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CONNECTICUT BAR EXAMINING COMMITTEE

JESSICA F. KALLIPOLITES, *ADMINISTRATIVE DIRECTOR*

LEGAL SERVICES
CT JUDICIAL BRANCH

100 Washington Street
Hartford, CT 06106-4411
(860) 706-5138
www.jud.ct.gov/CBEC/
Barexam@jud.ct.gov

November 8, 2018

Attorney Joseph J. Del Ciampo
Secretary to the Rules Committee
100 Washington Street
Hartford, CT 06106

Dear Attorney Del Ciampo:

At a Special Meeting held October 26, 2018, the Connecticut Bar Examining Committee (CBEC) discussed item 2-9 on the October 15, 2018 Rules Committee meeting agenda. Article III-3 of the CBEC Regulations was amended to increase the amount of the fee credit a withdrawing applicant receives towards a future examination and to permit the Chair to use her discretion to grant a credit of up to 100% of the application fee paid by the applicant in extraordinary circumstances.

The specific amendments that were adopted are included with this letter. Also included with this letter are the results of research my office performed into the history of the regulation granting a credit, information from other jurisdictions as to whether a fee waiver is permitted, whether a credit or refund is available to withdrawing applicants, and the applicable rules from those jurisdictions.

Justice McLachlan and I will appear at the November 19, 2018 Rules Committee meeting to answer any questions the Rules Committee may have.

Sincerely,

Jessica F. Kallipolites
Administrative Director

- cc: Hon. Anne C. Dranginis (Ret.), CBEC Chair – by email only
- Hon. C. Ian McLachlan, Member, CBEC – by email only
- Kathleen B. Harrington, Deputy Director, Attorney Services – by email only
- Lisa Valko, Assistant Administrative Director, CBEC – by email only

Enc.

ARTICLE II

ADMISSION BY EXAMINATION AND ADMISSION BY TRANSFER OF A UNIFORM BAR EXAMINATION SCORE

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Art. III-3. An applicant who withdraws his or her application to take the bar examination at least 30 days prior to the examination shall be entitled to a fee credit of ~~\$125~~ seventy-five percent of the application fee paid by the applicant. Withdrawals for medical reasons accompanied by a doctor's certificate shall be entitled to a fee credit of ~~\$125~~ seventy-five percent of the application fee paid by the applicant if received within ten days after the examination. In extraordinary circumstances, the Chair, or the Chair's designee, shall have the discretion to grant a credit of up to one hundred percent. In order to demonstrate extraordinary circumstances, the applicant must present evidence of exigent circumstances, such as serious illness or death in the family. All such requests related to exigent circumstances for a fee credit must be in writing and accompanied by appropriate supporting documentation, and must be received by the administrative director within thirty days after the examination. Any fee credits to which a withdrawing applicant may be entitled must be applied toward either of the next two succeeding examinations. All withdrawals must be in writing, addressed to the administrative director and are effective on the date received by the administrative director. This regulation shall be effective upon adoption and shall apply for all applicants beginning with the July 2018 examination.

