

**State Bar of Michigan**



**Character and Fitness Department**

---

**Bar Application Information**

**July Bar Exam**



# State Bar of Michigan Character and Fitness Department

---

Representatives:

Keith Wilkinson, Investigator

Mary Sue Lester, Investigator



# State Bar of Michigan Character and Fitness Department

---

Representatives:

Toni Peterson, File Analyst

Chere' Becker, File Analyst



# Applicant's Burden

---

All applicants for admission to the Michigan Bar, must prove by *clear and convincing evidence*, that they possess the current good moral character and fitness to practice law.



# **Roles: Board of Law Examiners**

---

**Determines Eligibility to Sit**

**Administers Bar Exam**

**Grades the Exam**

**Issues Certified Bar Exam Results**

**Retains Record of Exam Results**

**Ultimate Determination of Character & Fitness**



# Roles: State Bar of Michigan

---

## Standing Committee on Character & Fitness

**“...shall investigate and make recommendations with respect to the character and fitness of every applicant for admission to the bar by bar examination ...”**



# Character and Fitness

---

- The Character and Fitness Department consists of 2 File Analysts, 2 Investigators, 1 Manager and 1 Administrative Assistant.
- On average the Character and Fitness staff will process over 1200 applications for admission every year.

# Staff Duties

## Character & Fitness Department

---

Collection, analysis and verification of information from Bar Applicants and third parties, including, but not limited to:

- Driving Records
  - Criminal Clearances
  - Law School Records
  - Employment Records
  - Court Records
  - Credit Reports
- Please know that we are **NOT** out to get you



# July 2012 Exam

---

- Tuesday, July 24 &  
Wednesday, July 25
- Jack Breslin Student Events Center,  
MSU campus, East Lansing, MI
- The Board of Law Examiners will mail  
important information about the exam  
to you after July 1.



# Application Process

---

- <http://www.michbar.org/professional/byexam.cfm>
- STEP 1 – Eligibility Information
- STEP 2 – Application
- STEP 3 – Record Requests
- STEP 4 – Mailing
- STEP 5 – Bar Exam & Beyond



# STEP 1 – Eligibility Information

---

- Authority
- Requirements for Admission
- Rules and Reference
- Character & Fitness Certification
- Note: Applicants must have graduated from an ABA approved law school in order to sit for the Michigan Bar Exam - See BLE Rule (2)



# Authority

---

In Michigan, the Michigan Supreme Court has exclusive authority over the regulation of lawyers and the practice of law.

This authority includes adopting rules for admission to the State Bar of Michigan.



# Authority

---

Two entities have been designated to assist the Supreme Court by processing the bar exam applications: **The State Bar of Michigan's Standing Committee on Character and Fitness**; and, the State Board of Law Examiners (BLE).



# Application Tips

---

- **File as early as possible.**
- **Respond to requests for information in a timely manner.**
- **Do not rush when completing the application.**
- **Review the instructions on Step 2 & 3.**
- **Call with questions, 517-367-6510.**



## STEP 2 - Application

---

- The link found at Step 2, “[Begin the Michigan Bar exam application](#),” will take you to the National Conference of Bar Examiners website.
- Create a login/password to begin the application.
- You can return and make changes to this application as needed. However changes can not be made once you “Finalize” your application.



# Application Deadlines

---

- Applications for the upcoming July exam will not be accepted if postmarked before January 15<sup>th</sup>.



# Application Deadlines

---

## TO AVOID LATE FEES

- Completed application  
must be postmarked  
no later than *March 1<sup>st</sup>* \*

*\* When March 1<sup>st</sup> is on a Sunday – the deadline is moved to March 2<sup>nd</sup>.*



# Application Deadlines

---

**\*FINAL DEADLINE!\***

- Completed application  
must be postmarked  
no later than *May15<sup>th</sup>*

*\* When May 15th is on a Sunday – the deadline is moved to May 16th.*



# BLE Late Application Policy

---

- Filing deadlines are strictly enforced.
- The Board of Law Examiners will only accept applications for examination (F-1) that are complete in all respects by the late application deadline (December 15 for the February exam and May 15 for the July exam). This includes having the correct form of payment.
- The Board of Law Examiners will accept only money orders, cashier's checks, or certified checks.

