires information about accommodations to ensure the exams they provide to applicants follow approved accommodations.

Stylistic changes are also made.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-201 by adding a provision to section (a) pertaining to UBE transfers and by updating a reference to Rule 19-101 in subsection (b)(2), as follows:

Rule 19-201. ELIGIBILITY FOR ADMISSION TO THE MARYLAND BAR BY  
UNIFORM BAR EXAMINATION

(a) General Requirements

Subject to section (b) of this Rule, in order to be admitted to the Maryland Bar by the UBE in Maryland or by UBE transfer, an individual shall have:

(1) completed the pre-legal education necessary to meet the minimum requirements for admission to a law school approved by the American Bar Association;

(2) graduated with a juris doctor or equivalent degree from a law school (A) located in a state and (B) approved by the American Bar Association;

(3) achieved a qualifying UBE score;

(4) achieved a qualifying MPRE score;

(5) successfully completed the Maryland Law Component; and

(6) established good moral character and fitness for admission to the Bar.

(b) Waiver of Juris Doctor Requirements

## **RULE 19-201**

The Board may waive the requirements of subsection (a)(2) of this Rule for an applicant who (1) has passed the bar examination of another state, is a member in good standing of the Bar of that state, and the Board finds is qualified by reason of education or experience to take the bar examination; or (2) has completed legal education in a jurisdiction that is not defined as a state by Rule 19-101 ~~(h)~~(o) and has obtained an additional degree from a law school approved by the American Bar Association that meets the requirements prescribed by the Board Rules.

### **(c) Minors**

If otherwise qualified, an applicant who is under 18 years of age is eligible to take the bar examination but shall not be admitted to the Bar until 18 years of age.

Source: This Rule is derived in part from former Rules 3 and 4 of the Rules Governing Admission to the Bar of Maryland (2016) and is in part new.

### **REPORTER'S NOTE**

The Rules Committee proposes conforming amendments to section (a) of Rule 19-201 in order to ensure that the Rule covers qualifying UBE scores achieved by an applicant in another UBE jurisdiction.

An additional conforming amendment is proposed to subsection (b)(2) to update the reference to section (l) of Rule 19-101 to section (o).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-203 by rewriting section (a) and by adding a Committee note following section (a) providing information on the transition to the NextGen UBE in this State, as follows:

Rule 19-203. BAR EXAMINATION

(a) Generally—UBE

~~The bar examination in Maryland shall consist of the UBE.~~ Maryland shall participate in the UBE.

Committee note: Prior to July 2026, the UBE in Maryland used the Legacy UBE materials. NextGen UBE materials are used for the UBE in Maryland, beginning with the July 2026 administration.

(b) Scheduling

The Board shall schedule a UBE in Maryland twice annually, once in February and once in July. The examination shall be scheduled on two successive days. The total duration of the examination shall be not more than 12 hours nor less than nine hours, unless extended at the applicant's request pursuant to Rules 19-206 or 19-210. At least 30 days before a scheduled examination, the Board shall post on the Judiciary website notice of the dates, times, and place or places of the examination.

(c) Purpose of Examination

The purpose of the bar examination is to enable applicants to demonstrate their capacity to achieve mastery of foundational legal doctrines, proficiency in fundamental legal skills, and competence in applying both to solve legal problems consistent with the highest ethical standards. It is the policy of the Court that no quota of successful applicants be set but that each applicant be judged for fitness to be a member of the Bar as demonstrated by the examination answers.

(d) Qualifying Score

By Board Rule, the Board shall establish the qualifying UBE score.

(e) Voiding of Examination Results for Ineligibility

If an applicant who is determined by the Board not to be eligible under Rule 19-201 takes an examination, the applicant's Notice of Intent to Take the UBE in Maryland shall be deemed invalid and the applicant's examination results shall be voided. An examination result that is voided for ineligibility shall not be a valid UBE score for purposes of transfer to another jurisdiction. No fees shall be refunded. The Board shall notify the applicant that the examination results have been voided and the reason for the voiding.

Source: This Rule is derived in part from former Rule 19-206 (2018) and is in part new.

REPORTER'S NOTE

The Rules Committee proposes revisions to section (a) of Rule 19-203 to clarify that Maryland participates in the UBE and does not administer a bar examination using its own examination materials.

A Committee note is proposed following section (a) to specify when the Legacy UBE materials and the NextGen UBE materials are used for bar examinations in this State.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-207 by adding a cross reference to Board Rule 5 following section (a) and by making stylistic changes, as follows:

Rule 19-207. NOTICE OF INTENT TO TRANSFER A QUALIFYING UBE SCORE

(a) Filing

Beginning on July 1, 2019, an applicant may file a Notice of Intent to Transfer a Qualifying UBE Score if the applicant:

- (1) meets the pre-legal educational requirements of Rule 19-201 (a)(1) to become admitted to the Maryland Bar;
- (2) unless the requirements of Rule 19-201 (a)(2) have been waived pursuant to Rule 19-201 (b), meets the legal education requirements of Rule 19-201 (a)(2);
- (3) contemporaneously files or ~~has~~ previously had filed a completed ~~character questionnaire~~ Character Questionnaire pursuant to Rule 19-205 that has not been withdrawn pursuant to Rule 19-205 (f), and the applicant has not withdrawn or been denied admission pursuant to Rule 19-204; and
- (4) has achieved a qualifying UBE score in another UBE State.

