

Rules Governing Admission to the Alabama State Bar

Rule II.

Application for Admission to the Alabama State Bar.

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

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

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

B. Residency Requirements

(1) Applicants who have neither applied nor been admitted to the bar of any other jurisdiction shall pay the amount prescribed in item (1) of the Fee Schedule (see Appendix).

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

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

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

C. Filing Deadlines.

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

(2) The Alabama State Bar will acknowledge receipt of all applications filed on or before the deadlines prescribed in subsection (1) of this section. Included in this

acknowledgment will be the deadline for receipt of any paper components of the application that must be submitted in original hard-copy format.

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

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

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

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

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

Any postponement made in accordance with the provisions of this section shall be effective only until the examination immediately following the examination from which the applicant is postponing. All applicants who have postponed their submission to examination

may file a reapplication for the next examination. Any applicant who has postponed his or her submission to examination and who does not reapply and sit for the examination immediately following the postponed examination shall be deemed to have forfeited the entire examination fee.

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

[Amended eff. 8-1-96; Amended eff. 1-11-2013; Amended eff. 1-19-2017; Amended eff. 10-5-2018.]

Note from the reporter of decisions: The order amending the Rules Governing Admission to the Alabama State Bar is published in that volume of *Alabama Reporter* that contains Alabama cases from 104 So. 3d.

Note from the reporter of decisions: The order amending Rule I, Rule II, Rule III, Rule V, Rule VI(B), and Appendix, effective January 19, 2017, is published in that volume of *Alabama Reporter* that contains Alabama cases from 205 So. 3d.

Note from the reporter of decisions: The order amending Rule II, Rule III, Rule IV, Rule V, Rule VI(B), and Appendix, effective October 5, 2018, is published in that volume of *Alabama Reporter* that contains Alabama cases from ___ So. 3d.