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Alabama	No	Yes	An applicant may pay a withdrawal fee of \$100 to carry forward their full application fee to the next exam only. If the applicant who properly withdraws and carries forward a fee does not re-apply and sit for the next exam, he or she forfeits the application fee.	Not technically, but could be
Alaska	No	Yes	If an applicant fails to meet the requirements of Rule 2 (eligibility), or to take a bar examination, no refund shall be made unless the application shall be withdrawn within 10 days following notice of its receipt by the Board in which event the application fee, less a reasonable cancellation fee, shall be refunded.	
Arizona		Yes	Can receive a partial refund if application withdrawn on or before the application filing deadline date.	
Arkansas	No		Can transfer fee to next exam for medical emergency	
California	No	Yes	A refund of 60% or 30% of filing fees is available depending on the type of application and when withdrawn. A refund of 95% of fees is available in some emergency situations. If an application is formally withdrawn at least one business day prior to the exam and the full application fee was paid within the last 12 months, the reapplication fee is \$400 (effectively a \$310 fee credit). A fee can be rolled to the next exam due to a medical emergency.	
Colorado	No	Yes	An application withdrawn at least 30 days prior to the exam is entitled to a fee credit of \$125 towards either of the next two exams. Withdrawals for medical reasons are entitled to the same \$125 fee credit and can be received within 10 days after the exam.	Yes
Connecticut	No	Yes		Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Delaware	No	See notes	If an applicant withdraws and they can show good cause for their withdrawal they may petition the Board to apply their full fee to the next exam, but that is rare. The Board has permitted the fee to rollover for an applicant whose parent passed away shortly before the exam and for an applicant who lost their id and was therefore unable to sit for the exam. Our office is mostly funded by application fees.	Mostly
District of Columbia			Maybe would allow a partial refund for a medical emergency	
Florida		Yes	Applicants can file a Notice of Postponement prior to the exam. The previously paid application fee will be applied to the next bar exam for which they apply, minus a postponement fee of \$100 if notice received at least 7 days before the exam, or \$200 if notice received prior to but less than 7 days before exam. If no notice is received, the full re-examination fee (\$450) is required to sit for a future exam.	
Georgia	No	Yes	Our Rules allow for a 50% refund of application fee if an applicant withdraws no less than 14 days prior to the exam. No fee credits for future exams. The Rules prohibit waiving fees, but we did suspend application fee to "lawyers directly impacted" by Katrina who sought to apply for the February or July 2006 bar examination.	
Hawaii	No	No		Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Idaho	No - see notes	Yes	We do not grant fee waivers. We are an integrated bar in ID, and our Admissions Department is part of the ID State Bar. The ISB gets its authority from the ID Supreme Court rules. The rules set forth our application fees. If someone wanted a fee waiver, they would have to petition the ID Supreme Court. Rules permit applicants to request a one-time deferral to a future bar exam by paying a \$100 deferral fee. In that case, they do not have to pay any additional fees to sit for the next bar exam.	Yes, plus lawyer registration fees
Illinois	No	No	Note: from time to time, the Board has waived a re-exam fee in an unusual case and will roll a fee in dire circumstances (i.e. medical emergency, death of spouse or parent)	Yes
Indiana	No			
Iowa	No	No		Yes
Kansas	No	No	Applicants have asked about hardship fee waivers, but so far none have filed a motion to request. Would likely be denied based on how the Board has handled similar issues. No fee waivers or credits unless an applicant cannot sit for exam due to active military service.	
Kentucky	No	Yes	We will transfer over their exam fee if they withdraw before our deadline. We transfer over the full exam fee, but that is only a portion of the overall fee.	Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Louisiana	No	Yes	<p>Waiver or reduction of fees would need to come from Supreme Court.</p> <p>All fees are non-refundable and non-transferable except: 1) A member of the military who is called to service after submitting fees may request a refund. 2) Any person who has paid fees in anticipation of applying for admission but does not have a completed application for admission on file by the deadline is entitled to a return of any fees paid, less the Incomplete Application Administrative Fee. 3) For good cause shown, bar exam application fees can be transferred once to a subsequent exam if the applicant requests the transfer in writing at least 5 business days before the first day of the exam. The Committee may request the applicant provide documentation to aid in its consideration of good cause. The applicant may petition the Court for review if the request is denied.</p>	
Maine	No	Yes	<p>Full fee credit is given for a future exam if an application is withdrawn or the applicant does not show up to the exam, but the applicant does have to pay a \$100 admin fee to re-apply.</p>	Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Maryland	No	Yes	<p>Does not have policy or rule to reduce or waive application fee. There is a court of appeals case, <i>Kimmer</i>, which holds that no applicant is entitled to take any particular Bar exam or to be admitted at a particular time. MD construes that to mean the applicant can sit for the next exam and save up for the funds needed to apply. There is a good cause rule related to late filings, and they will sometimes waive the late filing fee.</p> <p>For applicants who withdraw with notice in advance of the exam, we liberally defer the entire fee to the next exam. For applicants who are absent from the exam without notice and then retroactively ask for deferral, we require documentation of the particular circumstances that caused the absence (medical record, police accident report, etc.)</p>	No
Massachusetts	Yes	No	<p>Bar applications are filed with the Supreme Court and docketed as civil filings. Applicants can file an affidavit of indigence to request waiver of court fees, just as they would in any civil case filing with the court. Waivers are regularly granted by the Court.</p>	No
Michigan	No	Yes	<p>Michigan has waiver process of rule requirements EXCEPT fees (BLE Rule 7). For withdrawn applications, we charge a \$100 transfer fee for those who have registered and don't sit, as opposed to a \$300 re-exam fee (for failing applicants).</p>	Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Minnesota	No	Yes	<p>If an applicant withdraws 15 or more days before the exam, the applicant receives a refund of \$150 (from the \$500 timely application fee for individuals who have not been admitted in another jurisdiction for more than 6 months) or \$300 (from the \$950 timely application fee for lawyers admitted for more than 6 months). The applicant also receives a refund of the \$100 examsoft fee. There is no refund of the \$150 late filing fee.</p> <p>Applicants who have a medical emergency may carry over to the next exam by payment of a \$50 fee.</p>	Yes, plus lawyer registration fees
Mississippi	No	Yes	<p>Upon written request an applicant can defer their application to the next exam without paying any additional fees. Additional deferments require the payment of a \$325 fee. If an applicant fails to show at the exam without a prior written request for deferment, the applicant would have to pay the full fee for a subsequent exam.</p> <p>Would defer fees to next exam for a medical emergency</p>	
Missouri	No	No	<p>In limited situations we may allow a credit toward a different type of application. For example, if the applicant has filed an application to take the bar exam and shortly thereafter they seek admission by motion (and meet eligibility), we may credit their bar application fee toward the motion application fee (assuming we have not expended funds for testing materials).</p>	Yes
Montana	No	No		Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Nebraska	See notes	Yes	<p>No specific fee waiver rule, but do have a catch all provision that says, "The Court, upon application, may in its discretion vary the application or waive any provision of these rules where strict compliance will cause undue hardship to the applicant. Such application shall be in the form of a verified petition setting forth the applicant's qualifications, character and fitness, and the facts relied upon and a request for waiver of a specific qualification."</p> <p>If an application is withdrawn at least 30 days before the exam, fees can be held over to the next exam upon written request. If an application is withdrawn less than 30 days before the exam, only the portion of the fee charged for the MPT, MEE, and MBE may be refunded.</p>	
Nevada		No		
New Hampshire	No	Yes	<p>If an application is withdrawn at least 30 days before the exam, the applicant can pay an administrative fee and not have to file a new application or fee for the next exam.</p>	Yes
New Jersey	Yes	No	<p>Does occasionally get requests from applicants claiming hardship or indigence. Asks for financial documentation and then follows federal income guidelines.</p> <p>Would consider a motion to carry over the exam fees to the next exam with proof of medical emergency.</p>	
New Mexico	No	Yes	<p>Full fee credit is granted once for a withdrawal. If the person withdraws a second time, the fee is lost. If the fee increases between the initial application and the new application they must pay the difference.</p>	Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
New York	No	Yes	Fees are set by statute and cannot be waived. For withdrawals, the Board has discretion to offer a credit or refund under limited circumstances. Applicants must demonstrate hardship or exigent circumstances such as illness or death in the family to obtain a refund or credit of the fee. We typically grant a credit rather than a refund unless the applicant has no intention of re-applying in the future.	No
North Carolina	No	Yes	The Executive Director may, for good cause, transfer the application fee from one exam to the next succeeding exam.	Yes
North Dakota	No	Yes	We allow a fee transfer in the very limited circumstance of an applicant who withdraws before we have ordered our exam materials. A one-time only fee transfer is allowed to carry over to the next exam administration subsequent to withdrawal.	Yes
Ohio	No	No	Application fees are nonrefundable pursuant to Gov. Bar R. 1, and refunds/waivers of fees are historically granted only under special circumstances and can only be approved by the Court.	Yes
Oklahoma	No		Board may consider on case by case basis.	
Oregon		Yes	An applicant may withdraw their application in writing on or before the Tuesday before the first day of the exam and receive a refund of a portion of the \$750 fee (total refund \$375). If an application is withdrawn later than the Tuesday before the first day of the exam, or an applicant fails to appear for the exam, or fails to complete the exam, no fee will be refunded regardless of cause. No applications or fees may be transferred from one exam to another.	
Pennsylvania	No	No		

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Rhode Island	Yes	Yes	<p>Applicants may file a waiver of the filing fee pursuant to RI Supreme Court Article II, Rule 6, "Upon petition, for good cause shown, the board, in its discretion, may waive compliance with any of the foregoing rules if it finds that such waiver will not be detrimental to the public interest."</p> <p>Applicants can defer their application to the next exam for a fee of \$300 at any time prior to one week before the exam. If an applicant fails to appear at the exam and did not defer or withdraw their application prior to one week before the exam will be counted as a failed exam.</p>	No
South Carolina	No	No		Not technically, but could be
South Dakota	No			
Tennessee	No	Yes	<p>The TN rule allows a refund (\$150) to applicants who withdraw up to a month before the exam. For applicants with a verified medical emergency after that time, the Board gives the same refund.</p>	
Texas	Yes	No	<p>Rule 18(c) (fees) - "any fee required under these Rules may be waived or lowered by the Board upon written request and proof of indigence." Rule 18(b) "No refund or transfer of fees will be made in the event of the withdrawal of any Declaration or Application . . . "</p>	Yes