The Notice of Intent shall be under oath, filed on the form prescribed by the Board, and accompanied by the prescribed fee.



Cross reference: See Board Rule 5 for a qualifying UBE score as established by the Board.

(b) Verification of Legal Education

The applicant shall cause the Board to receive an official transcript that reflects the date of the award to the applicant of a qualifying law degree under Rule 19-201 (a) prior to or contemporaneously with filing the Notice of Intent to Transfer a Qualifying UBE Score, unless the official transcript already is on file with the Board or the applicant has received a waiver under Rule 19-201 (b).

(c) Time for Filing

An applicant who intends to apply for admission by transferring a qualifying UBE score shall file the Notice of Intent to Transfer a Qualifying UBE Score no later than the last day that the transferred score constitutes a qualifying UBE score as defined by Board Rule.

Source: This Rule is new.

REPORTER'S NOTE

The Rules Committee proposes a non-substantive, housekeeping amendment to subsection (a)(3) of Rule 19-207 to capitalize the term "Character Questionnaire." An additional stylistic change to that subsection also is made.

A cross reference to Board Rule 5, which states the Board's determination of a qualifying UBE score, is proposed to be added following subsection (a)(4).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-209 by replacing the provisions of section (b) that require the Board to establish procedures for unsuccessful applicants to obtain their written examination materials with provisions that require the Board to provide information about how an applicant can receive score information from NCBE and by adding a Committee note following section (b), as follows:

Rule 19-209. NOTICE OF BAR EXAMINATION GRADES AND REVIEW  
PROCEDURE

(a) Notice of Grades; Alteration

Subject to Rule 19-203 (e), the Board shall transmit written notice of examination results to each applicant who took the UBE in Maryland. The Board shall determine the form and method of delivery of the notice of results. Applicants, whether successful or unsuccessful, shall be given their grades in the detail the Board considers appropriate. Thereafter, the Board may not alter any applicant's grades except when necessary to correct a clerical error.

(b) Review Procedure

The Board, ~~by Rule,~~ shall ~~establish a procedure~~ provide information on any procedures offered by NCBE by which unsuccessful applicants may obtain any of their written examination materials made available by NCBE and

request any review offered by NCBE of their MBE scores the scoring of the multiple-choice portions of their NextGen UBE attempt.

Committee note: For bar examinations administered prior to July 2026, the Board retained applicants' written examination answers until one day after the administration of the next bar examination and, pursuant to Board Rule 8 (2025), provided a procedure for unsuccessful applicants to request copies of their written answers and to request that NCBE review their MBE score. Effective July 2026, all NextGen UBE answers remain in the custody of NCBE, and review of those answers is subject to procedures to be established by NCBE.

Source: This Rule is derived from former Rule 19-207 (2018).

#### REPORTER'S NOTE

The Rules Committee proposes amending section (b) of Rule 19-209 to remove the requirement that the Board establish by Rule the procedure by which an applicant who does not achieve a qualifying score on the UBE in Maryland may obtain a copy of the applicant's test. This change is necessary as the completed examinations no longer will be under the custody and control of the Board after the NextGen UBE goes live. These materials will be under the control of the National Conference of Bar Examiners ("NCBE"), and the Board's role in the review process will be merely to provide unsuccessful applicants with information on how to obtain any available materials and review from NCBE.

A Committee note clarifying this change is proposed to be added following section (b).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-210 by revising section (c) to conform to provisions contained in Rule 19-206 (d); by deleting current section (d); by adding new section (d), limiting bar examination attempts in Maryland to five, with a certain exception; by revising the Committee note following section (d); and by making a stylistic change, as follows:

Rule 19-210. RE-EXAMINATION AFTER FAILURE

(a) Notice of Intent to Take Another Scheduled UBE in Maryland

An unsuccessful applicant may file another Notice of Intent to Take the UBE in Maryland pursuant to Rule 19-206. The Notice of Intent shall be ~~on~~ in the form prescribed by the Board and shall be accompanied by the required examination fee.

(b) Request for Test Accommodation

An applicant who seeks a test accommodation under the ADA for the bar examination shall indicate that request on the Notice of Intent and shall file an Accommodation Request pursuant to Rule 19-206 (b).

Committee note: An applicant who may need a test accommodation is encouraged to file an Accommodation Request as early as possible.

Cross reference: See Rule 19-208 for the procedure to appeal a denial of a request for a test accommodation.

