

## Annex A

### Rule 202. Admission to the Bar

An applicant who complies with the requirements of Rule 203 (relating to **[admission of graduates of accredited institutions]****admission by bar examination**), Rule 204 (relating to **[admission of domestic attorneys]****admission by reciprocity**), **[ or ]** Rule 205 (relating to **[admission of foreign attorneys]****admission by bar examination for graduates of foreign law schools**) **or Rule 206 (relating to admission by transfer of bar examination score)** and the applicable rules of the Board shall be admitted to the bar of this Commonwealth in the manner prescribed by these rules.

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### Rule 203. Admission **by Bar Examination****[of Graduates of Accredited and Unaccredited Institutions]**

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**(b) Admission to the Bar.** The general requirements for admission to the bar of this Commonwealth are:

(1) satisfactory completion of the bar examination administered by or under the authority of the Board; **[and]**

(2) absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualifications (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth~~[.]~~; **and**

**(3) satisfactory completion of the Multistate Professional Responsibility Examination at the score determined by the Board, which score shall be publicly posted.**

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### Rule 204. Admission **[of Domestic Attorneys]****by Reciprocity**

As an alternative to satisfying the requirements of Rule 203, an attorney, licensed to practice law in another state, may be admitted to the bar of this Commonwealth if the applicant meets the following requirements:

\* \* \* \* \*

**[(6) An applicant who has taken and failed the Pennsylvania bar examination will not be admitted under this Rule. This provision does not apply to individuals who have passed the bar examination upon a subsequent attempt.]**

**[(7)6] Satisfaction of the requirements of Paragraphs (a)(1), [and ](b)(2) and (b)(3) of Rule 203.**

**[(8) Has passed the Multistate Professional Responsibility Exam with the score required by the Court to be achieved by successful applicants under Rule 203.]**

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**Rule 205. Admission by Bar Examination for [of Foreign Attorneys and] Graduates of Foreign Law Schools[Institutions]**

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**Rule 206. Admission by Bar Examination Score Transfer**

**Applicants may apply for admission to the bar of the courts of this Commonwealth using a Uniform Bar Examination (UBE) score earned in another jurisdiction provided that the applicant meets the requirements below.**

**(a) Score Requirements.**

**1. The UBE score must meet or exceed that established by the Board as the minimum passing score for applicants sitting for the bar exam at the time the applicant files an application for admission under this rule; and**

**2. No more than 30 months have passed from the first day of the UBE that resulted in the score the applicant seeks to transfer.**

**(b) Applicant Requirements.**

**1. Provide supplemental documentation as the Board directs in support of the application for admission by UBE transfer within six months from the date of filing the application; and**

**2. Satisfy the requirements of Paragraphs (a), (b)(2) and (b)(3) of Rule 203.**

**(c) Administrative withdrawal. The Board will deem the application administratively withdrawn if the applicant fails to meet (b)(1) of this rule. In the event the Board deems an application administratively withdrawn, the applicant will be required to reapply and**

successfully meet all of the requirements for admission to the bar in order for the Board to issue a certificate recommending the applicant's admission to the bar.

(d) Subsequent hearing after Board denial. If the executive director issues an initial denial per Pa. B.A.R. 213(a) and the Board, after a hearing pursuant to Pa.B.A.R. 213, also declines to issue a certificate recommending admission, the applicant may be permitted to submit a supplemental application to seek a subsequent hearing before the Board if 36 months have not passed from the first day of the examination from which the applicant is seeking to transfer the score.

