

## **Rules Governing Admission to the Alabama State Bar**

### **Rule IV.**

#### **Persons Entitled to Admission by Examination.**

**A. General Requirements.** Any person who is at least 19 years of age, and who has complied with the requirements of Rule I, is entitled to be examined for admission to the Alabama State Bar, at any examination held as prescribed by these Rules, upon proof that he or she has complied with the education requirements set out in this rule.

#### **B. Education Requirements.**

##### (1) Proof of Prelegal Education.

(a) An applicant who has graduated from a law school that was not on the approved list of the American Bar Association at the time of the applicant's graduation shall give proof that he or she has met the following prelegal education requirements:

(i) that the applicant has received a baccalaureate degree from a university or college that, at the time of the applicant's graduation, appeared on the approved list of any accrediting agency recognized by the United States Department of Education, or that meets substantially the same standards required for appearing on the approved list of such agency; and

(ii) that the degree was received before the applicant entered law school.

(b) An applicant who has graduated from a law school that was on the approved list of the American Bar Association at the time of the applicant's graduation shall not be required to give proof that he or she has met the prelegal education requirements set out in paragraph (a), unless such proof is required by the Committee on Character and Fitness.

(c) An applicant who has graduated from a program awarding a law degree at a university or college that, at the time of the applicant's graduation, was located outside the United States and its territories shall not be required to give proof that he or she has met the prelegal education requirements set out in paragraph (a) of this subsection.

(2) Proof of Legal Education. An applicant shall make proof of legal study by filing with the Secretary a certificate or certificates from the dean or deans of one or more law schools, from which it shall appear that the applicant has completed legal study conforming to and fulfilling the following requirements:

(a) That the applicant has pursued and satisfactorily completed, as a resident student in a law school or law schools, a course of law studies that extended for at least 3 academic years of at least 30 weeks each; that the applicant has graduated from such a law school; and that at the time of the applicant's graduation the school from which the applicant graduated was approved by the American Bar Association or the Association of American Law Schools; or

(b) That the applicant has pursued and satisfactorily completed, as a resident student at Birmingham School of Law, Jones School of Law of Faulkner University before June 11, 2006, the date on which Jones School of Law was provisionally accredited by the American Bar Association, or Miles College of Law, (1) a course of law studies that extended for at least 4 academic years of at least 30 weeks each or (2) a course of full-time law studies that extended for at least 3 academic years of at least 30 weeks each; that the applicant has graduated from one of these law schools; and that at the time of the applicant's graduation the school has been continuously located and has remained in continuous operation in the county in which it was operating on August 30, 1995.

For purposes of determining whether a student is engaged in "full-time law studies" so as to be able to complete those studies in 3 academic years of at least 30 weeks each the following shall apply:

(i) An academic year shall consist of not fewer than 130 class days, which days shall extend into no fewer than 8 calendar months. A class day is a day on which classes are regularly scheduled throughout the day. Time for reading periods, examinations, or other activities may not be counted for purposes of meeting this 130-class-day requirement. A day on which classes are not scheduled throughout the day is not a "class day" for purposes of determining whether a student is engaged in "full-time law studies."

(ii) An academic year shall consist of not fewer than 130 class days, which days shall extend into no fewer than 8 calendar months. A class day is a day on which classes are regularly scheduled throughout the day. Time for reading periods, examinations, or other activities may not be counted for purposes of meeting this 130-class-day requirement. A day on which classes are not scheduled throughout the day is not a "class day" for purposes of determining whether a student is engaged in "full-time law studies."

(iii) The law school shall require that a student pursuing full-time law studies be enrolled for at least 10 semester hours of credit, and in each semester the student must receive credit for 9 hours in order to be considered a student pursuing full-time law studies.

(iv) The law school may permit a student pursuing full-time law studies to graduate in fewer than six academic semesters by earning not more than one semester of credit hours by taking courses offered by the law school during a summer session, provided the student meets the class-hour requirements; or

(c) That the applicant has pursued and satisfactorily completed as a resident student at a law school located outside the State of Alabama, but within the United States or one of its territories, that, as of the date of the applicant's graduation, had not been approved by the American Bar Association, a course of law studies that extended for at least 4 academic years of at least 30 weeks each, and is a graduate of that law school; that the applicant has been admitted to the practice of law before the court of highest jurisdiction in the state or other jurisdiction in which that law school is located; that the applicant has, after the applicant's admission to practice law before the court of highest jurisdiction in that state or other jurisdiction, been continuously engaged in the active practice of law for at least 5 years; and that the applicant is a member in good standing of the bar of that court of highest jurisdiction; provided, however, that an applicant may qualify under this paragraph (c) only if the state or other jurisdiction in which is located the law school from which the applicant graduated extends comity to graduates of Birmingham School of Law and Miles College of Law and to graduates of Jones School of Law of Faulkner University before June 11, 2006, who seek admission to the bar of that state or jurisdiction, and graduates of those schools are permitted to seek admission to the bar of that state or jurisdiction on terms and conditions no more onerous than those imposed on the applicant by this paragraph (c); or

(d) That the applicant has pursued and satisfactorily completed a law-degree program of a university or college that, at the time of the applicant's graduation, was located outside the United States and its territories and was approved in that foreign jurisdiction and that the applicant has been admitted to the practice of law in the jurisdiction in which that university or college is located and (i) that the law-degree program completed by the applicant includes a substantial component of the study of English common law; or (ii) that the applicant has satisfactorily completed at least 24 semester hours of legal studies in subjects covered by the bar examination in regular law-school classes, under the same standards and conditions as are applied to other students, at a law school that was then on the approved list of the American Bar Association; or (iii) that the applicant has been admitted to the practice of law before the court of highest jurisdiction in a state or other jurisdiction within the United States, that the applicant has, after such admission, been continuously engaged in the active practice of law for at least 3 years in a state or other jurisdiction within the United States, and that the applicant is a member in good standing of the bar of that court of highest jurisdiction.

### **C. Certification of Eligibility**

If the applicant is entitled to take the examination, the Secretary shall issue to such applicant a certificate substantially as follows:

The Board of Commissioners of the Alabama State Bar does hereby certify that \_\_\_\_\_, who has satisfied the applicable requirements of the Rules Governing Admission to the Alabama State Bar, is entitled to take the examination for admission to the Alabama State Bar to be administered on \_\_\_\_\_ at \_\_\_\_\_.

BY: \_\_\_\_\_  
Secretary, Board of Commissioners  
Alabama State Bar

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

**D. Limitation on Examinations.** The number of times an applicant may be examined for admission to the Alabama State Bar shall be unlimited.

[Amended eff. 4-28-93; Amended eff. 1-6-94; Amended eff. 1-1-96; Amended eff. 1-5-2001; Amended eff. 11-6-2006; Amended eff. 10-19-2011; Amended eff. 1-11-2013; Amended eff. 10-5-2018.]

**Note from the reporter of decisions:** The order amending Rule IV.B.( 2)(b), effective January 5, 2001, is published in that volume of *Alabama Reporter* that contains Alabama cases from 776 So.2d.

**Note from the reporter of decisions:** The order amending Rule IV.B., Rules Governing Admission to the Alabama State Bar, effective November 6, 2006, is published in that volume of *Alabama Reporter* that contains Alabama cases from 944 So.2d.

**Note from the reporter of decisions:** The order amending Rule IV.B.(2)(d), Rules Governing Admission to the Alabama State Bar, is published in that volume of *Alabama Reporter* that contains Alabama cases from 70 So. 3d.

**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 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.