(c) Time for Filing

(1) Generally

~~An applicant who intends to take the July examination shall file a Notice of Intent to Take the UBE in Maryland, together with the prescribed fee, no later than the preceding May 20. An applicant who intends to take the examination in February shall file the Notice of Intent, together with the prescribed fee, no later than the preceding December 20.~~ An applicant who intends to take the UBE in Maryland shall file the Notice of Intent to Take the UBE in Maryland by the applicable deadline established by Board Rule.

(2) Late filing

Upon written request of an applicant and for good cause shown, the Board may accept a Notice of Intent filed after that deadline. If the Board rejects the Notice of Intent for lack of good cause for the untimeliness, the Board shall transmit written notice of the rejection to the applicant. The applicant may file an exception with the Court within five business days after notice of the rejection is transmitted.

(d) ~~Three or More Failures in Maryland—Re-examination in Maryland~~  
Conditional Limitation on Total Number of Attempts

~~In this section, “bar examination in Maryland” includes the UBE in Maryland and a Maryland General Bar Examination given prior to June 30, 2019. If an applicant has failed three or more bar examinations in Maryland, the Board may condition retaking of the bar examination in Maryland on the successful completion of specified additional study.~~ An applicant who on five

separate occasions has taken a bar examination in Maryland, a UBE examination in any state, or any combination thereof and who has failed to earn a qualifying UBE score in a single administration, shall not be permitted to take a further examination in Maryland, except that any applicant who has met or exceeded this limitation on total number of attempts by making five or more attempts in Maryland prior to July 1, 2026 shall be permitted one additional attempt in Maryland.

Committee note: ~~Prior failures in Maryland do not preclude the transfer of a qualifying UBE score to Maryland pursuant to Rule 19-207.~~ An applicant who achieves a qualifying UBE score in another state on an attempt that exceeds the limitation established by this Rule is not precluded from transferring that qualifying UBE score to Maryland pursuant to Rule 19-207. The provision of one additional attempt in Maryland for those having made 5 or more prior attempts in Maryland is intended to prevent this Rule from establishing an absolute ex post facto prohibition on further attempts by those who have made all or substantially all of their prior attempts in Maryland.

(e) Withdrawal of Notice of Intent to Take the UBE in Maryland or Absence from Examination

If an applicant withdraws the Notice of Intent to Take a ~~Scheduled~~ the UBE in Maryland or fails to attend and take the examination, the examination fee shall not be refunded. The Board may apply the examination fee to a subsequent examination if the applicant establishes good cause for the withdrawal or failure to attend.

Source: This Rule is derived in part from former Rule 19-208 (2018) and is in part new.

REPORTER'S NOTE

The Rules Committee proposes conforming amendments to subsection (c)(1) of Rule 19-210 to harmonize the provisions of this subsection with the provisions contained in section (d) of Rule 19-206, approved in the Rules Order to the 222<sup>nd</sup> Report.

In addition, section (d) is revised in its entirety. The existing provision grants the Board discretionary authority to condition re-taking of the bar examination after three or more unsuccessful attempts in Maryland on the successful completion of specified additional study. The discretionary authority provisions are replaced with a non-discretionary limit of five attempts, with a one-attempt exception for individuals who have failed the bar exam five or more times in Maryland prior to the first administration of the NextGen UBE.

The proposed revisions to section (d) instituting a limit on attempts will address a recent trend toward Maryland becoming a haven for test-takers who have been unable to pass the bar exam in Washington, D.C., New York, and other jurisdictions that have an existing numerical limitation on attempts. These test-takers are coming to Maryland in sufficient numbers that they present a significant administrative burden on SBLE. Conforming amendments are proposed to the Committee note following section (d).

In addition, a stylistic change is made in section (e).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-214 by adding a Committee note following section (a) and by making stylistic changes, as follows:

Rule 19-214. ORDER OF ADMISSION; TIME LIMITATION

(a) Order of Admission

When the Court has determined that an applicant or petitioner is qualified to practice law and is of good moral character, it shall enter an order directing that the applicant be admitted to the Bar on taking the oath required by law.

Committee note: Ordinarily, the Order of Ratification following the Board’s report to the Court pursuant to Rule 19-211 or Rule 19-216 serves as the Order of Admission under this Rule. However, when the Court makes an individual admission decision pursuant to Rule 19-204 or section (e) of this Rule, the Court will issue a separate Order of Admission.

(b) Administration of Oath

The oath shall be administered in open court, using the language specified in Code, Business Occupations and Professions Article, § 10-212. If administered in Maryland, the oath shall be administered by a justice of the Supreme Court or by the Clerk of that Court. If administered outside of Maryland, the oath shall be administered by a judge or clerk of a court of



record who is authorized to administer oaths in the court where the administration occurs.

Cross reference: See Code, Business Occupations and Professions Article, § 10-212, requiring that the oath be taken in open court.