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Utah	No	Yes	In UT, applicants must receive character and fitness approval prior to taking the exam. They differentiate between withdrawing an application and deferring to a future exam. They refund 50% of application fee if withdrawn 30 days or more before the exam, but no portion of late fees or laptop fees are refunded. If the person reapplies, the full application fee must be paid. Applicants can also defer their application to a later exam for a \$100 transfer fee. Deferrals are allowed for 1) a substantiated death in the family or medical emergency, or 2) character and fitness reasons, or 3) non-standard testing accommodation related reasons.	Yes, plus lawyer registration fees
Vermont	No	Yes	No fee waivers, but rules do permit refunds based on a showing of extraordinary circumstances. For withdrawals we allow a full fee credit, minus a \$50 nonrefundable portion, towards a future exam.	Yes
Virginia	No	Yes	The Board does receive fee waiver requests from time to time, but so far no requests have been granted. The Board's Rules permit an applicant who applies but does not take the exam to "carry forward" his or her application to the next exam (or within one year) for a reduced fee if requested in a timely manner (see rule for language). The current original application fee is \$475 and the fee for those eligible to carry forward is \$175 (\$300 less).	Yes
Washington	No	Yes	A partial refund of the application fee is given if they withdraw by a specific deadline.	Yes
West Virginia	No	Yes	Full fee credit only for the next bar exam if the applicant withdraws more than 60 days prior to the exam.	No

STATE	Do you grant hardship waivers ?	Do you grant a fee credit/refund if app withdrawn?	Comments/Links	Self-funded?
Wisconsin	No	Yes	Partial refund if withdrawn by certain deadline	
Wyoming	No	No	Fee is paid to the WY Supreme Court and the Board cannot waive a filing fee. May allow a fee to be rolled to the next exam for a medical emergency.	No
Guam	No		Has discussed.	

STATE	Rules
Alabama	<p>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 only be effective 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 re-application for the next examination. Any applicant who has postponed their 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.</p> <p>G. Application Fees Non-Refundable. Any fee required with an application filed pursuant to these Rules shall be non-refundable.</p> <p>Rule 3, Section 5.</p>
Alaska	<p>If an applicant fails to meet the requirements of Rule 2 (eligibility), or to take a bar examination, no refund shall be made unless the application shall be withdrawn within 10 days following notice of its receipt by the Board in which event the application fee, less a reasonable cancellation fee, shall be refunded.</p>
Arizona	<p>Rule 37(d)(1)</p> <p>(d) Refund of Fees. 1. An applicant who submits an application for admission by Arizona uniform bar examination and who has paid the fees required by these rules and thereafter withdraws the application or fails to appear for the examination applied for, shall be entitled to a partial refund or credit of the fees paid, as established by the Court, provided the applicant notifies the Committee in writing no later than the filing deadline for that examination as set by the Court. No part of the fees paid to the National Conference of Bar Examiners is refundable.</p>
Arkansas	
California	See the Refund of Fees Policy
Colorado	
Connecticut	
Delaware	
District of Columbia	

	<p>Rule 4-45 & 4-46 4-45 Examination Postponement: Applicants seeking to postpone the taking of an individual part or the entire General Bar Examination must file a written request with the board. The applicable postponement fees based on the received date of the postponement request are set forth in rule rule 4-46 below. Applicants who fail to request a postponement or who untimely request a postponement received by the board after the commencement of the bar examination must reapply under rule 4-47.</p> <p>4-46 Reapplication after Postponement: Applicants seeking to reapply after postponing as indicated above will be permitted admission into another General Bar Examination on filing with the board the Reexamination Application on the form available on the board's website and payment of the applicable postponement fee. To be timely filed, the completed application and appropriate fee must be postmarked or received by the examination filing deadline. If the Reexamination Application is not postmarked or received on or before the filing deadline or if filed incomplete, the appropriate examination late filing fee must be included. If requested by the board, an applicant will submit a current photograph. The fee payable with the Reexamination Application will be as follows: a. If the board receives the applicant's written notice of postponement under rule 4-45 at least 7 days before the commencement of the administration of the postponed examination, the fee is \$100. b. If the board receives the applicant's written notice of postponement under rule 4-45 prior to but less than 7 days before the commencement of the administration of the postponed examination, the fee is \$200.</p>
<p>Florida</p>	
<p>Georgia</p>	<p>Rule Part B, Section 3. Refunds: Refunds of the bar examination application fee will be made in the event an applicant is found to be ineligible to take an examination. Further, an applicant who withdraws not less than fourteen (14) days prior to an examination shall be refunded 50% of the bar application fee paid. National Conference of Bar Examiners charges are not refundable.</p>
<p>Hawaii</p>	

	<p>RULE 219. Deferment.</p> <p>(a) Deferment. An Applicant who is unable to take the bar examination after filing an Application may submit a written request for deferment to the next scheduled bar examination date, provided:</p> <p>(1) The deferment request must be received by the Executive Director no later than the first day of the currently scheduled bar examination and be accompanied by a \$100 filing fee;</p> <p>(2) The Applicant must submit a supplemental application form before the late Application deadline under Rule 203 for the next scheduled bar examination. An Applicant whose supplemental application form is incomplete shall not take the next bar examination; and</p> <p>(3) No deferment shall be granted if the Applicant has appeared for a character and fitness examination.</p> <p>(b) Failure to Take Bar Examination. An Applicant who receives a deferment but fails to take the next scheduled bar examination shall be required to file a new Application and pay the required fee.</p> <p>(c) Failure to Appear for Bar Examination. A deferment shall not be permitted after the bar examination begins.</p>
Illinois	<p>Rule 706(j) Payment of Fees. All fees are nonrefundable and shall be paid in advance by credit or debit card, certified check, cashier's check or money order payable to the Board of Admissions to the Bar. Fees of an applicant who does not appear for an examination shall not be transferred to a succeeding examination.</p>
Indiana	
Iowa	<p>Rule 704 Application Fees.</p>
Kansas	<p>(a) Each applicant shall pay application processing fees for each of the following, which fees may not be waived and shall not be refunded, except as provided in section (d) below:</p> <p>(d) Any applicant who is unable to take a bar examination due to active military service may receive a refund of the application processing fee, on request.</p>
Kentucky	

Louisiana	<p>Rule XVII</p> <p>All fees are non-refundable and non-transferable except as follows:</p> <ul style="list-style-type: none"> - A member of the military who is called to service after submitting fees may request a refund. - Any person who has paid fees in anticipation of applying for admission but does not have a completed application for admission on file, as defined in section 3(G) above, with the offices of the Committee on Bar Admissions by May 15 for the July exam and December 15 for the February exam, is entitled to a return of any fees paid under section II, III, IV, or V, above less the Incomplete Application Administrative Fee under section VI, above, which the Committee shall retain. - The Committee on Bar Admissions may, for good cause shown, permit Bar Examination Application Fees (sections II, and III, above) to be transferred once to a subsequent administration of the bar exam if the applicant requests the transfer in a writing received by the Committee no later than five (5) business days before the first day of the bar exam for which the applicant originally applied; the Committee on Bar Admissions may request the applicant provide documentation to aid in its consideration of good cause. An applicant whose request is denied by the Committee on Bar Admissions may petition the Court for review of that denial.
Maine	<p>Rule 6(d) Fees Nonrefundable. All fees paid to the Board, including application fees, forms and materials fees, and late fees are nonrefundable. If an applicant does not take the examination for which application is initially made, the Board shall credit the application fee paid toward any one of the next four administrations of the examination for which application may be made and shall assess such additional charges as may be necessary to update the information in the applicant's file. If an applicant for reciprocal admission under M. Bar Admission R. 11A withdraws that application, the Board shall credit the application fee paid toward any one of the next four administrations of the examination from the date of the withdrawal of the application and shall assess such additional charges as may be necessary to update the information in the applicant's file</p>
Maryland	
Massachusetts	
Michigan	