Continued to next slide



# BLE Late Application Policy

---

- Applications not meeting this requirement will be rejected and additional time to correct the defect beyond the late application deadline will not be granted.
- If the correct form of payment is not postmarked by the late application deadline, ***YOU WILL NOT BE ALLOWED TO TAKE THE BAR EXAMINATION.***



# What You Need by Deadline

---

1. **Application to Sit (F-1)**  
*First time exam takers only*
2. **Affidavit of Personal History (F-3)**  
*All questions must be answered*
3. **Fees - Exam and Investigation**  
*Separate money orders - No personal checks/cash*



# Application Fees

---

For the July exam, the fees to be included with your application are as follows:

**Examination Fee** *Payable to State of Michigan*

**\$340.00** (postmarked after March 1, \$440.00)

**Investigation Fee** *Payable to State Bar of Michigan*

**\$225.00** (postmarked after March 1, \$325.00)

*Fees must be paid with separate money orders or certified checks.*



# Late Fees

---

- For the July exam –  
All applications postmarked from  
March 2 to May 15 must include an  
additional \$200 in fees!



# Completing the Application

---

**Application instructions are found on Step 2. Reviewing this document prior to beginning your application will make the completion process much easier.**



# Finalizing the Application

---

All questions must be answered in order to “Finalize” your application.

“Finalizing” the application creates a footer on each page that states “Completed”. An Affidavit of Personal History without this designation will be rejected.



# Educational History

---

- For your law school, indicate the degree earned (JD, LLM, LLB, etc.), or the expected degree and the date you received/expect to receive the degree.
- Provide all dates of attendance in month/year format



## Residence History (F-4)

---

- You must provide, to the best of your ability, complete physical addresses (no P.O. Box numbers) for your residences from the age of 16.
- **Research Resource:** You may want to use old resumes, tax records, address books to help track down addresses.
- When the application is printed, the program will sort the entries into date order and generate a form F-4 for your residence history.



## Employment History (F-5)

---

- You must provide, to the best of your ability, your employment history since high school graduation.
- Please provide the local address where you worked, **do not provide headquarter addresses.**
- **Research Resource:** Reports from the Social Security Administration can take several months to be received.
- When the application is printed, the program will sort the entries into date order and generate a form F-5 for your employment history.

## STEP 3

# Third Party Information

---

- The following information is requested, by the Applicant, from third parties
- The information is forwarded to the Character & Fitness Department directly by the third party, or in some instances, by the Applicant.



# Fingerprint Scanning

---

- IBT is authorized by the Michigan State Police to scan fingerprints **IBT = Integrated Biometric Technology also known as L-1 Identity Solutions ([www.ibtfingerprint.com](http://www.ibtfingerprint.com))**
- It is your responsibility to make an appointment to be scanned.
- Fingerprint scan covers your criminal clearance for the State of Michigan and the FBI only.



# Driving Records and Criminal History Requests

---

- Request a driving record and criminal history from each state in which you lived, worked, attended school or vacationed, for a period of two consecutive weeks or longer, including those states that you regularly traveled between (minimum of 14 days out of 30 consecutive days), within the ten years preceding the filing date of this application.



# Driving and Criminal Clearance Records

---

- Application Forms: [F-8](#), [F-9](#) and [F-10](#).
- Not all Applicants will need to use these forms. They are provided for your convenience.
- Criminal clearances must be processed with fingerprints when the jurisdiction allows.
- See Step 3, **Driving Records and Criminal History Reports**, for instructions and a list of record repositories. Please follow the instructions for the individual agency.

**Submit Certified Information – No photocopies**



# Foreign Country Criminal History and Driving Records

Provide information for all foreign countries in which you lived, worked, attended school or vacationed, for a period of two consecutive weeks or longer, including those states that you regularly traveled between (minimum of 14 days out of 30 consecutive days), within the ten years preceding the filing date of this application.

