MICHIGAN BAR EXAM and CHARACTER & FITNESS APPLICATION INSTRUCTIONS AND INFORMATION

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PROCESS OVERVIEW FOR FIRST TIME MICHIGAN APPLICANTS

The Affidavit of Personal History is the Character & Fitness portion of the bar application. It includes thirteen question and answer sections:

Identification Educational Background Residence History Employment Background Military Background Attorney Licensure Other Licensure Licensing Discipline/Unauthorized Practice of Law Business Involvement Civil Litigation Financial History Criminal History General Fitness

Your responses, typed into an electronic questionnaire, will create the following application forms:

Application to Sit (F-1) Affidavit of Personal History (F-3) Waiver & Release Request for Law School Certifications (F-11a & b) Bar Applicant Reference Letters (F-12)

After reviewing and finalizing the questionnaire, you will be directed to the eCommerce page to pay the appropriate exam and investigation fees. A payment receipt will be generated for your records and e-mailed to the address provided on the payment page. After payment, the next step is to initiate the Character & Fitness review by printing, completing and distributing the following forms as instructed. The final instructions and forms should be visible to you immediately after paying fees.

> *Waiver and Release F-11 (a & b) Law School Form Letters F-12 Personal Reference Form Letters MPRE Score Verification Form

*<u>Be advised</u> that the Character & Fitness investigation will not commence until your signed and notarized, Waiver and Release form has been received at the State Bar of Michigan. The signed and executed Waiver and Release must be received at the State Bar of Michigan within two weeks of electronic application submission and fee payment, in order for the Character & Fitness processing to begin.

After the Waiver and Release has been received by the Character & Fitness Department, forms and fingerprint cards will be mailed to you for criminal and driving history requests. Applicants are responsible for requesting required reports and documents from third-parties in a timely manner. The only component of obtaining third-party information that an applicant can control is the timeliness of the information request. It is strongly recommended that you request this information as soon as possible. Character & Fitness review cannot be completed prior to receiving all third-party information.

As the third-party information is received at the State Bar of Michigan, you will be preparing for the Bar Exam. The Board of Law Examiners will mail the exam admission packets, to your *permanent address*, during the first week of the exam month. Monitor the <u>BLE website</u> for exam information.

The majority of applicants will receive a letter via email notifying them of the status of their Character and Fitness recommendation after taking the bar exam. In order for the investigation process to be timely completed, it is crucial that your contact information remains current, with both the Board of Law Examiners, and the Character and Fitness Department, and that you promptly respond to all requests for additional information that you may receive.

The Application to Sit (F-1) form is submitted to the Board of Law Examiners electronically when the exam fee is paid. This will enroll you for the bar exam. Please contact the Board of Law Examiners if you have questions pertaining to the exam: venue; testing accommodations; exam results; transferring to another exam date; or withdrawing. <u>BLE-Info@courts.mi.gov</u>

FREQUENTLY ASKED QUESTIONS

Board of Law Examiners

https://www.courts.michigan.gov/administration/committeesboards/board-of-law-examiners/faqs/

Character & Fitness

http://www.michbar.org/professional/step2#faq

Under <u>Michigan Supreme Court Rules</u>, investigation of character and fitness is the initial responsibility of the State Bar Standing Committee on Character and Fitness, which after its investigation, forwards its recommendation to the State Board of Law Examiners. **The State Board of Law Examiners will make the final decision as to whether a particular applicant is qualified for admission to practice law in Michigan.**

CHARACTER & FITNESS CERTIFICATION

The completion of your character and fitness certification is directly affected by your cooperation in promptly providing requested information. A certification of the requisite character and fitness is valid for three years from the certification date. After the expiration of a character and fitness certification, applicants are required to initiate the recertification process (completing a new Affidavit of Personal History and paying all applicable fees), **prior** to repeating the bar examination.

Applying for the Michigan Bar Exam

The Application to Sit for the Michigan Bar Exam (F-1) and Affidavit of Personal History (F-3) will be generated by the responses typed into the electronic questionnaire on the Applicant Portal (<u>https://barapp.michbar.org/</u>). The Application to Sit for the bar exam, the finalized Affidavit of Personal History, and all required fees must be submitted electronically through the Applicant Portal.

APPLICATION PROCESS ASSISTANCE

<u>After reviewing these instructions</u>, please contact the Board of Law Examiners for questions related to: the bar examination; laptop testing; special accommodations requests; exam seating assignments; MPRE requirements; transferring to another exam date; duplicate re-exam forms; the release of bar exam results; and transferring MBE scores and transferring a Uniform Bar Exam score. Additional exam and admission information is on the <u>BLE website</u>.

State Board of Law Examiners P.O. Box 30052 Lansing, MI 48909 E-Mail: <u>BLE-Info@courts.mi.gov</u> Phone: (517) 373-4453

Questions about: the Affidavit of Personal History; investigations; references; criminal history reports; driving records; law school C&F certification; and <u>character and fitness hearings</u>. Should be directed to Character & Fitness Staff.

State Bar of Michigan Attention: Character & Fitness 306 Townsend Street Lansing, MI 48933-2012 E-Mail: <u>cfquestionsforms@michbar.org</u> Phone: (517) 367-6510 Fax: (517) 372-0403

Or, If Your Last Name Begins With:

- A-K Contact Ms. Peterson <u>TLPETERSON@MICHBAR.ORG</u> (517) 346-6349
- L-Z Contact Ms. Vargas VVARGAS@MICHBAR.ORG (517) 346-6382

APPLICATION DEADLINES

Filing deadlines are strictly enforced. The Board of Law Examiners will only accept an Application to Sit for the Michigan Bar Exam (F-1 form) that is complete in all respects, and electronically submitted by the late application deadline. This includes the submission of your Affidavit of Personal History. Applications not meeting this requirement will be rejected and additional time to correct the defect beyond the late application deadline will not be granted.