	<p>1. Refunds of Fees. An applicant who submits a written request to withdraw a bar examination application 15 or more days before the examination for which the applicant applied shall receive a refund in the amount of:</p> <p>(1) \$150, if the fee paid was in an amount specified by either Rule 12B or Rule 12E;</p> <p>(2) \$300, if the fee paid was in an amount specified by Rule 12C.</p> <p>No other requests for refund will be granted.</p> <p>J. Carry-over of Fees.</p> <p>(1) Applicants Ineligible Under Rule 7 (Admission Without Examination). The fee of an applicant declared ineligible under Rule 7 (Admission Without Examination) shall, upon the applicant's written request, be applied to</p> <p>(a) An examination held within the succeeding 15 months; or</p> <p>(b) An application made under Rules 8, 9, or 10.</p> <p>The written request must be received by the Board within 30 days of notice of the denial. No other carry-over of fees, other than those provided for in the following paragraph, shall be granted.</p> <p>(2) Medical Emergencies. An applicant who is unable to take the examination due to a medical emergency and who notifies the Board in writing or by telephone prior to the start of the examination, may request carry-over of the application fee to the next examination. Such requests must be made in writing, received in the Board office no later than 14 days following the examination, and be accompanied by written documentation of the medical emergency. The applicant shall submit a fee of \$50 when reapplying for the next examination.</p>
Minnesota	
Mississippi	<p>Rule IV Section 7. Deferment</p> <p>If after filing an exam application, an applicant finds he is unable to take the examination on the prescribed date, a written request shall be submitted to the Board for a deferment to the subsequent exam period. One deferment will be granted an applicant without the filing of a new application or payment of additional fees. Additional deferments shall require the payment of the filing fee of \$325.00 (money order, certified check or cash only). After more than one deferment, the Board may require re-investigation of the applicant's character and fitness. Failure on the part of an applicant to appear for an examination without first requesting deferment will result in the application being dismissed and the applicant will have to file a new application and pay the regular application fee for the subsequent examination.</p>
Missouri	
Montana	

Nebraska	<p>Refund Policy - Examination:</p> <ol style="list-style-type: none"> 1. If an applicant has registered for the Bar Examination and withdraws less than 30 days before the date of the examination, only the portion of the fee charged for the MPT, MBE and MEE may be refunded. 2. If applicant provides written notice of withdrawal from the exam at least 30 days before the exam, a written request may be made in writing to the Nebraska State Bar Commission to allow fees paid to be held over to the next available Bar Examination. If the Commission approves fees to be held over, a new application, along with new finger print cards are necessary for re-application.
Nevada	
New Hampshire	<p>Rule 42 VIII. Application to take Bar Examination</p> <p>(a) A person seeking to take the bar examination shall file with the board an application to take the New Hampshire bar examination and a completed petition and questionnaire for admission by the deadlines established by the board. The application and petition and questionnaire for admission must be accompanied by the bar examination application fee which shall be paid to the New Hampshire Board of Bar Examiners. The fee shall be nonrefundable.</p> <p>(b) If an applicant to take the bar examination notifies the board at least thirty days before the date of the bar examination that he or she will not take the bar examination for which he or she applied, and wishes to take the immediately subsequent administration of the bar examination, the applicant shall be required to pay an administrative fee in an amount set by the board, but shall not be required to pay an additional bar examination application fee or submit a new application. The applicant is also required to notify the board in writing on or before the application deadline for the subsequent examination of any changes to the applicant's petition and questionnaire for admission.</p>
New Jersey	
New Mexico	<p>Deferral Policy</p> <p>You may defer the exam at no cost one time. You need not take the exam at the next sitting, but if your deferred exam was within one year of your graduation and your new exam is greater than one year, you will be charged the difference (\$500) between the two exam periods. Following your first deferral, you will be charged the full retake fee should you choose to defer again (see sidebar). Deferral may be made up to the Friday before the bar exam and should be made in writing, either by mail or email to info@nmexam.org. Do not indicate your desired new exam date in this communication.</p>

	<p>Rule 6000.9 Attendance and Withdrawal (b) Withdrawal from the Examination/Failure to Appear (1) An applicant who will not appear for an examination shall notify the Board of the withdrawal prior to the examination either in writing or by using the withdrawal link provided by the Board on its website. (5) The Board may, in its discretion, delegate to any of its members, or to its Executive Director, Deputy Executive Director or counsel, authorization to make determinations under this Section.</p>
New York	<p>Policy - Withdrawal from the Examination Should you decide to withdraw from the examination, you must notify the Board in writing- by fax or by mail - as soon as possible. The Board may also provide a link where you may withdraw your application on the website or in emails regarding the examination. The application fee is non-refundable except in extremely limited circumstances. If there are extenuating circumstances causing you to withdraw, you may request a credit. All such requests must be received in the Board's office within 30 days of the exam from which you withdrew. Requests must be in writing and accompanied by appropriate supporting documentation. The reason for the withdrawal and the supporting documentation will be reviewed by the Board to determine if there is a valid basis to credit the fee. If you applied online and paid your fee by credit card, you may be held responsible for any penalties incurred by the Board should you cancel the credit card charge for any reason.</p>
North Carolina	<p>Transfer of an Application Fee The Executive Director may, for good cause, transfer the application fee from one examination to the next succeeding examination. Before such action will be considered, the applicant must file a sworn statement setting forth the reason for the request. If the reason for the request is physical or medical in nature, The Board may also require a sworn or unsworn statement from a licensed physician or other relevant expert. The request must be received before the first deadline for the next succeeding examination.</p>
North Dakota	
Ohio	
Oklahoma	

	<p>Rule 4.10</p> <p>(7) If an applicant withdraws his or her application, the applicant shall be entitled to a partial refund of the application fees only as follows:</p> <p>(a) The applicant must request in writing that the application be withdrawn;</p> <p>(b) If the application withdrawal is received by the Board on or before the Tuesday before the first day of the examination, one-half of the application fee specified in subsection (1) of this rule will be refunded;</p> <p>(c) If the application withdrawal is received by the Board after the deadline specified in section (7)(b) of this rule, no refund will be made;</p> <p>(d) An applicant other than an examination applicant shall be entitled to a refund of one-half of the application fee set forth in Rule 4.10(1) if a written request for withdrawal of his or her application is received by the Board within sixty (60) days of the Board's receipt of the application.</p>
Pennsylvania	