- Affidavits of Criminal History (F-9) are accepted for all foreign countries except Canada. Criminal history reports must be requested from Canada, when applicable.
- Driving records from foreign countries, other than the province of Ontario, Canada, are not required.



## Law School Certifications (F-11)

After completing your application on line, this form will print with your application. You will send this form to your law school(s) to request that they send two letters:

1. To the BLE - Certifying your graduation
2. To Character & Fitness – certifying your Character & Fitness during enrollment



## Reference Letters (F-12)

---

After completing your application on line, reference letter forms will print with your application.

Distribute these forms to your five references. Upon completion, the original letters are to be returned to the Character & Fitness Department by the reference, or the Applicant.



## **STEP 4 - Mailing**

---

**MAKE COPY OF YOUR  
APPLICATION...**

**...before mailing it to the Character and  
Fitness Department**

**PLEASE – do not use staples or  
bind your application materials.**



## Submission Hint

---

**Because you may not hear from us for several weeks, for your peace of mind...**

...send your application via certified mail or include a stamped self-addressed envelope or postcard. We will date stamp the postcard or envelope and return it to you.



# Status Letters

---

- A “snapshot” report of which processing items are still outstanding.
- **Your first status letter may not be received for 8-12 weeks after submitting the APH.**
- Applicant’s should follow up with third parties on missing items and communicate, to the Character & Fitness Department, the result of their inquiry.
- **No response from the Applicant may result in the closing of the file.**



# During the Application Process

- Provide all information requested by State Bar staff.
- Give complete answers and explanations:
  - Residence History;
  - Employment History;
  - Criminal incidents.
- Take requests for information seriously, call our office for clarification if needed.



# Affidavit of Personal History Updates / Changes

---

- Applicants have a continuing obligation update their Affidavit of Personal History, until the date of admission to the State Bar of Michigan.
- Immediately notify Character & Fitness, should any of the information provided on the Affidavit of Personal History cease to be true, including your address of record.
- **Submit all changes in writing.**

# Change of Address

- Please inform C&F in writing by mail or e-mail.
- All official communication will be sent to your **current** address.
- Do not rely on a post office change of address card.





# Notification of Character & Fitness Recommendation

---

- After all information/facts are collected, a determination of current Character & Fitness is made.
- Issued by the C&F Department Manager.
- C&F approval is **NOT required** to take the Michigan bar exam for the first time.
- C&F approval **IS required** to get certified bar exam results.



# Re-Exams

---

Generally, an Affidavit of Personal History, is good for 3 years from the exam date for which you originally applied.

A new APH is required if the application is over 3 years old (fees apply).



## STEP 5 – Bar Exam & Beyond

---

This step provides information such as:

- A link to MPRE registration
- BLE policies on exam security and conduct
- Bar exam venue information
- Bar exam scoring method



# **BLE Information**

---

## **Board of Law Examiners**

**517-373-4453**

**P.O. Box 30052**

**Lansing, MI 48909**



# BLE Information

---

## Exam Information, Admissions Ticket

Mailed, by the Board of Law Examiners, the first week of the **exam month**, to your **permanent** address.



# BLE Information

---

## Special Accommodations Request

Call the [Board of Law Examiners](#).

Deadlines apply.

**517-373-4453**



# BLE Information

---

## MPRE

### Multistate Professional Responsibility Exam

Applicants are **NOT** required to take the MPRE prior to taking the Bar exam for the first time. A **certified**, passing score is, however, required to receive certified bar exam results. (The current passing score is 85.)



# BLE Information

---

## MBE

### Multistate Bar Exam

- BLE determines whether to accept the transfer of Multistate Bar Exam scores from other jurisdictions.
- After the bar exam, the BLE, not the National Conference of Bar Examiners (NCBE), transfers of MBE scores to other jurisdictions.



# BLE Information

---

## Transferring Application to a Subsequent Exam

Send a written request to transfer to the Board of Law Examiners.