Upcoming February Exam	Timely Submission August 15th to Midnight, EST, November 1st	- Late Submission November 2nd to Midnight, EST, December 15 th
Upcoming July Exam	January 15th to Midnight, EST, March 1st	March 2nd to Midnight, EST, May 15th

Determining the Submission Time and Date

The date and time displayed on the "Payment" webpage during the electronic submission process determines whether late fees will be incurred and if the application is timely. Once the application acceptance time has passed, (i.e., 12:01 am, EST, December 16), applications and payments are no longer accepted for the current bar exam.

EXAM, UBE TRANSFER & INVESTIGATION FEES

Most fees must be paid electronically, VISA and MasterCard are accepted. Please see the Fee Schedule on Page 5 for a complete list of fees and acceptable forms of payment. **Personal and Business Checks are NOT accepted.**

EXAMINATION FEES:

APPLICATIONS OF FIRST TIME EXAMINEES

Electronically submitted only. The date and time of the electronic payment determines the fee amount due.

August 15 th through November 1 st (midnight, EST)	. \$40
November 2 nd (12:01 a.m., EST) through December 15 th (midnight, EST)	. \$50
JULY EXAM	
January 15 th through March 1 st (midnight, EST),	. \$40
March 2 nd (12:01 a.m., EST) through May 15 th (midnight, EST)	. \$5
APPLICATIONS FOR RE-EXAMINATION	. \$3
Submit the <u>re-exam form and payment</u> , by certified check or money order, payable to the State of Michigan, to the Board of Law Examiners, PO Box 30052, Lansing, MI 48909.	
IRANSFER FEE	\$1(
To <u>transfer from one exam date to another</u> (without sitting), Notify the Board of your wish to transfer to a future exam date by letter: Board of Law Examiners, PO Box 30052, Lansing, MI 48909. Fee payable to the State of Michigan by certified check or money order, due 60 days prior to the exam date . Untimely payments may prevent you from sitting for the exam.	
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JNIFORM BAR EXAM SCORE TRANSFER (To Michigan), Applications are only accepted August 15 – December 15 and January 15 – May 15	\$4
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APPLICANT PORTAL – Registration, Create an Applicant Account First Time Applicants for the Michigan Bar Exam

To complete the Application to Sit for the Michigan bar exam, including the Affidavit of Personal History for Character & Fitness certification, first register for an applicant account on the State Bar of Michigan website: <u>http://barapp.michbar.org/</u>. The following information is required to register for an account:

- Full Legal Name
- Date of Birth
- Valid E-Mail Address
- National Conference of Bar Examiners (NCBE) Identification Number

The e-mail address provided will become your "Login" and will be used for all communication from the Character & Fitness Department and the Board of Law Examiners. The account password is created by the Applicant.

NCBE identification numbers are used for this registration process and for enrollment to take the Multistate Professional Responsibility Exam, which is conducted by the National Conference of Bar Examiners. Michigan registrants without an NCBE Identification Number, will need create one at the <u>NCBE website</u>. (NOTE: Do *not* complete a Character & Fitness application on the NCBE website.) https://accounts.ncbex.org/php/ncbe_number/goCreateAccount.

Once the applicant account registration has been completed, a confirmation e-mail will be sent to your login e-mail address. Check your SPAM mailbox and add us to your contact list for future communications from the Board of Law Examiners and the Character & Fitness Department staff. With activity on the applicant account every 90 days, you will be able to return to the questionnaire as many times as necessary in order to complete the question-and-answer process.

APPLICANT PORTAL - Completing the Bar Application

First Time Applicants for the Michigan Bar Exam

- A blank application is available on the <u>State Bar website</u> to preview questions and prepare the detailed information needed to completely answer each question.
- To begin, login to the Applicant Portal and navigate to the menu (upper right corner three green bars), select *Bar Application Welcome*.
- Responses will complete the *Application to Sit for the Michigan Bar Exam*, as well as the *Affidavit of Personal History* for the character and fitness certification process.
- All applications must be typed and electronically submitted through the Applicant Portal. Please **use Sentence Case**, not ALL CAPS or lowercase.
- The name entered for APH Question 1 must be your complete **LEGAL name**.

APPLICANT PORTAL - Review

First Time Applicants for the Michigan Bar Exam

- Once the questionnaire has been completed, the error check will help to identify skipped fields and gaps in employment reporting. Previewing the application PDF prior to finalizing is your last opportunity to read your responses in context and make changes. Proofing the application will assist in identifying date and other entry errors.
- You will not be permitted to advance to "Finalize" until all errors are cleared.

APPLICANT PORTAL - Finalize

First Time Applicants for the Michigan Bar Exam

- When you are permitted to advance to "Finalize", Complete your Full Legal Name, Date of Birth and confirm the exam date for which you are applying.
- If you are attempting to submit your application outside of the acceptable submission dates for the designated exam, your application will not advance to the e-commerce/payment page.
- Finalizing creates the two required application documents: the Application to Sit (F-1); and the Affidavit of Personal History (F-3). You will have an opportunity to print/save these documents for your reference and records after electronically submitting the application and paying fees.

APPLICANT PORTAL – Fee Payment/Submission

First Time Applicants for the Michigan Bar Exam

- The next step is submitting payment for the exam and investigation fees. You will have the option of proceeding to the eCommerce module immediately after finalizing or returning to that step later (within the allowed submission window). NOTE: Fees must be timely paid for the application to be electronically submitted to the State Bar of Michigan.
- You will have future access to a PDF of your Michigan application at this website.
- The eCommerce module allows electronic payments to be remitted using a Visa, Mastercard or checking account information. Investigation and exam fees are collected simultaneously.
- Once you have submitted fee payment, a receipt will be emailed to the email address provided on the eCommerce module.