Rhode Island	<p>Rule 2.b.</p> <p>viii. <u>Deferral of Application.</u> At any time prior to one (1) week before his/her scheduled examination, an applicant may defer to the next scheduled examination by filing with the Bar Administrator a letter of intent to defer together with the required deferral fee. Further deferral requires filing a letter of intent for each examination deferred along with payment of the required deferral fee. Requests to defer within one (1) week of a scheduled examination may be granted by the Board upon a showing of good cause. The Board reserves the right to defer any applicant to the next scheduled bar examination, at no cost to the applicant, if the Board reasonably determines, in its discretion and based on pertinent information, that allowing the applicant to sit for his/her scheduled examination may (1) disrupt or adversely affect the examination process in any way, (2) disrupt or adversely affect one (1) or more examinees at the scheduled examination, and/or (3) violate any judgment, order and/or decree of any court of law or government board or agency, whether formal or informal, pending or closed.</p> <p>ix. <u>Withdrawal of Application.</u> At any time prior to one (1) week before his/her scheduled examination, an applicant may withdraw from his/her scheduled examination by filing with the Bar Administrator a letter of intent to withdraw. Upon receipt, the applicant's Application shall be closed. Applicants who have withdrawn their Application must submit a new Application in order to sit for a future bar examination. Requests to withdraw within one (1) week of a scheduled examination may be granted by the Board upon a showing of good cause.</p> <p><u>Rule 2.d.vi. - Failure to Appear.</u> The failure to appear for a scheduled examination without first deferring to the next scheduled examination pursuant to Practice Rule 2.b.(vii) or without first withdrawing the application pursuant to Practice Rule 2.b.(viii), shall constitute an automatic fail of the examination, except for good cause shown. Any failed examination pursuant to this rule shall count as a past bar examination result pursuant to Article II, Rule 1(e) and Practice Rule 2.b.(i)(5).</p>
South Carolina	
South Dakota	
Tennessee	<p>Sec. 11.03. Refunds. Fees are non-transferable and non-refundable, except that the fee for examination or reexamination may be refunded in part as provided in the schedule of fees adopted by the Board and approved by the Supreme Court, as provided in section 11.01 of this rule.</p>
Texas	<p>Rule 18(c) (fees) - any fee required under these Rules may be waived or lowered by the Board upon written request and proof of indigence.</p> <p>Rule 18(b) - No refund or transfer of fees will be made in the event of the withdrawal of any Declaration or Application . . .</p>

Utah	<p>Rule 14-707</p> <p>d) Withdrawal of applications and refunds. To withdraw an application, written notice must be provided. If written notice of withdrawal is received by the Admissions Office 30 calendar days or more before the examination date, one-half of the filing fee shall be refunded, unless the Applicant withdraws after appearing before the Character and Fitness Committee or after the Bar has incurred nonrefundable expenses related to a test accommodation request. Late fees, computer fees, and the application fees of Applicants not taking the Bar Examination are nonrefundable.</p> <p>(e) Postponement of application. An Applicant may only postpone or transfer her or his application due to emergency circumstances or pursuant to Rule 14-708(b)(4)(A). Emergency transfers are subject to the following restrictions.</p> <p>(e)(1) The Applicant must provide a written request, including payment of the prescribed transfer fee, prior to the conclusion of the Bar Examination.</p> <p>(e)(2) Proof of the emergency must be provided. The reasons for the transfer are limited to two circumstances:</p> <p>(e)(2)(A) a personal medical emergency, or</p> <p>(e)(2)(B) a death in the immediate family.</p> <p>(e)(3) The transferring Applicant must specify which future Bar Examination she or he plans to take. The exam must be taken within the next two scheduled Bar Examinations.</p>
Vermont	<p>Rule 26. Fees; Refunds</p> <p>All required fees must be timely paid. Required fees are set by the Court Administrator and published on the Judiciary website. A request for a fee refund for a withdrawn application must be made to the Board in writing. The Board has discretion to grant a refund based on a showing of extraordinary circumstances. Any refund excludes a nonrefundable administrative fee.</p>

Virginia	<p>Section VI: Filing an Application but Not Taking the Examination</p> <p>An applicant who properly applies for an examination with the Office of the Secretary but fails to take the examination shall forfeit the application fee for that examination unless:</p> <p>A. By written notice to the Office of the Secretary such applicant requests that the application for examination on file be carried forward to an examination within one year of the date of the examination for which the original application was made.</p> <p>1. Such notice shall be received by the Office of the Secretary of the Board within thirty days of the date of the examination which the applicant missed; and</p> <p>2. The applicant shall thereafter timely file with the Office of the Secretary of the Board such documents as are necessary to update the application for the subsequent examination, including (a) an Update of a Previously Filed Application form; (b) a Character and Fitness Update Form, updating the information in the applicant's Character & Fitness Questionnaire, (the Board may require a new Character & Fitness Questionnaire if more than four (4) years have elapsed since the applicant's graduation from law school or from the date of completion of the original Character & Fitness Questionnaire); (c) current Certificates of Good Standing from the court of last resort of any jurisdiction to which the applicant has been admitted; (d) paying the applicable carry-forward update and character and fitness fee; and (e) if the application fee for the examination has been increased since the examination for which the applicant did not appear, the amount of the difference in such fees.</p> <p>B. No portion of the application or carry-forward fees shall be refundable.</p>
Washington	
West Virginia	
Wisconsin	
Wyoming	
Guam	

NOTICES

Bar Examining Committee

At a meeting of the Bar Examining Committee held on 19 March 1982 the following regulations were adopted and/or amended as follows:

Art. I-1. The bar examining committee shall hold regular meetings to determine and announce the results of the bar examinations. Special meetings may be held upon reasonable notice at such time and place to be fixed by the chairperson. In the absence of the chairperson or in the event of his or her inability to act, the time and place of any meeting may be set by the administrative director or by any three members.

Art. I-4. There shall be an examinations committee for each examination, to be appointed by the committee at the regular meeting next preceding each examination, who shall have the duty, power and authority to provide for the examination of candidates and superintend the examination.

Art. II. Delete "The fee for investigations under Rule 16 (Ninth) shall be \$50."

Art. IV-1. The application to take the bar examination and for admission to the bar (for which the official forms obtainable from the administrative director must be used) shall be filed on or before 30 April for the July examination and on or before 30 November for the February examination together with the prescribed fee (See Art. VIII).

To be considered filed under this Article, the completed application form together with the fee must be postmarked on or before the appropriate date. Applicants who do not receive notification of the determination of a prior Connecticut application for admission to the bar by examination until after the filing date shall be permitted to file within a reasonable time of such notification as shall be determined by the committee. There shall be no other exceptions to the filing deadline.