(c) Time Limitation for Taking Oath—Generally

An applicant or petitioner may not take the oath of admission to the Bar later than 24 months after the date that the Supreme Court ratified the Board's report pursuant to Rule 19-211 or Rule 19-216 that includes the applicant or petitioner.

(d) Extension

For good cause, the Board may extend the time for taking the oath, but the applicant's or petitioner's failure to take action to satisfy admission requirements does not constitute good cause.

(e) Consequence of Failure to Take Oath Timely

(1) Applicant ~~seeking admission~~ Seeking Admission under Rule 19-201

An applicant who seeks admission under Rule 19-201 but fails to take the oath within the required time period and wishes to be admitted shall reapply for admission and retake the bar examination or transfer a qualifying UBE score and successfully re-complete the Maryland Law Component, unless excused by the Court.

(2) Petitioner ~~seeking admission~~ Seeking Admission under Rule 19-215

A petitioner who seeks admission under Rule 19-215 but fails to take the oath within the required time period and wishes to be admitted shall reapply

for admission and successfully recomplete the Maryland Law Component, unless excused by the Court.

Cross reference: See Code, Business Occupations and Professions Article, § 10-212, for form of oath.

Source: This Rule is derived from former Rule 12 of the Rules Governing Admission to the Bar of Maryland (2016).

REPORTER'S NOTE

The Rules Committee proposes that a Committee note be added following section (a) to clarify the circumstance in which an individual Order of Admission will be issued by the Supreme Court separate from an Order of Ratification that serves as an Order of Admission pursuant to Rules 19-211 and 19-216.

Stylistic changes are also proposed.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

ADMISSION OF OUT-OF-STATE ATTORNEYS

AMEND Rule 19-215 by deleting “under this Rule” from section (a), by adding provisions to section (a) pertaining to passing the UBE in Maryland or transferring a qualifying UBE score, and by replacing “full time” with “full-time” in section (b), as follows:

Rule 19-215. ELIGIBILITY OF OUT-OF-STATE ATTORNEY FOR ADMISSION WITHOUT EXAMINATION

(a) Generally

Beginning on July 1, 2019, an individual is eligible for admission to the Bar of this State ~~under this Rule~~ without passing the UBE in Maryland or transferring a qualifying UBE score to Maryland if the individual:

- (1) is a member in good standing of the Bar of a state;
- (2) has passed a written bar examination in a state or is admitted to a state bar by diploma privilege after graduating from a law school accredited by the American Bar Association;
- (3) has the professional experience required by this Rule; and
- (4) possesses the good moral character and fitness necessary for the practice of law.

(b) Required Professional Experience

The professional experience required for admission under this Rule shall be on a ~~full-time~~ full-time basis as (1) a practitioner of law as provided in section (c) of this Rule; (2) a teacher of law at a law school accredited by the American Bar Association; (3) a judge of a court of record in a state; or (4) a combination thereof.

(c) Practitioner of Law

(1) Subject to subsections (c)(2) and (3) of this Rule, a practitioner of law is an individual who has regularly engaged in the authorized practice of law:

(A) in a state;

(B) as the principal means of earning a livelihood; and

(C) whose professional experience and responsibilities have been sufficient to satisfy the Board that the individual should be admitted under this Rule and Rule 19-216.

(2) As evidence of the requisite professional experience, for purposes of subsection (c)(1)(C) of this Rule, the Board may consider, among other things:

(A) the extent of the individual's experience in the practice of law;

(B) the individual's professional duties and responsibilities, the extent of contacts with and responsibility to clients or other beneficiaries of the individual's professional skills, the extent of professional contacts with practicing attorneys and judges, and the individual's professional reputation among those attorneys and judges; and

(C) any professional articles or treatises that the individual has written.

(3) The Board may consider, as the equivalent of practice of law in a state, practice outside the United States if the Board concludes that the nature of the practice makes it the functional equivalent of practice within a state.

(d) Duration of Professional Experience

An individual shall have the professional experience required by section (b) of this Rule for (1) a total of ten years, or (2) at least three of the five years immediately preceding the filing of a petition pursuant to Rule 19-216.

(e) Exceptional Cases

In exceptional cases, the Board may treat an individual's actual experience, although not meeting the literal requirements of subsection (c)(1) of this Rule, as the equivalent of the professional experience otherwise required by this Rule.

Source: This Rule is derived from sections (a) through (e) of former Rule 13 of the Rules Governing Admission to the Bar of Maryland (2016).

REPORTER'S NOTE

The Rules Committee proposes amendments to section (a) of Rule 19-215 to conform this Rule to the proposed revisions to Rule 19-201 and 19-203. These amendments clarify that an individual may be admitted without taking the UBE in Maryland or transferring a qualifying UBE score to this State pursuant to the provisions of this Rule.

A housekeeping amendment is also proposed in section (b) to correct "full time" to "full-time."