APPLICANT PORTAL – Initiating Character and Fitness

First Time Applicants for the Michigan Bar Exam

- After paying fees, you will see an Instructions document and several PDF forms: Waiver and Release; a checklist of third-party information required to supplement your application; law school certification form letters (F-11 a & b); reference letter forms (F-12) and an MPRE Score Verification form. Please print all documents. The instructions document will guide you through the steps necessary to initiate the Character & Fitness review process.
- The **Waiver and Release** must be received at the State Bar of Michigan within two weeks of fee payment for the Character & Fitness review to begin. Late submission of a completed Waiver and Release may result in the file being closed.

CHARACTER AND FITNESS – Process Overview

First Time Applicants for the Michigan Bar Exam

- Upon receipt of your signed and notarized Waiver and Release, your application will be reviewed for states from which you will be required to obtain driving and criminal history clearances. An initial report will be emailed to you. Applicants must review the report and communicate any discrepancies to the Character & Fitness staff.
- Forms needed for out of state clearances will then be mailed to you within about three weeks.
- In the meantime, requests for other third-party documents should be distributed as appropriate and the MPRE Score Verification form should be completed and submitted to the Board of Law Examiners.
- Character & Fitness processing will continue over the next several months and you will receive communication from our office via email in the form of "**Status Letters**". The purpose of "status letters" is to inform you of required documents that have not been received by Character & Fitness and/or notes of reported information that need clarification. Status letters include a "respond by" date. You are required to email your response, providing the status of outstanding items and/or the clarification statement, by the given date. See <u>Step 3 for Supplemental Answer forms</u>.
- When all third-party information has been received, applications are reviewed by an Investigator. You may receive an email inquiry for additional information or clarification. Your response may be submitted via email and must be received by the given due date.
- Applicants who do not respond timely to Character & Fitness staff inquiries, including status letters, risk having their files closed due to non-cooperation.

Supplemental information and updates may be e-mailed to <u>cfquestionsforms@michbar.org</u>. Documents submitted by mail can be double-sided pages, however, do not use staples or otherwise bind the pages. Please do not duplicate responses by submitting information via mail <u>and</u> e-mail.

The Michigan Board of Law Examiners allows applicants to sit for the bar exam prior to attaining Character & Fitness certification if there is adequate participation in the process.

After application fee payment, distribute requests for third-party documentation. We **recommend that third-party information is requested** no later than June 1 for July examinees; and January 1 for February examinees. The original response documents are to be submitted to the Character & Fitness Department for review.

The majority of applicants are notified of the C & F Department's certification recommendation after the bar exam and before the Boad of Law Examiners releases bar exam results.

SUBMIT SUPPLEMENTAL THIRD-PARTY DOCUMENTS AND UPDATES Via E-Mail: <u>cfquestionsforms@michbar.org</u>

Or By MAIL

State Bar of Michigan Attention: Character & Fitness 306 Townsend Street Lansing, MI 48933-2012

BOARD OF LAW EXAMINERS

Bar exams are held on the last Tuesday and Wednesday in the month of February and July. See the <u>Board</u> of Law Examiners website for locations and announcements.

See <u>Board of Law Examiners, Rule 3</u> for a list of subjects tested on the essay portion of the examination. <u>Information about the Multistate Bar Exam</u>: a description of the MBE; outline of the subject matter covered; and sample questions may be found on the <u>NCBE</u> website.

<u>REQUIRED</u> FOR APPLICATIONS TO BE ACCEPTED AS TIMELY

An application for the Michigan Bar Exam is deemed timely, if the application and fees are electronically submitted at the State Bar of Michigan eCommerce website by midnight (EST) on the due date. Additionally, the properly executed and notarized Waiver and Release must be received at the State Bar of Michigan within two weeks of application upload.

The form discussed in this section will be generated using the information entered into the electronic application. The form may be previewed as PDF documents prior to finalizing the application questionnaire.

APPLICATION TO SIT (F-1)

First Time Applicants for the Michigan Bar Exam

The Application to Sit for the Michigan Bar Examination (**F-1**) is used by the Board of Law Examiners (**BLE**) to enroll first-time applicants for the Michigan bar examination. This document is generated by your responses typed into the electronic questionnaire on the Applicant Portal and is uploaded through the State Bar of Michigan eCommerce system.

Filing deadlines are strictly enforced. The Board of Law Examiners will only accept an Application to Sit for the Michigan Bar Exam (F-1) that is complete in all respects and submitted by the late application deadline.

A fee is required for each examination you take; refer to the fee schedule on page 5. All fees are non-refundable.

LAW SCHOOL CERTIFICATION OF GRADUATION - F-11a

The Request for Law School Certification form letter, F-11a, is used to request that your law school certify your graduation. This form is generated from the information entered for **Question 19**, Part II Educational Background, and <u>included with the information provided after successful application submission through the eCommerce module</u>. Applicants are responsible for sending the F-11a request form to their law school. Law schools will send a letter certifying graduation to the Board of Law Examiners once you have completed graduation requirements. <u>The State Board of Law Examiners will not release bar exam results without this letter</u>.

LAPTOP TESTING

If you wish to take the bar exam using your <u>laptop</u>, you must select that option while completing the <u>application questionnaire</u>. Information regarding the laptop testing process <u>will be sent to the login e-</u> mail address. (Re-examinees will make this selection on the Re-Exam form provided by the Board of Law Examiners.)

SPECIAL ACCOMMODATIONS

Applicants with disabilities in need of special arrangements can access a <u>Special Accommodations</u> <u>Questionnaire and Affidavit</u> on the <u>Board of Law Examiners website</u>.

Completed *Special Accommodations Questionnaire and Affidavit* and required documentation must be returned to the Board of Law Examiners, <u>postmarked</u> no later than December 15th for the February examination and May 15th for the July examination.

