

District of Columbia Court of Appeals

No. M-227-06

NOTICE

The District of Columbia Court of Appeals is considering the adoption of amendments to D.C. App. R. 46 (b)(2)(ii) which would require applicants by examination to undergo the same rigorous character and fitness investigation by the National Conference of Bar Examiners (NCBE) as current waiver applicants, and D.C. App. R. 46 (b)(8)(i)(B), which would clarify that only a prior essay examination administered in the District of Columbia, and not in another jurisdiction, is an acceptable substitute for a current essay examination administration. The proposed amendments were recommended to the Court in correspondence dated September 8, 2006, and October 5, 2006, respectively, from the Chairman of the Committee on Admissions. Under the proposed amendments, D.C. App. R. 46 (b)(2)(ii) and D.C. App. R. 46 (b)(8)(i)(B) would be amended as follows. The proposed new language is underlined; the provisions to be deleted are struck through.

D.C. App. R. 46 (b)(2)(ii)

The application shall be accompanied by (1) a certified check, cashier's check, or money order in the amount of \$100, which shall be non-refundable, made payable to the Clerk, D.C. Court of Appeals, together with (2) the applicable certified checks, cashier's checks, or money orders made payable to the National Conference of Bar Examiners, the purposes and amounts of which shall be specified on the application form. ~~In the event there is a fee due the National Conference of Bar Examiners, the amount of the fee and the manner of payment shall be stated in the information accompanying the application form.~~

D.C. App. R. 46 (b)(8)(i)(B)

(b) Admission by Examination.

(8) General Consideration Regarding the Examination.

(i) Applicants shall be examined on both the essay and the Multistate Bar Examination (MBE) sections at the examination site designated by the Committee.

(B) An applicant may request the Committee to accept a prior essay administration in the District of Columbia provided that:

1. The prior essay scaled score is not less than 133; and
2. The prior administration was within 25 months of the present administration.

As directed by the Court, this notice is published to afford interested parties an opportunity to submit written comments concerning the proposed rule amendment. Ten Copies of any comments should be submitted to the Clerk, D.C. Court of Appeals, 500 Indiana Avenue, N.W., Sixth Floor, Washington, D.C. 20001, by November 20, 2006. All comments submitted pursuant to this notice as well as the above-referenced correspondence from the Chairman of the Committee on Admissions will be available to the public.