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 100 – STATE BOARD OF LAW EXAMINERS AND CHARACTER  
COMMITTEES

AMEND Rule 19-102 by making stylistic changes, as follows:

Rule 19-102. STATE BOARD OF LAW EXAMINERS

• • •

(c) Authority

(1) Generally

The Board shall exercise the authority and perform the duties assigned to it by the Rules in this Chapter and Chapter 200 of this Title, including general supervision over the character and fitness requirements and procedures set forth in those Rules and the operations of the character committees.

(2) Adoption of Rules

The Board may adopt rules to carry out the requirements of this Chapter and Chapter 200 of this Title. The ~~Rules of the Board~~ Board Rules shall be posted conspicuously on the Board's page of the Judiciary website.

(d) Amendment of Board Rules—Posting

Any amendment of the ~~Board's rules~~ Board Rules shall be posted on the Board's page of the Judiciary website at least 45 days before the amendment is to become effective.

(e) Professional Assistants

The Board may appoint the professional assistants necessary for the proper conduct of its business. Each professional assistant shall be an attorney admitted and in good standing to practice law in Maryland and shall serve at the pleasure of the Board.

Committee note: Professional assistants primarily assist with grading the bar examination. Section (e) of this Rule does not apply to the secretary and director or to administrative staff.

• • •

REPORTER'S NOTE

Stylistic changes are proposed in Rule 19-102. The phrases “Rules of the Board” and “Board’s rules” are replaced with “Board Rules.” The word “with” is added to the Committee note following section (e).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 100 – STATE BOARD OF LAW EXAMINERS AND CHARACTER  
COMMITTEES

AMEND Rule 19-103 by capitalizing “Character Questionnaire,” as follows:

Rule 19-103. CHARACTER COMMITTEES

The Court shall appoint a Character Committee for each of the seven Appellate Judicial Circuits of the State. Each Character Committee shall consist of not less than five members whose terms shall be five years each. The terms shall be staggered. Each Character Committee member shall be an attorney admitted and in good standing to practice law in Maryland. The Court shall designate the chair of each Committee and vice chair, if any. For each ~~character questionnaire~~ Character Questionnaire referred to a Character Committee, the Board shall reimburse the actual expenses incurred by the Character Committee in conducting the investigation and shall remit a reasonable sum for administrative support to the extent a Character Committee chooses to obtain such administrative support. The Board shall adopt by Board Rule policies and procedures pertaining to the authorization of payments under this Rule.

Cross reference: See Rule 19-204 for the Character Review Procedure.



## **RULE 19-103**

Source: This Rule is derived from former Rule 17 of the Rules Governing Admission to the Bar of Maryland (2016) and is in part new.

### REPORTER'S NOTE

A stylistic change is proposed in Rule 19-103, updating the capitalization of “Character Questionnaire.”

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-202 by replacing “rejected” with “denied” and “the” with “a” in section (c) and by making other stylistic changes, as follows:

Rule 19-202. APPLICATION FOR ADMISSION

(a) Contents of Application

An individual who seeks admission to the Bar of Maryland pursuant to Rule 19-201 shall apply for admission. The application for admission shall consist of a completed Character Questionnaire filed pursuant to Rule 19-205 and either (1) a Notice of Intent to Take the UBE in Maryland pursuant to Rule 19-206 or (2) a Notice of Intent to Transfer a Qualifying UBE Score pursuant to Rule 19-207.

(b) Withdrawal of Application

At any time, an applicant may withdraw an application by filing with the Board written notice of withdrawal. Where an individual has filed a ~~character questionnaire~~ Character Questionnaire pursuant to Rule 19-205 (c) without then filing a Notice of Intent pursuant to Rule 19-206 or Rule 19-207, withdrawal of the ~~character questionnaire~~ Character Questionnaire pursuant to Rule 19-205 (f) shall constitute withdrawal of the application. No fees will be refunded.

Committee note: Withdrawal of an application terminates all aspects of the admission process. Compare to Rules 19-206 (e) and 19-210 (e), pertaining to withdrawal of a Notice of Intent.

(c) Subsequent Application

An applicant who reapplies for admission after an earlier application has been withdrawn pursuant to ~~subsection~~ section (b) of this Rule or Rule 19-204 or has been ~~rejected~~ denied pursuant to Rule 19-204 must retake and pass the UBE in Maryland or transfer a then-qualifying UBE score, even if the applicant passed ~~the~~ a bar examination in Maryland or transferred a qualifying UBE score when the earlier application was pending. If the applicant failed the examination when the earlier application was pending, each failure shall be counted under Rule 19-210.

Source: This Rule is derived in part from former Rules 2 and 6(d) of the Rules Governing Admission to the Bar of Maryland (2016) and is in part new.