TRANSFERRING MULTISTATE BAR EXAM - F-2

If you have not taken the MBE for a prior bar exam, you do not need to complete this form. You may transfer the scaled MBE score you achieved in another jurisdiction during the immediately preceding three years; however, the other jurisdiction must certify to the BLE:

- That the jurisdiction which administered that MBE affords a reciprocal transfer right to Michigan residents seeking admission to the bar of that jurisdiction.
- The date you took the MBE.
- That you passed the entire bar examination of which that MBE was a part.
- The MBE scaled score you achieved.

The applicant is responsible for having information from another jurisdiction certified to the Board of Law Examiners. Use Form F-2 for this purpose. See Step 3 for this form.

You must also notify the BLE by letter - - fax and email are not accepted - - to the Board, P.O. Box 30052, Lansing, MI 48909, of your intent to transfer your MBE score no later than May 15th for the July examination and December 15th for the February examination. This written notice of intent to transfer an MBE score is a necessary precondition to perfect your right to transfer your MBE score to Michigan.

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION (MPRE)

Prior to admission, an applicant must successfully pass the Multistate Professional Responsibility Examination with a scaled score of 85 or above as determined by the National Conference of Bar Examiners (NCBE). An applicant need not have graduated from law school to take the MPRE and the MPRE may be taken an unlimited number of times in order to achieve a passing score. An applicant need not have passed the MPRE prior to sitting for the Michigan bar exam the first time.

Arrangements to take the MPRE must be made directly with the National Conference of Bar Examiners. Contact the <u>NCBE-MPRE</u> (608) 280-8550.

It is the applicants' responsibility to ensure NCBE sends the passing MPRE score to Michigan. Once the Character & Fitness application is completed on the Applicant Portal, the **MPRE Score Verification** form will be generated to assist applicants with reporting requirements.

BLE ADDRESS OF RECORD

Exam information is mailed the first week of the month of the scheduled examination, by the Board of Law Examiners, to the *permanent* address you reported on the Application to Sit (F-1). Promptly notify the BLE of changes in your permanent address, telephone number or e-mail address in <u>writing</u> – by mail or email. <u>BLE Change of Permanent Address form</u>.

Board of Law Examiners PO Box 30052 Lansing, MI 48909 (517) 373-4453 BLE-Info@courts.mi.gov

RELEASE OF BAR EXAM RESULTS

The State Board of Law Examiners will <u>not</u> release *Certified Official Bar Examination Results* to an applicant until:

- (1) the applicant's law school has certified to the Board that the applicant has graduated,
- (2) the applicant has been approved as to character and fitness, and
- (3) the applicant has received a passing score on the Multistate Professional Responsibility Examination (MPRE).

Bar exam results, if successful, are valid for three years. Applicants receiving <u>Certified Official Results</u> are permitted to be sworn in as an attorney in the State of Michigan or re-take the bar exam, as determined by the exam score.

When bar exam results are released by the Board of Law Examiners, a list of "certified passers" (by exam seat number) will be posted on the Board of Law Examiners website. The State Bar of Michigan does not receive advanced notice of this posting. Certified bar exam results are mailed by the Board of Law Examiners to the applicant's permanent address via first class mail.

RE-EXAM AND TRANSFER

Applicants for re-examination, and those who wish to transfer their application to another examination date, must notify the State Board of Law Examiners **in writing**

At any time prior to the exam date, applicants may send written notification to the Board of Law Examiners that they wish to **transfer** to a future exam. Once certain of the exam date to which you would like to transfer, send a letter, <u>with the transfer fee</u>, directly to the Board of Law Examiners. Requests for transfer to a specific exam date, must be submitted at least **60 days prior** to that exam date. See the fee schedule on page 5.

With the exception of those applicants with an expired Character and Fitness certification, unsuccessful examinees who are eligible for Certified Official Results will also receive an **Application for Re-examination**. A duplicate Application for Re-examination form may be requested via email to the BLE. The completed Application for Re-examination form must be submitted with the proper fee to the Board of Law Examiners 60 days prior to the exam for which you wish to sit.

An applicant is <u>ineligible</u> to register to re-take the bar exam if he/she has not received *Certified Official Results* from the BLE.

Notifying the Board of Law Examiners of your wish to transfer to another exam, or to completely withdraw from the Michigan exam, will not stop the Character & Fitness process. It is not required that you withdraw from the Character & Fitness process if you wish to transfer to a future exam. To stop the investigation portion of the process, you must also notify the Character & Fitness Department, in writing. See the re-open fees on page 5.

CHARACTER AND FITNESS PROCESSING

The forms discussed in this section will be generated using the information entered into the electronic application. The forms may be previewed as PDF documents prior to finalizing the application questionnaire. Supplemental forms to be used for updating a submitted application, are available on <u>Step 3 of the State Bar of Michigan website</u>.

AFFIDAVIT OF PERSONAL HISTORY (APH) – F-3

The Affidavit of Personal History (APH) (**Form F-3**) is used by the State Bar Standing Committee on Character and Fitness in determining your fitness to be recommended for admission to the Bar pursuant to <u>Rule 15, Supreme Court Rules Concerning the State Bar of Michigan</u> and <u>Board of Law Examiners, Rule </u><u>2</u>. Additional information, a personal interview, or a formal hearing may also be required.

District Committee interviews, when required, are generally scheduled in March and April for February examinees, and in August and September for July examinees. Failure to appear for an interview may result in an adverse recommendation or your file being closed. Refer to <u>Rule 15</u>, <u>Supreme Court Rules</u> <u>Concerning the State Bar of Michigan</u> and <u>Standing Committee Rules of Procedure</u> for more information.

Answer each question carefully and with complete truthfulness and candor, disclosing all requested information. After answering all questions, and reviewing for accuracy, the application is ready to be "finalized". <u>Once the application has been "finalized", changes cannot be made to the electronic application</u>.

If, for any reason, you object to answering any question on the Affidavit of Personal History, you should <u>immediately</u> send a letter to the State Bar of Michigan, Attention: Chairperson, Standing Committee on Character and Fitness, citing the specific legal grounds for the objection and ask for a ruling. Your letter should reference the pertinent question number.