Art. IV-2. Incidental to an application for admission to the bar by examination, each applicant shall be required to file the following supporting documents as appropriate:

(A) Such affidavits of good moral character as the committee may require. (The required form may be obtained from the administrative director.)

(B) Proof of receipt of a first degree in law (J.D. or LLB) from an approved law school (See Art. III)

OR

Proof of receipt of a master of laws degree from an approved law school having already obtained approval of the committee under Rule 16 (Fifth). (The required form may be obtained from the administrative director.)

(C) Certificates of good standing from all courts (state and federal, except the U.S. Supreme Court) before which the applicant is admitted to practice.

(D) A copy of each application for admission to the bar and/or for admission to every bar examination submitted by the applicant in any jurisdiction other than Connecticut.

(E) Any other information requested by the examining committee.

All supporting documents should be filed within 30 days, but no later than the week preceeding the meeting at which the results of the examination are announced. Failure to file any required document in a timely manner may result in the rejection of the application or a delay in the applicant's admission to the bar, in the event the applicant is successful, depending upon the nature of the omission.

Art. IV-3. An applicant who withdraws his or her application to take the bar examination 30 days prior to the examination shall be entitled to a refund of \$75. Any other withdrawal prior to the date of the examination shall entitle the applicant to a refund of \$50. An applicant who fails to appear for the examination without a prior written withdrawal shall not be entitled to a refund. Withdrawals for medical reasons accompanied by a doctor's certificate shall be entitled to a full refund.

An applicant who shall have paid a fee of \$75 as prescribed by these Regulations shall be entitled to refunds of \$50 and \$25 as above in lieu of \$75 and \$50 respectively.

Art. IV-4. The administrative director shall send the application to the chairperson of the standing committee on recommendations in the appropriate county. The administrative director shall give notice by publication in the Connecticut Law Journal of the names of the applicants for the examination. Unless a written objection to an applicant is received by the appropriate standing committee on recommendations or by the examining committee within 10 days of publication, or the standing committee does not approve an applicant, the report of the standing committee shall be submitted to the county clerk without a meeting of the county bar. In the event that an objection shall be made to any applicant or the standing committee does not approve an applicant there shall be a hearing by the standing committee which shall make a special report on such applicant to be presented to a meeting of the bar of the county at which meeting said bar shall approve or disapprove such applicant. After making its report, the standing committee shall return the applications to the administrative director.

Art. IV-5. The administrative director shall deliver the applications to the qualifications committee for the examination. After the meeting of the examining committee subsequent to the examination, the qualifications committee shall return the applications to the administrative director for transmittal to the state library.

Art. IV-6. In lieu of a regular application, an applicant who has filed a completed, regular application for the immediately preceding bar examination may, in the discretion of the examining committee, file a supplemental application form together with the prescribed fee.

Art. IV-7. All applications and supporting documents shall be retained by the committee for a period of five years after which time the applications may be destroyed.

Art. V. All persons seeking admission to the practice of law in Connecticut, whether by examination or upon motion without examination, shall produce evidence of satisfactory completion of the Multistate Professional Responsibility Examination. The bar examining committee shall determine the minimum score which shall determine satisfactory completion of the Multistate Professional Responsibility Examination.

Art. VI-4. The examination shall be conducted in two parts, Part A and Part B.

Part A shall be of six-hours' duration and shall be divided into 12 thirty-minute sections to be promulgated under the supervision of the examining committee and shall be based upon subjects to be determined by the examining committee shall determine the subjects to be examined.

1. Civil Procedure
2. Criminal Law & Procedure
3. Torts
4. Contracts
5. Personal Property
6. Real Property
7. Future Interests in Real and Personal Property
8. Trusts
9. Secured Transactions; Negotiable Instruments
10. Corporations
11. Partnership & Agency
12. Creditors' Rights and Administration of Estates
13. Domestic Relations & Family Law
14. Wills and Administration of Decedents' Estates
15. Evidence
16. Insurance
17. Administrative Law
18. Taxation
19. Constitutional Law
20. Professional Responsibility

(Note: Equity, Conflicts of Laws, Statutes, and other subjects not made separate subjects. Questions included under any subject, particularly under Real Property and Secured Transactions.)

Part B shall consist of the Multistate Professional Responsibility Examination offered to the several states and designated by the Board of Bar Examiners and designated by the Board of Bar Examiners (MBE).

Art. VI-5. An applicant's score on Part A shall be based on each of the 12 sections of Part A.

An applicant's Part A score shall be converted to a scaled score on Part B by the Board of Bar Examiners. The scaled scores shall be used to assure that the relative performance is not affected by the difficulty of the group of applicants sitting for a particular examination.

Art. VI-6. The passing score on the Part B scale shall be a score of 264.00 on the Part B scale of scores.

An applicant's score on the examination shall be based on the scaled score on Part B and his or her score on Part A as prescribed in Art. VI-5).

All scores shall be expressed to the hundredths.

Art. VI-7. All applicants must sit for the examination in the administration of the examination. An applicant who sits for the examination in another jurisdiction as a part of the bar examination shall not be eligible to transfer that Part B score to Connecticut.

requested by the examining committee. It should be filed within 30 days, but no later than the meeting at which the results of the examination are announced. The applicant must file any required document in a timely manner in the application or a delay in the filing, in the event the applicant is successful, shall constitute the omission.

If an applicant withdraws his or her application to take the examination, he or she shall be entitled to a refund of the fee prior to the date of the examination. An applicant who fails to appear for the examination without a prior written withdrawal shall not be entitled to a full refund. An applicant who is paid a fee of \$75 as prescribed by these rules shall be entitled to a refund of \$50 and \$25 as above in lieu of the fee.

The administrative director shall send the application to the examining committee on recommendations in the application. The administrative director shall give notice by publication in the Connecticut Law Journal of the names of the applicants for the examination. If an objection to an applicant is received by the administrative director on recommendations or by the examining committee on publication, or the standing committee does not report at a meeting of the county bar, the administrative director shall make a special report on such applicant to the county bar of the county at which meeting said bar shall hear such applicant. After making its report, the county bar shall return the applications to the administrative director.

The administrative director shall deliver the applications to the applicant for the examination. After the meeting of the county bar, the administrative director shall return the applications to the administrative director for the county bar.

For a bar application, an applicant who has filed an application for the immediately preceding bar examination with the examining committee, file a supplemental application with the prescribed fee.

Applications and supporting documents shall be retained for a period of five years after which time the applications shall be destroyed.

For admission to the practice of law in Connecticut, an applicant shall be required to pass the examination, or upon motion without examination, shall be required to pass the Multistate Professional Responsibility Examination. The bar examining committee shall determine satisfactory completion of the examination and the Multistate Professional Responsibility Examination.

Art. VI-4. The examination shall be composed of two parts designated Part A and Part B.