REPORTER'S NOTE

The Rules Committee proposes non-substantive, housekeeping amendments to section (c) of Rule 19-202 to replace “rejected” with “denied” and “the” with “a.” Additional stylistic changes also are proposed.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-204 by capitalizing “Character Questionnaire” throughout subsection (a)(1) and by making other stylistic changes, as follows:

Rule 19-204. CHARACTER REVIEW

(a) Investigation and Report of Character Committee

(1) On receipt of a completed ~~character questionnaire~~ Character Questionnaire forwarded by the Board pursuant to Rule 19-205 (d), the Character Committee, in accordance with procedural guidelines established by Board Rule, shall (A) interview the applicant, (B) consider the facts stated in the ~~character questionnaire~~ Character Questionnaire and the submissions made by the applicant's references, and make any further investigation it finds necessary or desirable, ~~which may include~~ for example, verification of facts asserted by the applicant or the applicant's references, (C) evaluate the applicant's character and fitness for the practice of law, and (D) transmit to the Board a report of its investigation and a recommendation as to the approval or denial of the application for admission.

(2) If the Committee concludes that there may be grounds for recommending denial of the application, it shall notify the applicant in writing and schedule a hearing. The hearing shall be recorded verbatim. The applicant shall have the

right to testify, to present other testimony and evidence, and to be represented by an attorney. The Committee shall prepare a report and recommendation setting forth findings of fact on which the recommendation is based and a statement supporting the conclusion. A transcript of the hearing shall be transmitted by the Committee to the Board along with the Committee's report. The Committee shall transmit a copy of its report to the applicant, and a copy of the hearing transcript shall be furnished to the applicant upon payment of reasonable costs.

. . .

REPORTER'S NOTE

The Rules Committee proposes non-substantive, housekeeping amendments to Rule 19-204 to capitalize each lowercase instance of "Character Questionnaire," as well as other stylistic changes in subsection (a)(1).

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-205 by capitalizing “Character Questionnaire” throughout the Rule and by making a stylistic change in subsection (b)(1), as follows:

Rule 19-205. CHARACTER QUESTIONNAIRE

(a) Who May File

An individual who meets the requirements of Rule 19-201 (a)(1) may commence an application for admission to the Bar of this State by filing with the Board a completed Character Questionnaire and the prescribed fee.

Cross reference: See Rule 19-206 (Notice of Intent to Take the UBE in Maryland) and Rule 19-207 (Notice of Intent to Transfer a Qualifying UBE Score).

(b) Form of Questionnaire

(1) Generally

The ~~character questionnaire~~ Character Questionnaire shall be ~~on~~ in a form prescribed by the Board and shall be answered under oath. The ~~questionnaire~~ Character Questionnaire shall elicit the information the Board considers appropriate concerning the applicant's character, education, and eligibility to become an applicant and (A) require the applicant to provide the applicant's Social Security number, and (B) include an authorization to release

confidential information pertaining to the applicant's character and fitness for the practice of law to a Character Committee, the Board, and the Court.

(2) Pre-Legal Education

The ~~character questionnaire~~ Character Questionnaire shall be accompanied by satisfactory evidence that the applicant meets the pre-legal education requirements of Rule 19-201 (a)(1).

(c) Time for Filing

The ~~character questionnaire~~ Character Questionnaire shall be filed prior to or contemporaneously with any Notice of Intent to Take the UBE in Maryland pursuant to Rule 19-206 or any Notice of Intent to Transfer a Qualifying UBE Score pursuant to Rule 19-207.

(d) Preliminary Determination of Eligibility

On receipt of a ~~character questionnaire~~ Character Questionnaire, the Board shall determine whether the applicant is eligible to file a ~~character questionnaire~~ Character Questionnaire pursuant to section (a) of this Rule. If the Board concludes that the requirements have been met, it shall forward the ~~character questionnaire~~ Character Questionnaire to a Character Committee. If the Board concludes that the requirements have not been met, it shall promptly notify the applicant in writing.

(e) Updated Character Questionnaire

If a ~~character questionnaire~~ Character Questionnaire has been pending for more than three years since the date of the applicant's most recent ~~character questionnaire~~ Character Questionnaire or updated ~~character~~

~~questionnaire~~ Character Questionnaire, the applicant shall file with the Board an updated ~~character questionnaire~~ Character Questionnaire contemporaneously with filing any Notice of Intent to Take the UBE in Maryland or any Notice to Transfer a Qualifying UBE Score. The updated ~~character questionnaire~~ Character Questionnaire shall be under oath, filed on the form prescribed by the Board, and accompanied by the prescribed fee.

(f) Withdrawal of Character Questionnaire

At any time, an applicant may withdraw a ~~character questionnaire~~ Character Questionnaire by filing with the Board written notice of withdrawal. Withdrawing a ~~character questionnaire~~ Character Questionnaire shall result in withdrawal of the application for admission under Rule 19-202 (b). No fees will be refunded.

Source: This Rule is new in part and derived from former Rule 19-202 (2018) in part.

REPORTER'S NOTE

The Rules Committee proposes non-substantive, housekeeping amendments to Rule 19-205 to capitalize each lowercase instance of "Character Questionnaire."

Subsection (b)(1) is amended to replace the word "on" with the word "in." The change is stylistic, only.



MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-206 by adding “in Maryland” to section (d) and by making other stylistic changes, as follows:

Rule 19-206. NOTICE OF INTENT TO TAKE THE UBE IN MARYLAND

(a) Filing

An applicant may file a Notice of Intent to Take the UBE in Maryland if the applicant:

- (1) meets the pre-legal educational requirements of Rule 19-201 (a)(1);
- (2) unless the requirements of Rule 19-201 (a)(2) have been waived pursuant to Rule 19-201 (b), meets the legal education requirements of Rule 19-201 (a)(2), or will meet those requirements before the first day of taking the UBE in Maryland; and

(3) contemporaneously files, or ~~has~~ previously had filed, a completed Character Questionnaire pursuant to Rule 19-205 that has not been withdrawn pursuant to Rule 19-205 (f), and the applicant has not withdrawn or been denied admission pursuant to Rule 19-204.

The Notice of Intent shall be under oath, filed ~~on~~ in the form prescribed by the Board, and accompanied by the prescribed fee.

(b) Request for Test Accommodation

An applicant who seeks a test accommodation under the ADA for the bar examination shall indicate that request on the Notice of Intent to Take the UBE in Maryland, and shall file with the Board an “Accommodation Request” in a form prescribed by the Board, together with the supporting documentation that the Board requires. The form and documentation shall be filed no later than the deadline established by the Board for filing the Notice of Intent to Take the UBE in Maryland. The Board may reject an accommodation request that is (1) substantially incomplete or (2) filed untimely. The Board shall notify the applicant in writing of the basis of the rejection 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.

Committee note: An applicant who may need a test accommodation is encouraged to file an Accommodation Request as early as possible.

Cross reference: See Rule 19-208 for the procedure to appeal a denial of a request for a test accommodation.

(c) Verification of Legal Education

Unless the requirements of Rule 19-201 (a)(2) have been waived pursuant to Rule 19-201 (b), the applicant shall aver under oath that the applicant has met, will meet, or will be unqualifiedly eligible to meet those requirements prior to the first day of the applicant taking the UBE in Maryland. No later than the first day of July preceding an examination taken in July or the first day of

February preceding an examination taken in February, the applicant shall cause the Board to receive an official transcript or other satisfactory evidence that reflects the date of the award to the applicant of a qualifying law degree under Rule 19-201, unless the official transcript already is on file with the Board's administrative office.

Committee note: "Other satisfactory evidence" normally consists of a letter from the law school dean or other authorized law school official certifying the date of graduation or unqualified eligibility where the law school transcript is unavailable, such as a late graduation or a financial hold on the transcript.

(d) Time for Filing

An applicant who intends to take the UBE in Maryland shall file the Notice of Intent to Take the UBE in Maryland by the ~~appropriate~~ applicable deadline established by the Board Rule ~~through its rule-making authority pursuant to Rule 19-102 (c)(2)~~. Upon written request of an applicant and for good cause shown, the Board may accept a Notice of Intent to Take the UBE in Maryland filed after that deadline. If the Board rejects the Notice of Intent to Take the UBE in Maryland for lack of good cause for the untimeliness, the Board shall transmit written notice of the rejection to the applicant. The applicant may file an exception with the Court within five business days after notice of the rejection is transmitted.

(e) Withdrawal of Notice of Intent to Take the UBE in Maryland or Absence from Examination

If an applicant withdraws the Notice of Intent to Take the UBE in Maryland or fails to attend and take the examination, the examination fee shall not be refunded. The Board may apply the examination fee to a subsequent

examination if the applicant establishes good cause for the withdrawal or failure to attend.

Source: This Rule is derived from former Rule 19-204 (2018).

REPORTER'S NOTE

The Rules Committee proposes non-substantive changes to Rule 19-206, which are the addition of “in Maryland” to section (d) and other stylistic changes.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

GENERAL ADMISSION

AMEND Rule 19-208 by making stylistic changes in subsection (b)(4) and section (c), as follows:

Rule 19-208. APPEAL OF DENIAL OF ADA TEST ACCOMODATION REQUEST

...

(b) Procedure for Appeal

(1) Notice of Appeal

An applicant whose request for a test accommodation pursuant to the ADA is denied in whole or in part by the Board may note an appeal to the Accommodations Review Committee by filing a Notice of Appeal with the Board.

Committee note: It is likely that an appeal may not be resolved before the date of the scheduled bar examination that the applicant has petitioned to take. No applicant “has the right to take a particular bar examination at a particular time, nor to be admitted to the bar at any particular time.” *Application of Kimmer*, 392 Md. 251, 272 (2006). After an appeal has been resolved, the applicant may file a timely petition to take a later scheduled bar examination with the accommodation, if any, granted as a result of the appeal process.