Until the date of your admission to the State Bar of Michigan, you have a continuing obligation to inform the Standing Committee on Character and Fitness if any of the answers on your Affidavit of Personal History change or cease to be true. If events occur after your application materials are submitted that would change an answer to <u>any</u> Affidavit question, you must promptly amend and supplement your Affidavit by submitting the new information on an <u>F-6 Supplemental Answer Sheet (Step 3)</u>.

Misrepresentations and nondisclosures on the Affidavit may be considered a more reliable indicator of present character and fitness than difficulties that occurred in the past.

SUPPLEMENTAL ANSWER SHEET **F-6**

If you feel that a response needs further explanation, a fillable F-6 is available at <u>Step 3</u>. This completed document should be mailed to the State Bar of Michigan with your Waiver and Release.

After your application has been electronically submitted, the F-6 form is used to provide updates to Affidavit of Personal History and may be used for responses to Character & Fitness staff inquiries. This form may be e-mailed to <u>cfquestionsforms@michbar.org</u>

LAW SCHOOL CERTIFICATION - F-11a and F-11b QUESTIONS 19/20

The Request for Law School Certification form letters (**Forms F-11a/b**) are used to request that your law school certify both your graduation and your character and fitness. These forms are generated from the information entered for **Question 19**, Part II Educational Background, and <u>included with the information</u> <u>provided after successful application submission through the eCommerce module.</u>

If you also entered a law school in response to **Question 20**, you must print an F-11 from the State Bar website (<u>Step 3</u>) and complete it manually. <u>Applicants are responsible for sending the F-11a and F-11b to their law school(s) as applicable</u>.

Law schools receiving an F-11a form will send a letter certifying graduation to the Board of Law Examiners once you have completed graduation requirements. <u>The State Board of Law Examiners will not release bar exam results without this letter</u>.

Additionally, <u>certification of character and fitness is required from **every** law school you have attended, including those at which you were a guest student or enrolled only for summer or foreign study. Michigan law schools are familiar with this letter and the State Bar requirement. After you submit the F-11(b) form to your law school(s), they will send a letter to the Character & Fitness Department, certifying your character and fitness during your enrollment.</u>

RESIDENCE HISTORY – QUESTION 22

The purpose of this question is to compile your *Residence* history – <u>which is not necessarily the same as a history of your mailing addresses</u>. Provide the address of each residence at which you lived, for a period of three months or more, since age 18. Include all addresses used for schooling, business, <u>or any other</u> <u>temporary purposes</u>, and the period of time each address was used, in month/year to month/year format (MM/YR to MM/YR).

- The **F-4u form** on <u>Step 3</u> is to be used for residence updates, omissions and corrections.
- The **Change of Address form**, also on <u>Step 3</u>, is used to change your current mailing address with the Character & Fitness Department.
- If your new residence address is also your new mailing address, please submit both forms.

What if you cannot remember the complete address for your residence history?

Please be as specific as possible by providing all available information to the best of your ability. For example, if you do not recall the apartment number, indicate the street address with the city and state. Provide addresses of where you physically resided, not mailing addresses.

EMPLOYMENT HISTORY - QUESTIONS 23/24

List all part-time and full-time employment and account for periods of unemployment. Additionally, list all internships, externships and volunteer work performed on at least a part-time basis for a period of two weeks or more, and designate same by checking the appropriate box on the application. All time since high school graduation, or age 17 if you earned a GED, must be accounted for in this section. All dates should be entered in month/year to month/year format (MM/YR to MM/YR).

- Provide the physical address of your employer, where it was located at the time you were employed; <u>do **not** use the address of corporate headquarters</u>.
- **Remote employment** should be designated as such in the *Employer Name* field. The employer address is where the work was <u>performed</u>.

EXAMPLE: Remote – Smith Legal Research

The F-5u form on <u>Step 3</u> is to be used for employment updates.

What if you cannot remember the complete address of a workplace? Please be as specific as possible by providing all available information to the best of your ability.

What if you cannot remember your entire employment history? The Social Security Administration, past resumes, and tax records are all good research resources.

PART VI – ATTORNEY LICENSURE - Questions 33, 34 and 35 Certified Copies and Certificates of Good Standing

If you have <u>ever applied</u> to practice law or to take a bar examination in any other jurisdiction, including the Federal courts or the US Patent and Trademark office, you must request a certified or authenticated copy of all such applications.

You must request that the <u>licensing agency forward</u> a certified or authenticated copy of your application directly to the State Bar of Michigan Character & Fitness Department. If the application is no longer on file with the licensing agency, the agency with record-keeping responsibility must provide a written statement to this effect.

The same procedure applies to Certificates of Good Standing. If you have <u>ever been licensed</u> to practice law in any other jurisdiction, including the Federal courts or the US Patent and Trademark office, you must request that each jurisdiction mail a Certificate of (Good) Standing, together with a statement either certifying that you have no discipline record or describing in detail any discipline record and pending charges, directly to the Character & Fitness Department.

CRIMINAL SUPPLEMENTAL ANSWER SHEET - <u>F-7</u> QUESTIONS 48-51

This form will be generated for each positive response to any question in Part XII - Criminal History. Detailed information required for each incident includes the following:

- Date of Arrest/Incident
- Underlying Factual Circumstances
- Issuing and/or Arresting Agency, including complete mailing address
- Nature of Charges
- Court, including complete mailing address

- Sentencing Information, including plea entered
- Terms of Probation, including probation officer's identity

The *F-7 form* on Step 3 is to be used for updates to Criminal History questions 48 – 51.

REFERENCE LETTERS - F-12 QUESTION 56

You are required to list the names of five individuals <u>who have known you continuously for the immediately</u> <u>preceding five years and can attest to your character and fitness</u>. Your relatives, through blood or marriage, may not serve as a reference; however, your references may be related to each other. You must supply a written explanation if a reference person has not known you for the required five-year time period, and ask for a waiver of that requirement (the <u>F-6</u> may be used for the waiver request). The request for a reference waiver must be submitted to the Character and Fitness Department with your Waiver and Release document.