Part A shall be of six-hours' duration and shall be composed of twelve 30-minute sections to be promulgated under the direction of the examinations committee and shall be based upon such of the following subjects as the examinations committee shall determine:

1. Civil Procedure
2. Criminal Law & Procedure
3. Torts
4. Contracts
5. Personal Property
6. Real Property
7. Future Interests in Real and Personal Property
8. Trusts
9. Secured Transactions; Negotiable Instruments
10. Corporations
11. Partnership & Agency
12. Creditors' Rights and Administration of Debtors' Estates
13. Domestic Relations & Family Law
14. Wills and Administration of Decedents' Estates
15. Evidence
16. Insurance
17. Administrative Law
18. Taxation
19. Constitutional Law
20. Professional Responsibility

(Note: Equity, Conflicts of Laws, Statutes of Frauds and Limitations are not made separate subjects. Questions involving these points may be included under any subject, particularly under Contracts, Personal and Real Property and Secured Transactions.)

Part B shall consist of the Multistate Bar Examination (MBE) which is that examination offered to the several states by the National Conference of Bar Examiners and designated by that organization as the Multistate Bar Examination (MBE).

Art. VI-5. An applicant's score on Part A shall be the sum of the scores on each of the 12 sections of Part A.

An applicant's Part A score shall be converted to the same distribution as the scaled scores on Part B by the Standard Deviation Method. Scaled scores shall be used to assure that the standard used to measure competence is not affected by the difficulty of the particular test or the ability of the group of applicants sitting for a particular examination.

Art. VI-6. The passing score on the examination shall be a combined score of 264.00 on the Part B scale of scores.

An applicant's score on the examination shall be the sum of his or her scaled score on Part B and his or her converted score on Part A (as described in Art. VI-5).

All scores shall be expressed to the hundredths place where applicable.

Art. VI-7. All applicants must sit for Parts A and B during the same administration of the examination. An applicant may sit for Part B in another jurisdiction as a part of the bar examination of that jurisdiction and transfer that Part B score to Connecticut.

(a) An applicant who elects to use a Part B score as limited above must have a certificate of that Part B scaled score sent directly to the administrative director by the other jurisdiction or the Director of Testing of the National Conference of Bar Examiners on a form provided by the administrative director.

(b) It shall be the applicant's responsibility to ensure that the administrative director receives the certified report of the score in a timely manner.

(c) An applicant's transferred score on Part B shall be disclosed to him or her unless the transferring jurisdiction directs otherwise.

(d) Scores on Part A are not transferrable.

Art. VI-8. The committee shall meet at such time and place as may be fixed by the chairperson to determine and announce the successful applicants. The administrative director shall certify to the clerk of the superior court at New Haven and to the clerk of the superior court of the county in which such applicant seeks admission, the names of the successful applicants who are recommended for admission to the bar and shall likewise notify the press. The administrative director shall also notify each successful applicant by mail.

Art. VI-9. Each successful applicant shall (unless specially excused by the clerk of the superior court) present himself or herself for admission as an attorney at a session of the superior court to be held in the county in which such applicant seeks admission or in such other place or places, on such date and at such hour as shall be prescribed by the committee.

Upon a showing of due excuse, the clerk of the superior court may arrange for the presentation for admission of an applicant at a session of the superior court to be held at another time and place to be fixed by the clerk.

Art. VI-10. Unsuccessful applicants shall be notified by the administrative director. Such notification shall include a statement of the applicant's scores on the examination and such other examination information as the committee shall from time to time determine.

Art. VII-1. The application for admission on motion under Section 21 of the rules shall be made upon the official form obtainable from the administrative director.

Article VIII

Schedule of Fees

Art. VIII. The following shall be the fees in connection with applications for admission to the bar:

- (1) First application for admission by examination having filed a Connecticut law student registration under the former rules. \$ 75
- (2) All other applications for admission by examination. \$100
- (3) Application for admission without examination. \$500
- (4) Investigation under Rule 16 (Ninth). \$ 50
- (5) Copy of prior examination questions. \$ 5
- (6) Copy of prior examination answers (includes questions). \$ 15
- (7) Copy of applicant's application for admission by examination. . . \$ 5
- (8) Transmittal of applicant's MBE score to another jurisdiction. . . \$ 2
- (9) Replacement of examination scores and information. \$ 2

R. DAVID STAMM
Administrative Director

ENVIRONMENTAL IMPACT
NOTICE OF AVAILA

Judicial Departm

Notice is hereby given that an Environn
been prepared for the proposed site of t
(Annex) at Huntington Street in New Lond

A copy of the evaluation document, inc.
available for public inspection and commen
Town Clerk, New London Municipal Buildi
London, Connecticut.

A public hearing will be held at 7:30 p.m.
the main courtroom, Judicial District Cour
New London, Connecticut.

From April 1984 minutes

Mr. McGee presented the qualifications committee report upon the qualifications of one Theoduko Duko, a graduate of Manuel Quezon University in the Phillipines. Upon receipt of an LLM from a law school approved by the American Bar Association he will be eligible for admission to the bar examination.

The following amendments were made to the regulations of the Connecticut Bar Examining Committee:

Article IV-1 was amended to read:

Article IV-1. The application to take the bar examination and for admission to the bar (for which the official forms obtainable from the administrative director must be used) shall be filed after 1 April but on or before 30 April for the July examination and after 1 November but on or before 30 November for the February examination together with the prescribed application and investigation fees. (See Article VIII.)

Article IV-3 was amended to read:

Article IV-3. An applicant who withdraws his or her application to take the bar examination at least 30 days prior to the examination shall be entitled to a refund of \$75. a fee credit of \$60. ~~Any other withdrawal prior to the date of the examination shall entitle the applicant to a refund of \$50. An applicant who fails to appear for the examination without prior written withdrawal shall not be entitled to a refund.~~ Withdrawals for medical reasons accompanied by a doctor's certificate shall be entitled to a full refund fee credit of \$60 if received within ten days after the examination. Any fee credits to which a withdrawing applicant may be entitled must be applied toward either of the next two succeeding examinations. All withdrawals must be in writing, addressed to the administrative director and are effective on the date received by the administrative director.

and the following was deleted from Article IV-3.

~~An applicant who shall have paid a fee of \$75. as prescribed by these Regulations shall be entitled to refunds of \$50. and \$25. as above in lieu of \$75. and \$50. respectively.~~

NOTICE

State Bar Examining Committee

The State Bar Examining Committee has adopted the following amended Regulations at its meeting held on 23 April 1984. These regulations are effective 90 days after publication and apply to applicants beginning with the February 1985 bar examination.

Art. IV-1. The application to take the bar examination and for admission to the bar (for which the official forms obtainable from the administrative director must be used) shall be filed after 1 April but on or before 30 April for the July examination and after 1 November but on or before 30 November for the February examination together with the prescribed application and investigation fees (See Art. VIII).

An application is considered filed on the day it is RECEIVED, properly completed with the appropriate fees paid, in the office of the administrative director.

An applicant, in the discretion of the committee, may be permitted to file a late application to take the bar examination and for admission to the bar upon payment of a late fee in addition to the application and investigation fees as provided in Article VIII.