**Note:** Unless you withdraw your application, or your file is closed, Character & Fitness will continue to process your Affidavit of Personal History.



# Character and Fitness Investigation Process

---

- The Michigan Board of Law Examiners administers the Bar Exam and makes the ultimate decision in Character and Fitness matters.
- The majority of bar applications received are administratively approved.



# Investigation Process

---

FOR ADDITIONAL INFORMATION

Please see the State Bar of Michigan Standing Committee Rules of Procedure, and Rule 15, Section 1, Supreme Court Rules Concerning the State Bar of Michigan.



# Type of conduct examined

include, but not limited to:

- Making of false statements, including omissions
- Neglect of financial responsibilities
- Academic misconduct
- Unlawful conduct
- Evidence of a drug or alcohol dependency



# Conduct Examination Factors

---

include, but not limited to:

- The age of the applicant at the time of the conduct or incident;
- Whether there is a pattern of behavior;
- The seriousness of the conduct;
- The applicant's candor during the Bar admission process.



# Candor

---

- Due to the ethical standards to which lawyers are held, the failure to fully disclose all required information reflects negatively on an applicant's current character and fitness and will compound the consequences of undisclosed incidents.



# Credit Reports

---

- A credit report is run on every applicant.
- You can obtain a free copy of your own credit report from each of the three credit bureaus, annually, by visiting:

[www.annualcreditreport.com](http://www.annualcreditreport.com)



# District Committee Proceedings

---

- A small percentage [around 5%] of all applications received are referred to a District Character and Fitness Committee for an interview.
- A majority of those referred to an interview ultimately receive Character and Fitness approval.



# District Committee Proceedings

---

- The applicant receives notice of the interview and the issues to be discussed.
  - Panel of 3 to 5 attorneys.
  - An informal proceeding.
  - At the conclusion of the interview a report is issued for consideration by the Standing Committee on Character and Fitness.
  - The recommendation of the District Committee is not binding upon the Standing Committee.



# Standing Committee Proceedings

---

- Applicants who receive an unfavorable recommendation at the District Committee level may request a Standing Committee hearing.
- The Standing Committee may also request a hearing regarding an applicant.



# Standing Committee Proceedings

---

- On average the Standing Committee will have 30 hearings every year regarding applications for admission to the Bar.
  - It is a formal hearing process:
    - Sworn testimony;
    - State Bar Counsel.
  - Panel of three to five attorneys.



# Standing Committee Proceedings

---

- A recommendation is presented to the Board of Law Examiners at the conclusion of the Standing Committee hearing.
- If the outcome is unfavorable to the applicant they may request a hearing before the Board of Law Examiners.
- The Board may also request a formal hearing.
- A small percentage of applicants are denied on Character and Fitness grounds.



# Contact Information

[www.michbar.org](http://www.michbar.org)

Click on admissions, ethics and regulation

## Investigator

- **Keith Wilkinson** (Last Names A-K)
  - (517) 346-6360
  - [kwilkinson@mail.michbar.org](mailto:kwilkinson@mail.michbar.org)
  
- **Mary Sue Lester** (Last Names L-Z)
  - (517) 346-6361
  - [mlester@mail.michbar.org](mailto:mlester@mail.michbar.org)



# Contact Information

[www.michbar.org](http://www.michbar.org)

Click on admissions, ethics and regulation

## File Analysts

- **Toni Peterson** (Last Names A-K)
  - (517) 346-6349
  - [tpeterson@mail.michbar.org](mailto:tpeterson@mail.michbar.org)
  
- **Chere' Becker** (Last Names L-Z)
  - (517) 346-6382
  - [cbecker@mail.michbar.org](mailto:cbecker@mail.michbar.org)



# Contact Information

[www.michbar.org](http://www.michbar.org)

Click on admissions, ethics and regulation

- General questions and clearance forms requests, email:  
[cfquestionsforms@mail.michbar.org](mailto:cfquestionsforms@mail.michbar.org)