## **Rule 20[6]7. Disqualification of an Applicant**

(a) Automatic Disqualification. An applicant who is found to have:

(1) obtained, used, or attempted to obtain or use answers or written or oral information or materials relating to the subjects tested on the bar examination from another applicant or any other person or source while taking the bar examination;

(2) brought in to the bar examination any personal notes relating to the subjects tested on the bar examination and used or attempted to use such notes while taking the bar examination;

(3) secreted any answers, information, materials, or personal notes relating to the subjects tested on the bar examination with the intent to review or use such information while taking the bar examination;

(4) received advance knowledge or information about the questions or the answers to the questions that are included on the bar examination being taken;

(5) written any notes or unauthorized information relating to the subjects tested on the bar examination on any examination materials prior to the beginning of the examination session; or

(6) given or attempted to give answers or information relating to the bar examination being taken to another applicant shall be disqualified from the bar examination and will not receive a score for the bar examination, or if a score had already been determined such score will be invalidated. Such applicant shall not be eligible to file an application to sit for another bar examination for a period of three years from the date of the disqualification. If such applicant successfully completes a subsequent bar examination, the conduct underlying the disqualification will be considered by the Board in determining whether the applicant has the requisite character to be a member of the bar.

(b) Discretionary Disqualification. An applicant who is found to have violated or

attempted to violate any other rule or restriction established by the Board related to taking the bar examination, including but not limited to bringing any item or material prohibited by the Board into the examination room, failure to follow instructions concerning the beginning or end of the examination, communicating with another applicant or external source during the examination, violating any oral or written instructions given in connection with the administration of the bar examination, compromising or disrupting the process for administration of the bar examination, failure to cooperate in the investigation of any conduct in connection with the administration of the bar examination, or otherwise failing to make a good faith effort to take the bar examination may be disqualified from the examination. An applicant who is disqualified under this section will not receive a score for the bar examination, or if a score had already been determined such score will be invalidated. If an applicant is not disqualified under this section for a violation of any rule or restriction, or if such applicant is disqualified and successfully completes a subsequent bar examination, the conduct underlying the violation of the rules and restrictions will be considered by the Board in determining whether the applicant has the requisite character to be a member of the bar.

(c) The initial determination as to the disqualification of an applicant shall be made by the Executive Director. An applicant receiving notice of the disqualification shall have the right to request in writing, within 10 days of the disqualification, a hearing before the Board, which hearing shall be governed by the general procedures set forth in Rule 213.

### **Rule 304. Limited Admission of Spouses of Active-Duty Service Members of the United States Uniformed Services**

An applicant may apply for limited admission to the practice of law in Pennsylvania as a spouse of an active-duty service member of the United States Uniformed Services if all requirements of this rule are satisfied.

(a) Qualifications.

An applicant who seeks admission pursuant to this rule:

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**[(3) must not have taken and failed the Pennsylvania bar examination;]**

**[(4)]3** must be currently admitted as an attorney at law in the highest court of another state, commonwealth, territory or the District of Columbia;

**[(5)]4** must not currently be the subject of a pending disciplinary matter in any jurisdiction in which the applicant is admitted to the practice of law or be currently suspended or disbarred in any such jurisdiction;

(~~6~~5) must not have been disciplined for professional misconduct by any jurisdiction within the 10 years immediately preceding filing of the Pennsylvania application or been disbarred at any time by any jurisdiction; and

(~~7~~6) (A) must be employed and supervised by a Pennsylvania-licensed attorney who is in good standing and who is currently engaged in the practice of law in Pennsylvania; or

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**Rule 311. Attorney Participants in Defender or Legal Services Programs**

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(d) **Requirements.** The requirements for issuance of a limited license under this rule are:

\* \* \* \* \*

**[5. An applicant who has taken and failed the Pennsylvania bar examination will not be admitted under this Rule. This provision does not apply to individuals who have passed the bar examination upon a subsequent attempt.]**

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**Rule 341. Licensing of Foreign Legal Consultants.**

(a) **Required qualifications.** An applicant may be licensed to practice in this Commonwealth as a foreign legal consultant, without examination, if the applicant:

\* \* \* \* \*

(3) possesses the good moral character and general fitness requisite for a member of the bar of this Commonwealth;

(4) is at least 26 years of age;

(5) intends to practice as a foreign legal consultant in this Commonwealth and to maintain an office in this Commonwealth for that purpose; and

(6) has passed the Multistate Professional Responsibility Exam [**with the score**] **as** required [**by the Court to be achieved by**] **for** successful applicants under Rule 203.

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