Reference letters are third-party information to be completed using the form letters provided on the applicant portal after application fee payment. In the event of a lost form or a change in reference, we will accept an F-12 form printed from the State Bar of Michigan website (<u>Step 3</u>).

Completed reference letters may be submitted via mail or e-mail, by you or the writer. Reference letters must be signed with blue ink, whether scanned and e-mailed, or printed out and mailed in. Letters should be submitted to:

State Bar of Michigan Attn C&F 306 Townsend St, Lansing, MI 48933 or cfquestionsforms@michbar.org

WAIVER AND RELEASE PROPER EXECUTION REQUIRED

Show the notary picture identification proving your identity. Read the Waiver and Release, write out the acknowledgment statement (Question 57) and then sign the Waiver and Release in front of the notary. The notary must sign, date and include his or her commission expiration date on the document. It is not required that you use a Michigan notary. The Waiver and Release with your original signature, must be mailed to the State Bar of Michigan, within two weeks of electronically submitting fee payment and your application. ****** Note: The Character & Fitness process will not begin until the Waiver and Release has been received at the State Bar of Michigan. ******

After the application has been completed, finalized and electronically submitted, to initiate the Character & Fitness review process, see the checklist, instructions and PDF documents provided on the application portal.

CERTIFICATION PROCESS THIRD-PARTY INFORMATION CHECKLIST

This form is included with the documents generated after application completion and successful fee payment. It is provided as a checklist for the third-party and supplemental information which you are required to request and submit to the Character & Fitness Department to complete your Affidavit of Personal History. Additional information about third-party reports and requests is included in these instructions and on the SBM website, <u>Step 3</u>.

Forward the <u>original</u> third-party correspondence and reports, such as reference letters, criminal history and driving records, to the Character & Fitness Department as soon as you receive them. Documents not written in English must be transcribed and notarized.

You are responsible to follow-up with third parties. Retain copies of your correspondence to ensure that all materials are received timely. Keep our office informed <u>in writing</u> of problems and explanations for delay.

APPLICATION UPDATES AND SUPPLEMENTS

Your answers on the Affidavit of Personal History are considered as continuing to be true <u>until the date of</u> <u>your admission to the State Bar of Michigan</u>. If any answer or portion of an answer ceases to be true, you have a continuing obligation to <u>immediately</u> inform the Standing Committee on Character and Fitness. All updates must be submitted in writing using the <u>F-4u</u>, <u>F-5u</u>, <u>F-6</u>, <u>F-7</u> and <u>Change of Address</u> forms, as appropriate.

To confirm receipt of supplemental application materials and updates, submit them by certified mail, return receipt requested, and/or include an SASE (self-addressed stamped envelope/postcard) which we will date-stamp and return to you.

ADDRESS OF RECORD – C&F Inquiries

Character & Fitness correspondence will be mailed to the applicant's *current* mailing address, (APH, Question 2), or sent to the e-mail address provided on the APH, (Question 3). Use the <u>Change of Address</u> form to report updates to your *current* mailing address, telephone number and e-mail address.

After reviewing these instructions, please click here to begin the electronic application.

At this point, the following items should have been addressed.

- 1. Completed the Michigan Bar Application questionnaire on the Applicant Portal
- 2. Electronically submitted your finalized bar application, bar exam fee and investigation fee
- 3. Mailed your executed Waiver and Release form to the Character & Fitness Department/State Bar of Michigan
- 4. Mailed/delivered your Law School Certification letters (F-11 a/b) to applicable law schools
- 5. Distributed your reference form letters (F-12) to your references
- 6. Reviewed the Third-Party Information Checklist

Supplemental
Documents

Additional Information Required for Specific APH Responses

Depending on your responses to the following questions, you are required to submit supplemental documentation. Documents should be requested from third-parties and submitted to the Character & Fitness Department as soon as possible after submitting your bar exam application.

Additional documents may be requested by Character & Fitness staff.

Question Number	Required Supplemental Documents
4	
	Certification of Law School Graduation (Form F-11a)
19	Certification of Character & Fitness from Law School(s) (Form F-11b)
	Certification of Character & Fitness from Law School(s)(Form F-11b)
29	DD214 or NGB-22
	Certified Copy of the Application
	Certificate of Good Standing or Disciplinary Record
	Complaint, Answer, Docket Sheet and Court Order/Settlement
	Complaint, Answer, Docket Sheet and Court Order/Settlement
	Complaint, Answer, Docket Sheet and Court Order/Settlement
	Order Nullifying Conviction/Expungement Order or Order to Set Aside
	Order Nullifying Conviction/Expungement Order or Order to Set Aside

Third-party information is <u>NOT</u> due to be received with the electronic upload of your bar application. However, your Character & Fitness cannot be completed until we receive all required information. It is recommended that information from third parties be requested *no later than* June 1st for July examinees and January 1st for February examinees.

Within a few days of our receipt and processing of your Waiver & Release, you will receive an email from <u>cfquestionsforms@michbar.org</u>, asking you to review the list of states/countries from which you are required to submit documentation. Please respond to this e-mail message timely.

If you believe that a state/country is listed in error, 1) review the instructions on the following pages, 2) review your Affidavit of Personal History (available on the Applicant Portal) and 3) send an e-mail to the staff person assigned to your file to explain the discrepancy.



"Status letters" are sent via e-mail by the Character & Fitness Department to alert you to third-party documents which have not been received for your application, such as, reference letters, criminal and driving reports. As needed, the status letter is also used to request further explanation of information provided on your Affidavit of Personal History.

Missing documents should be followed up on as appropriate. Use the F-6 Supplemental Answer Sheet to provide written responds to information requests. The F-6 form may be mailed to the Character & Fitness Department or sent by e-mail attachment to the writer of the status letter.

