 Minnesota Board of Law Examiners

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Character and Fitness Administrator

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Minnesota Board of Law Examiners:

A nine member board appointed by the Minnesota Supreme Court

Seven attorney members
Two non-attorney members
Duties of the Board of Law Examiners

- Bar Examination
- Admission of Licensed Attorneys from other states
- Character and Fitness Certification
Minnesota Bar Exam

- Administered over 2 days
- Two 3-hour sessions each day
- Day 1: 6 essay; 1 performance question
- Day 2: Multi State Exam; 200 Multiple Choice Questions
Character and Fitness Determination

What are the most common reasons for denial of applicants to the bar?

- Lack of candor in the application process
- Lack of evidence of rehabilitation
What is lack of candor?

- Failing to disclose
- Submitting lies and false statements
- Asking others to lie for you
- Under-disclosing
Background Investigation

The bar application will ask you to disclose:

- Criminal record
- Litigation history
- Employment history
- Financial history
- Misconduct in law school or undergrad
- Whether you believe you are impaired due to chemical dependency or mental health issues
New This Year

You must provide a certified copy of your driving record from the state(s) in which you are currently licensed.

Contact the State Department of Motor Vehicles.
Law School Application Will Be Reviewed

Tip: If there’s anything you didn’t fully or accurately disclose in your law school application, NOW is the time to make corrections!
What past history will prevent me from being admitted to the bar?

- None - but the burden is on the applicant to show **CURRENT** good character.

- A history of serious misconduct will require more evidence of good character.

- Evidence of rehabilitation is important.
I have a past or current problem. What can I do to show rehabilitation?

- Refer to Rule 5 B(5), Rules for Admission to the bar
- Get whatever assistance you need.
- Create a record of good conduct.
Chemical Dependency or Alcohol Issues

Myth: “If I’ve been through treatment, I won’t be admitted.”

- Don’t believe those who say you won’t be admitted if you have sought treatment.
- Get involved with a sober recovery program.
- Contact Lawyers Concerned for Lawyers (LCL) at 651-646-5590.
Mental Health Issues

- Seek the help you need from a professional.

- Don’t believe anyone who tells you that you can’t get mental health counseling if you expect to be admitted to the bar.
Application FAQ’s

The application must be completed accurately, to the best of your knowledge.
Section 1.02 Mailing address
The address where you wish to receive mailings

Section 11.00 Residence History
Locations where you actually lived
Section 4.00 “Court Records”

- Criminal Cases – you must provide:
  - Police Report
  - Court Records showing final disposition

- Civil Cases – you must provide:
  - Pleadings, judgments and/or final orders
Section 4.00 “Court Records” Continued

- You must complete form(s) referenced by any question and attach at the end of the application.
Section 4.00 “Court Records” Continued

You do not need to provide records for:

- Parking violations
- Speeding violations (unless alcohol was involved)
- Juvenile records (unless specifically requested)
- Class actions

You still must disclose these as required
Section 8.00 “Legal Employment History”

- Applies only to individuals admitted to the practice of law in another jurisdiction

- Law clerk employment should be listed in the “other employment” section unless you were licensed as an attorney
Section 8.06 “Other Employment History”

- Provide **complete** mailing addresses for all employers, including **zip codes**
- If you do not remember the name of a supervisor, please state that you do not remember
- If a previous employer is no longer in business, include that information
- Account for all periods of unemployment
Section 10.00 “Character References”

You **may not** use any of the following for a character reference:

- Current or former employers or supervisors
- Relatives (by blood or marriage)
- Law School professors
- Individuals attending your law school during your period of enrollment
- Anyone who executed an affidavit in support of your application
Section 10.00 “Character References”

You **may** list:

- Persons you currently or previously worked with as long as you did not list them as a supervisor in the Employment Section of the application
- Neighbors, clergy, undergraduate professors, advisors or your friends
- Law school classmates you knew prior to enrollment in law school and have known at least three years
Section 10.00 “Character References”

- Choose individuals that will be prompt in responding

- Tell your character references that they may receive an inquiry from the Board of Law Examiners and ask them to respond promptly

- Provide **complete** mailing addresses and zip codes for your character references
Affidavits of Good Character

Cannot be from:

- Persons related by blood or marriage
- Persons living in the same household
- Fellow law students you’ve known less than three years
- Persons listed previously as a character reference

The affidavits must address:

- The time and circumstances under which they know you
- Details respecting your character and general reputation
- Any other information bearing on your character and fitness to practice law
Affidavits of Good Character

The format of the affidavit can be:

- On the form provided with the application
- In letter form
- Typed or handwritten

The affidavits must be original documents, signed, dated, notarized, and must accompany the application.
Section 13.00 Applicant’s Obligation

- Be sure to sign, date and notarize this section in the space provided

Authorization and Release Form – You must sign, date, and notarize this form and it must accompany the application.

When you file your application with the Board office, include your filing fee and your photo ID card.
Exam Soft

- Registration form and the fee (currently $100) must be submitted with the application
- Registration forms are available online
- The application fee and the exam soft fee can be submitted together with one check
What can you expect after you file?

- “Housekeeping” inquiries
- Requests for additional information
  - Clarification of information provided
  - Supplemental information
- No notification that character and fitness investigation is complete until bar exam results are released
Confidentiality of the Application

Information in the bar application is confidential pursuant to Rule 14F.
Board Website:
www.ble.state.mn.us

- Application form
- Minnesota Rules for Admission to the bar
- Character and Fitness Brochure
- National Conference of Bar Examiners
  www.ncbex.org  Sample MBE questions are available for purchase at this site.
Questions?
Call the Board office at 651-297-1857

- Anonymous conversation with a member of the Board staff about your situation.
- Information about how the Board has handled issues similar to yours in the past.
2010 July Bar Exam Deadlines

Filing Deadline

- March 15, 2010

Late Filing Deadline

- May 1, 2010

- Postmarks dated on the due date will be accepted.
- The filing deadline will not be waived.