Applicants who do not receive notification of the determination of a prior Connecticut application for admission to the bar by examination until after the filing date shall be permitted to file, within a reasonable time of such notification as shall be determined by the committee, without penalty.

Art. IV-3. An Applicant who withdraws his or her application to take the bar examination at least 30 days prior to the examination shall be entitled to a fee credit of \$60. Withdrawals for medical reasons accompanied by a doctor's certificate shall be entitled to a fee credit of \$60 if received within ten days after the examination. Any fee credits to which a withdrawing applicant may be entitled must be applied toward either of the next two succeeding examinations. All withdrawals must be in writing, addressed to the administrative director and are effective on the date received by the administrative director.

Art. V. All persons seeking admission to the practice of law in Connecticut, whether by examination or upon motion without examination shall produce evidence of satisfactory completion of the Multistate Professional Responsibility Examination. The passing score on the Multistate Professional Responsibility Examination shall be a scaled score of eighty (80) and must be achieved within two years of the date the applicant becomes otherwise eligible for admission to the bar.

In lieu of the Multistate Professional Responsibility Examination an applicant may submit evidence of satisfactory completion of a course in professional responsibility/legal ethics at a law school approved by the American Bar Association. To be acceptable, the course must be completed with a grade of either "C" or "Pass" within two years of the date the applicant becomes otherwise eligible for admission to the bar.

R. DAVID STAMM
Administrative Director

CONNECTICUT BAR EXAMINING COMMITTEE
ANNUAL MEETING
HARTFORD, CONNECTICUT
JANUARY 29, 2010


The Chair, Honorable Anne Dranginis of Litchfield called the meeting to order at 10:00 a.m. (EDT). Present were Richard F. Banbury, Susan Boyan, Earl F. Dewey, II, Mary E. Driscoll, Eric M. Gross, Karen L. Karpie, Honorable John J. Langenbach, Honorable C. Ian McLachlan, Gail E. McTaggart, Honorable Aaron Ment, Irving H. Perlmutter, Denise Martino Phelan, Honorable Barbara M. Quinn, Alix Simonetti, and Michael J. Whelton. Present by invitation were Howard E. Emond, Jr., Deputy Director, Attorney Services, Kathleen B. Wood, Administrative Director, and Jessica F. Kallipolites, Assistant Administrative Director. Also present was Bruce Wood.

The Chair reported on the external audit of the financial affairs of the Connecticut Bar Examining Committee. There were some minor shortcomings disclosed by the audit which have since been remedied.


Upon motion duly made by Ms. Phelan, seconded by Mr. Gross, it was voted unanimously to accept and record the minutes of the regular meeting of October 9, 2009 without amendment or correction.

The Treasurer delivered two revised financial reports for the first quarter of Fiscal Year 2008-2009 and the annual report for the entire Fiscal Year 2008-2009. Upon motion duly made by the Chair, seconded by Mr. Whelton, it was voted unanimously to accept and approve the revised financial reports.

The Committee discussed proposed amendments to the rule governing admission without examination. There was discussion regarding the creation of an exception for attorneys admitted to practice in reciprocal jurisdictions but who practiced law in a different jurisdiction due to military service or government employment, deletion of the requirement that an applicant have an intent to actively engage in the practice of law in Connecticut, possible deletion of the temporary/permanent license process and extending the 5 of 7 years practice requirement to 5 of the past 10 years. The Committee heard from Mr. Wood, of Cummings & Lockwood of Stamford, on the issue of potential amendments to the motion rule. There appeared to be a consensus as to the need for further examination of the issue, possibly via a special meeting. Upon motion made by Judge Ment, seconded by Mr. Whelton, it was voted unanimously to table further consideration of this issue to permit members to consider the issues raised by such changes, and the discussion of the members of the Committee, concerning the proposed changes.

 The Committee discussed proposed amendment to Article III-3 of the CBEC Regulations providing for a credit for withdrawal from the bar exam. Upon motion made by Ms. Simonetti, seconded by Judge Quinn, it was voted unanimously to increase the credit to \$125. The Committee also discussed proposed amendments to

Article X of the CBEC Regulations providing for fees for various items from applications to sample booklets. Upon motion made by Ms. Simonetti, seconded by Ms. Phelan, it was voted unanimously to adopt the following fee increases:

- 
1. filing regular application \$600;
 2. filing reapplication under Art.III-7 \$350;
 3. filing application for admission without examination \$1,800;
 4. copy of prior examination answers (includes questions) \$35;
 5. copy of applicant's application for admission by examination \$15;
 6. copy of applicant's exam answers \$20;
 7. transmittal of applicant's MBE score to another jurisdiction \$15; AND
 8. replacement of examination scores and information \$15.

The Committee discussed proposed amendments to the regulation governing the election of officers and the rule establishing membership. Upon motion made by Judge Ment, seconded by Mr. Whelton, it was voted unanimously to amend Article I-2 to provide term limits for officers such that a person could serve two 2-year terms for a particular office but in no event shall such person serve more than eight years as an officer and to provide for elections as appropriate beginning September 1, 2010. Upon motion made by Judge Ment, seconded by the Chair, it was voted to recommend that Practice Book § 2-3 be amended to provide terms limits for members such that a person could serve four 3-year terms not including service as an officer with an exception for current members in that they would be able to complete their current term as of September 1, 2010 plus an additional three 3-year terms. The vote was 12-3 with 1 abstention (Mr. Banbury).

The Committee discussed submissions from Southern New England School of Law (SNESE) and Massachusetts School of Law (MSL) in response to their continued approval under Article II-1 (B) of the CBEC Regulations. Upon motion duly made by the Chair, seconded by Ms. Driscoll, it was voted unanimously to continue the approval of SNESE with follow-up in three (3) years. Upon motion duly made by the Chair, seconded by Justice McLachlan, it was voted unanimously to continue the approval of MSL with follow-up in three (3) years.

The Administrative Director delivered a report as to the preparations for the upcoming February 2010 bar examination, correspondence received regarding the grading system, contracts to be issued in relation to exam sites and a laptop program, a status update relative to the new online grading system, and a brief explanation of proposed amendments to the regulations governing the administration of the bar exam and cheating or other dishonest conduct. Upon motion duly made by the Chair, seconded by Judge Quinn, it was voted unanimously to adopt an amendment to Article V of the CBEC Regulations clarifying that the bar exam will be administered on the last consecutive Tuesdays and Wednesdays of February and July. Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously to adopt an amendment to Article VI-14 of the CBEC Regulations to set forth the correct name for the Uniform Administrative Procedure Act.

Upon motion duly made by Mr. Perlmutter, seconded by Ms. Simonetti, it was voted unanimously to adjourn the public portion of the meeting at 11:44 a.m. (EDT) and to reconvene in the non-public portion of the meeting. The administrative staff was invited to remain in attendance for the non-public session of the meeting.

Respectfully submitted,

IRVING H. PERLMUTTER
Secretary