(2) Transmittal of Record

Upon receiving a notice of appeal, the Board promptly shall (A) transmit to the Chair of the Accommodations Review Committee a copy of the applicant's request for a test accommodation, all documentation submitted in support of the request, the report of each expert retained by the Board to

analyze the applicant's request, and the Board's letter denying the request and (B) transmit to the applicant notice of the transmittal and a copy of each report of an expert retained by the Board.

(3) Hearing

The Chair of the Accommodations Review Committee shall appoint a panel of the Committee, consisting of two attorneys and one non-attorney, to hold a hearing at which the applicant and the Board have the right to present witnesses and documentary evidence and be represented by an attorney. In the interest of justice, the panel may decline to require strict application of the Rules in Title 5, other than those relating to the competency of witnesses. Lawful privileges shall be respected. The hearing shall be recorded verbatim by shorthand, stenotype, mechanical or electronic audio recording methods, electronic word or text processing methods, or any combination of those methods.

(4) Report

The panel shall (A) file with the Board a report containing its recommendation, the reasons for the recommendation, and findings of fact upon which the recommendation is based, (B) transmit a copy of its report to the applicant, and (C) provide a copy of the report to the Chair of the Accommodations Review Committee.

(c) Exceptions

Within 30 days after the report of the panel is filed with the Board, the applicant or the Board may file with the Chair of the Accommodations Review

Committee exceptions to the recommendation and shall transmit a copy of the exceptions to the other party. Upon receiving the exceptions, the Chair shall cause to be prepared a transcript of the proceedings and transmit to the Supreme Court the record of the proceedings, which shall include the transcript and the exceptions. The Chair shall notify the applicant and the Board of the transmittal to the Court and provide to each party a copy of the transcript.

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REPORTER'S NOTE

The words "Accommodations Review" are proposed to be added to subsection (b)(4) and section (c) of Rule 19-208. The change is stylistic, only.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

SPECIAL AUTHORIZATION TO PRACTICE

AMEND Rule 19-218 by updating the reference to Rule 19-101 in the cross reference following section (b), as follows:

Rule 19-218. SPECIAL AUTHORIZATION FOR OUT-OF-STATE ATTORNEYS  
AFFILIATED WITH PROGRAMS PROVIDING LEGAL SERVICES TO LOW-  
INCOME INDIVIDUALS

• • •

(b) Eligibility

Pursuant to this Rule, a member of the Bar of another state who is employed by or associated with a legal services program may practice in this State pursuant to that program if (1) the individual is a graduate of a law school meeting the requirements of Rule 19-201 (a)(2) and (2) the individual will practice under the supervision of a member of the Bar of this State.

Cross reference: For the definition of “State,” see Rule 19-101 ~~(b)~~(o).

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REPORTER’S NOTE

An amendment is proposed to the cross reference following subsection (b)(2) to conform to the proposed revisions to Rule 19-101.



MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

SPECIAL AUTHORIZATION TO PRACTICE

AMEND Rule 19-219 by updating the reference to Rule 19-101 in the cross reference following section (a), as follows:

Rule 19-219. SPECIAL AUTHORIZATION FOR MILITARY SPOUSE ATTORNEYS

(a) Definition

As used in this Rule, a “military spouse attorney” means an attorney who (1) is admitted to practice in another state but not admitted in this State, (2) is married to an active duty service member of the United States Armed Forces and (3) resides in the State of Maryland due to the service member's military orders for a permanent change of station to Maryland or a state contiguous to Maryland.

Cross reference: For the definition of “~~State~~ state,” see Rule 19-101 ~~(4)(o)~~.

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REPORTER’S NOTE

An amendment is proposed to the cross reference following section (a) to conform to the proposed revisions to Rule 19-101.

MARYLAND RULES OF PROCEDURE

TITLE 19 – ATTORNEYS

CHAPTER 200 – ADMISSION TO THE BAR

MISCELLANEOUS PROVISIONS

AMEND Rule 19-221 by correcting a typographical error and by making a stylistic change, as follows:

Rule 19-221. ADDITIONAL CONDITIONS PRECEDENT TO THE PRACTICE OF LAW

~~Maryland~~ Rule 19-605 (~~Obligations~~ Obligation of Attorneys) and ~~Maryland~~ Rule 19-705 (Disciplinary Fund) require individuals admitted to the Maryland Bar, as a condition precedent to the practice of law in this State, to pay an annual assessment to the Client Protection Fund of the Bar of Maryland and the Attorney Grievance Commission Disciplinary Fund. Except as otherwise provided in Rule 19-218 (h), out-of-state attorneys specially authorized to practice pursuant to Rule 19-218 and military spouse attorneys specially authorized to practice pursuant to Rule 19-219 also shall pay the annual assessments required by Rules 19-605 and 19-705.

Source: This Rule is derived from former Rule 19-218 (2018).

REPORTER’S NOTE

An amendment to Rule 19-221 corrects a typographical error. The title of Rule 19-605 is “Obligation of Attorneys.”

Deletion of the word “Maryland” in two places is stylistic, only.