ARKANSAS JUDICIARY
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Rule XVI. Admission On Motion

An applicant who meets the requirements of (a) through (i) of this rule may, upon motion, be admitted to the practice of law in this jurisdiction. The applicant shall: have been admitted to practice law in another state, territory, or the District of Columbia; hold a first professional degree in law (J.D. or L.L.B.) from a law school approved by the American Bar Association at the time the degree was conferred; have been primarily engaged in the active practice of law in one or more states, territories or the District of Columbia for five of the seven years immediately preceding the date upon which the application is filed; establish that the state, territory, or the District of Columbia in which the applicant has or had his or her principal place of business for the practice of law, for the two year period immediately preceding establishment of permanent residence in this State or filing application under this rule, would allow attorneys from this State a similar accommodation as set forth in this rule; however, applicants who have been on continuous active military duty for five of the seven years mentioned in (c) above may, in the discretion of the Board, be excused from the two year requirement of this rule; establish that the applicant is currently a member in good standing in all jurisdictions where admitted; establish that the applicant is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction; establish that the applicant possesses the character and fitness to practice law as set out in Rule XIII of these rules; designate the Clerk of this Court for service of process; and, pay a fee as may be set by this Court. For the purposes of this rule, the "active practice of law" shall include the following activities, if performed in a jurisdiction in which the applicant is admitted, or if performed in a jurisdiction that affirmatively permits such activity by a lawyer not admitted to practice; however, in no event shall activities listed under (2)(e) and (f) that were performed within Arkansas in advance of bar admission here, be accepted toward the durational requirement: Representation of one or more clients in the practice of law; Service as a lawyer with a local, state, territorial or federal agency, including military service; Teaching law at a law school approved by the American Bar Association; Service as a judge in a federal, state, territorial or local court of record; Service as a judicial law clerk; or, Service as corporate counsel. For the purposes of this rule, the active practice of law shall not include work that, as undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located. An applicant who has failed a bar examination administered in Arkansas within five years of the date of filing an application under this rule shall not be eligible for admission on motion. Proceedings under this rule shall be governed by the relevant provisions of Rule XIII of these rules. Further, the applicant must complete the Petition and Oath and file same with the Clerk of the Supreme Court along with required fees within one year of the date of certification of eligibility for admission. Failure to do so will extinguish the application and forfeit the fee and the applicant will be required to file a new application and pay another fee if the applicant wishes to proceed to secure admission. Upon request of the Executive

Secretary, where an application has been pending for more than one year, the Board may cancel the pending application, after appropriate notice to the applicant, and forfeit the fee and require the applicant to submit a new application and pay another fee in order to proceed. (Adopted by Per Curiam February 26, 2004, effective October 1, 2004; amended by Per Curiam, November 15, 2007; amended by Per Curiam, May 29, 2008; amended by Per Curiam October 9, 2008.) Appendix ? Rules Governing Admission to the Bar Regulations Subsequent to an examination, an applicant may not have access to copies of his or her answers. A passing score under this rule shall remain valid for a period of one (1) year after its determination, or a final vote of the Board on admissibility of the applicant, whichever is earlier, subject to the following exceptions: In the event of Board denial of initial admission, followed by an appeal to the Arkansas Supreme Court pursuant to Rule XIII of these rules, or other litigation challenging such denial, the examination score shall remain valid until the conclusion of the appeal or litigation; or, In the event the applicant opts to participate in the deferral of initial admission program as set forth in Rule XIII of these rules, then the examination score shall remain valid until final Board determination of admissibility, or administrative termination, whichever is earlier; and, Periods of delay attributable to actions of the Board or its Executive Secretary shall be excluded from the calculation of the aforementioned one year period. The application required by this rule shall be in the office of the Secretary of the State Board of Law Examiners no later than 5:00 p.m. on the date that is determined by the provisions of Rule X. The character questionnaire required by this rule shall bear the original signature of the applicant. In those instances where the Chair of the Board determines that an evidentiary hearing is required, and a bond is requested by the Executive Secretary, pauper status is not available to the applicant. Pursuant to the section of this rule titled "Board Decision -- Evidentiary Hearing -- Appeal After Denial" only those votes conveyed to the Executive Secretary within thirty (30) days after receipt of the transcript by the respective Board members shall be counted. In the event of abstention by a Board member prior to a vote on the transcript, the Court shall appoint a substitute examiner to review the record de novo. Miscellaneous Fee Schedule Application mailing fee $ 5.00 MBE transfer fee 25.00 Copies -- per page .25 The miscellaneous fees set forth above are in addition to any other fees or expenses the applicant may be required to submit in connection with his or her application. (Adopted by Per Curiam November 5, 1998.) Standards for Admission The revelation or discovery of any of the following may be treated as cause for further inquiry before the Board determines whether the applicant possesses good moral character and mental and emotional stability: Unlawful conduct; Academic misconduct; Misconduct in employment; Acts involving dishonesty, fraud, deceit or misrepresentation; Acts which demonstrate disregard for the rights or welfare of others; Abuse of legal process, including the filing of vexatious or frivolous lawsuits; Neglect of financial responsibilities; Neglect of professional obligations, including failure to comply with time constraints; Violation of an order of a court; Conduct that evidences current mental or emotional instability that may impair the ability to practice law; Conduct that evidences current drug or alcohol dependence or abuse that may impair the ability to practice law; Denial of admission to the Bar in another jurisdiction; Disciplinary action by a lawyer disciplinary agency or other professional disciplinary agency of any jurisdiction; Making of false statements, including omissions, on bar applications in this state or any other jurisdiction; and, Any other conduct that reflects adversely on the good moral character and mental and emotional stability of the applicant. In making the determination of whether the applicant is of good moral character and mentally and emotionally stable, the following factors may be considered in assigning weight and significance to prior conduct: Applicant's age at the time of the conduct; Recency of the conduct; Reliability of the information concerning the conduct; Seriousness of the conduct; Factors underlying the conduct; Cumulative effect of the conduct; Evidence of rehabilitation;

Applicant's positive social contributions since the conduct; Applicant's candor in the admissions process; Materiality of any omissions or misrepresentations; and, Any other conduct that reflects adversely on the good moral character and mental and emotional stability of the applicant. The Applicant has a continuing obligation to update the application with respect to all matters raised in the application. This obligation continues during the pendency of the application, including the period when the matter is on appeal to the Board or the Court. (Adopted by Per Curiam Order September 30, 2004.) Seeking counsel from the Judges and Lawyers Assistance Program (JLAP) for physical or mental disabilities that result from disease, substance abuse, disorder, trauma, or age that might impair the applicant's ability to practice (impairments) shall not be considered adversely by the Board in its evaluation. Further, should the applicant choose to participate in a program designed for him or her by JLAP, and successfully complete that program by the time of graduation, the evidence of such rehabilitation and recovery shall be considered favorably by the Board when evaluating the applicant's character and fitness. The applicant's failure to complete a treatment program may be considered adversely by the Board. (Subsection (d) added by Per Curiam Order November 11, 2010.)

Associated Court Rules:
Rules Governing Admission to the Bar

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