Your cooperation with providing necessary documentation is essential for the Character & Fitness process to be completed. Neglecting to respond to correspondence from the Character and Fitness Department by the given due date, may result in <u>your file being closed</u>.



<u>All</u> applicants are <u>required</u> to provide <u>criminal history reports and driving records</u> from every state, including District of Columbia and other U.S. possessions, in which you have lived, worked, attended school or visited/vacationed, for more than two consecutive weeks, including those states that you regularly traveled* between (minimum of 14 days out of 30 consecutive days), during the *ten years preceding* the date of your Affidavit of Personal History. ***Note:** An explanation of the circumstances causing frequent travel between states/countries must be provided on a separate Form F-6.

Additionally, you are responsible for providing an <u>Affidavit of Criminal History (F-9) for each foreign country</u> in which you have lived, worked, attended school or visited/ vacationed for more than two consecutive weeks, including those countries that you regularly traveled* between (minimum of 14 days out of 30 consecutive days), during the *ten years preceding* the date of your Affidavit of Personal History.

Most states have a specific form that must be used to request records. <u>We will mail state-specific forms to you a few</u> weeks after your Waiver and Release has been accepted by the Character & Fitness Department. Applicant's only needing Michigan reports will receive request links/information via e-mail

NOTE: Criminal and driving reports will be <u>rejected</u> if issued more than <u>6 months prior</u> to the submission date of the Affidavit of Personal History (F-3).

Official Notice

Applicant Notification and Record Challenge

Officials at the governmental institutions and other entities authorized to submit fingerprints and receive FBI identification records under this authority must notify the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. The officials making the determination of suitability for licensing or employment shall provide the applicants the opportunity to complete, or challenge the accuracy of, the information contained in the FBI identification record. These officials also must advise the applicants that procedures for obtaining a change, correction, or updating of an FBI identification record are set forth in Title 28, C.F.R.,§ 16.34. Official making such determinations should not deny the license or employment based on information in the record until the applicant has been afforded a reasonable time to correct or complete the record, or has declined to do so. (Title 42, U.S.C., § 14616, Article IV (c); Title 28, C.F.R., § 50.12 (b))

28 CFR §16.34 Procedure to obtain change, correction or updating of identification records.

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.



All applicants are <u>required</u> to provide fingerprint based criminal history reports from the Michigan State Police and the FBI. The process for obtaining criminal history reports from Michigan and the FBI is as follows. **Please note that there are separate procedures for applicants in Michigan and for out-of-state applicants.**

A completed F-14 form and Livescan fingerprints are required for applicants who are physically in Michigan, to obtain Michigan State Police and FBI criminal history clearances.

- Use the information on Form F-14/MSP RI-030 to schedule a fingerprint scanning appointment with a Live Scan vendor approved by the Michigan State Police (<u>http://michigan.gov/msp/0,1607,7-123-1589_1878_8311-237662--,00.html</u>). Other Live Scan sites may be available through the sheriff or local police departments.
- 2. Take the <u>F-14/MSP RI-030 form</u> with you to your scanning appointment. A <u>tracking number</u> (TCN) will be issued to locate a fingerprint report in the rare circumstance that it does not get routed to our office properly.
- The completed F-14/MSP RI-030 form, with your <u>original signature</u>, must be submitted to the Character & Fitness Department. This form satisfies the *Criminal Clearance Right to Review (CCRTR)* application processing requirement.
- 4. MSP/FBI criminal history reports are sent directly to the State Bar of Michigan by the Michigan State Police.

Your character and fitness cannot be completed until all records are received; therefore, record requests should be made as soon as possible; agency processing may take several weeks. We recommend that information from third parties be requested **no later than** June 1 for July examinees and January 1 for February examinees.

MI and FBI Criminal History Reports

All applicants are <u>required</u> to provide fingerprint based criminal history reports from the Michigan State Police and the FBI. The process for obtaining criminal history reports from Michigan and the FBI is as follows. **Please note that there are separate procedures for applicants in Michigan and for out-of-state applicants**

If you are living outside of Michigan **at the time of filing the Affidavit of Personal History**, you may submit a completed fingerprint card and fee to a <u>vendor approved by the Michigan State Police</u>. The vendor will scan the provided fingerprint card and transmit your information to the Michigan State Police (MSP) for processing. An FBI fingerprint card (FD-258) and an <u>F-14NR/MSP RI-030</u> form are required to obtain your Michigan and FBI criminal clearances. **Both will be mailed to you by the C&F Department** few weeks after your Waiver and Release has been accepted by the Character & Fitness Department.

- **1.** The same fingerprint card will be used to obtain criminal history records from both the MSP and the Federal Bureau of Investigation.
- Follow all completion instructions provided with the F-14NR/MSP RI-030 form. This form is available on <u>Step 3</u> of the State Bar website (an FD-258 fingerprint card will be provided by Character & Fitness). You will need 2 copies of the completed F-14NR/MSP RI-030.
- **3.** After completing the F-14NR/MSP RI-030 and fingerprint card, go to a local law enforcement agency in your jurisdiction, to have your fingerprints added to the card. There may be a service fee for fingerprinting. **Do not** leave the card with the law enforcement agency.
- 4. <u>Mail the fingerprint card, processing fee and one copy of the F-14NR/MSP RI-030 form</u> the <u>MSP approved vendor</u> (See the F-14NR/MSP RI-030 form for instructions.)
- Sign the duplicate copy of the F-14NR/MSP RI-030 form and submit it to the State Bar of Michigan, Attn: Character & Fitness Department. <u>Do not include a fingerprint card</u>. This form will satisfy the Criminal Clearance Right to Review (CCRTR) application processing requirement.
- 6. If needed, FD-258 cards are available at most police stations/posts and on the FBI website.

Your character and fitness cannot be completed until all records are received; therefore, record requests should be made as soon as possible; agency processing may take several weeks. We recommend that information from third parties be requested **no later than** June 1 for July examinees and January 1 for February examinees.



All applicants are required to provide criminal history reports from every state, including District of Columbia and other U.S. possessions, in which they have lived, worked, attended school or visited/vacationed for more than two consecutive weeks, including those states that you regularly traveled between (minimum of 14 days out of 30 consecutive days), during the ten years preceding the date of your Affidavit of Personal History.

Most states have a specific form that must be used to request records. <u>We will mail state-specific forms to you a few</u> weeks after your Waiver and Release has been accepted by the Character & Fitness Department.

Consult the State Record Repository chart, at the end of this document, to determine:

- (1) if records are provided;
- (2) the fees, if any;
- (3) the repository address; and,
- (4) if additional forms/fingerprint cards are required.

If the repository listing states, "Fingerprints Required", you <u>must</u> submit fingerprints with your request—a name search is <u>not</u> acceptable.

Some states will send reports to the Applicant. You may keep a copy for your records, however, please forward *original* third-party reports to the State Bar as you receive them.

Your character and fitness cannot be completed until all records are received; therefore, record requests should be made as soon as possible; agency processing may take several weeks. We recommend that information from third parties be requested *no later than* June 1 for July examinees and January 1 for February examinees.



There are a few states that will not release criminal history reports for bar application purposes. This information is noted on the State Records Repository chart. If you need to submit a criminal history report from a nonparticipating state, you must satisfy this requirement by completing an Affidavit of Criminal History, <u>Form F-9</u>.

In each Affidavit (F-9) you will attest to the status of your criminal history (as defined in Questions 48 through 51 on the Affidavit of Personal History) in that state. **Each Affidavit (F-9) must be signed and notarized.**



You are not required to request a criminal history report from foreign countries. <u>However</u>, you are **required** to complete Form F-9, Affidavit of Criminal History, for each foreign country in which you have lived, worked, attended school or visited/vacationed for two consecutive weeks, including those countries that you regularly traveled between (minimum of 14 days out of 30 consecutive days), during the ten years preceding the date of your Affidavit of Personal History.

In each Affidavit (F-9), you will attest to the status of your criminal history (as defined in Questions 48 through 51 on the Affidavit of Personal History) in that country. **Each Affidavit (F-9) must be signed and notarized.**

F-9 forms are available on <u>Step 3</u>, and may be submitted with your Waiver & Release.

You are responsible for obtaining a **certified** copy of your driving record for each state (including District of Columbia, other U.S. possessions and Ontario, Canada) in which you have lived, worked, attended school or visited/vacationed for more than two consecutive weeks, including those states that you regularly traveled between (minimum of 14 days out of 30 consecutive days), during the ten years preceding the date of your Affidavit of Personal History.

Most states have a specific form that must be used to request records. <u>We will mail state-specific forms to you a few</u> weeks after your Waiver and Release has been accepted by the Character & Fitness Department. Applicant's only needing Michigan reports will receive request links/information via e-mail.

> You must obtain a certified driving record even if you <u>did not possess a driver's license</u> or drive while in that jurisdiction.

> Uncertified driving records and records that are more than six months old will be rejected.

> Many states allow requests for driving records to be made through their websites, please note, that records printed from websites will only be accepted if they are <u>certified</u>.

> Ontario, Canada is the <u>only</u> foreign country from which you <u>must submit</u> driving records.

Consult the State Record Repository chart, at the end of this document, to determine:

- (1) applicable fees;
- (2) which state-specific form should be used; and,
- (3) repository contact information (weblinks are provided for most states).

Some states will send reports to the Applicant. You may keep a copy for your records, however, please **forward** *original* third-party reports to the State Bar as you receive them.

Your character and fitness cannot be completed until all records are received; therefore, record requests should be made as soon as possible; agency processing may take several weeks. We recommend that information from third parties be requested *no later than* June 1 for July examinees and January 1 for February examinees.

Correspondence

The Character and Fitness investigation, including your responsibility to respond to correspondence from our office and timely provide information updates, will continue until your date of admission to the State Bar of Michigan. Failure to respond to the Character & Fitness Department may result in your file being <u>CLOSED due to non-cooperation</u>.

Petition to re-open a closed file. Applicants must petition the Standing Committee on Character and Fitness for approval. Petitions must be notarized and include **all** outstanding documents and responses. If the Committee approves the Petition to Re-Open, the Applicant must pay a \$200 re-open fee.

<u>Voluntary withdrawal of bar application</u>. As circumstances warrant, an applicant may choose to "WITHDRAW" his or her Character and Fitness application (Affidavit of Personal History). A file may be withdrawn by submitting written notice to the Character and Fitness Department, via email or letter. Once written notice is received, all investigative work ceases.

<u>Withdrawal/Transfer from Exam Date</u>. Withdrawing your Affidavit of Personal History from the Character and Fitness process will NOT automatically cancel your seat for the Michigan bar exam. Per the Board of Law Examiners, applicants are allowed to sit one time prior to receiving Character and Fitness certification. However, applicants passing the bar exam will not be eligible to receive *Certified Official Results* until their Character & Fitness has been certified. To withdraw from the exam and/or formally "transfer" your Application to Sit from the current exam to a future exam, *you must notify the Board of Law Examiners in writing* (see Re-Exam and Transfer instructions). This notification will allow your reserved seat for the bar exam to be opened for another examinee.

Re-activate a withdrawn bar application. A file may be reactivated by submitting a written request to the Character and Fitness Department and paying the re-open fee, unless more than three years have passed since the date the Affidavit of Personal History was executed. In that instance, a new Affidavit of Personal History, including all fees and third-party information, will be required. **PLEASE NOTE**: Reactivated files (Affidavit of Personal History) are investigated on the same timetable as the incoming applications for the current exam, they are not expedited to the front of the line.