

**IN THE SUPREME COURT OF THE STATE OF KANSAS**

**RULES RELATING TO THE ADMISSION OF ATTORNEYS**

**RULE 709**

**KANSAS BOARD OF LAW EXAMINERS**

**FILED**

**OCT -5 2017**

**DOUGLAS T. SHIMA  
CLERK OF APPELLATE COURTS**

Rule 709 is hereby amended, effective November 2, 2017.

(a) The Board shall conduct written bar examinations on the last Tuesday and Wednesday in February and the last Tuesday and Wednesday in July.

(b) Only those applicants whose applications have been considered and approved by the office of the Disciplinary Administrator, the Review Committee, or the Board will be permitted to take the bar examination.

(c) Each applicant for admission to the bar upon written examination shall file a completed application for admission to be received in the Office of the Clerk of the Appellate Courts on or before October 1 (for the February examination) and on or before March 1 (for the July examination) on forms approved by the Court and procured from the Clerk of the Appellate Courts. The completed application shall consist of:

- (1) a verified application for admission;
- (2) not less than three affidavits, on forms to be supplied by the Clerk of the Appellate Courts, from responsible persons attesting that the applicant is a person of good moral character, or such other evidence of character as shall be satisfactory to the Board; and
- (3) any other and further information as the Board then or thereafter may require for its consideration of the application.

(d) Any applicant who wishes to file a completed application for admission after the filing deadline, but on or before November 1 (for the February examination) and on or before April 1 (for the July examination), shall pay a late penalty fee in the amount of \$200 in addition to the application fee.

(e) Notwithstanding the deadlines set out above, any applicant who is unsuccessful on the February Kansas Bar Examination will be given 30 days from the date of the letter announcing results to make reapplication for the following July examination without imposition of a late penalty fee. Reapplication for the following July examination will not be accepted after that 30 day period.

(f) Any application returned to the applicant due to deficiencies, pursuant to Rule 713, will not be considered as timely filed.

(g) Any application received after November 1 (for the February examination) and April 1 (for the July examination) shall be considered as an application for the next ensuing bar examination.

(h) If the applicant does not take the examination for which application is made, the original application shall remain valid for the next ensuing examination; however, the applicant must, by the filing deadline, file an updated application or an affidavit verifying that the application on file remains current. The current application fee and late penalty fee, if applicable, shall be paid on or before the filing date. If the failure of an applicant to take the bar examination for which application is made is the result of delay attendant to investigation of applicant's fitness and/or character, the need for a hearing thereon, or actions of the office of the Disciplinary Administrator, the Review Committee, the Board, or the Supreme Court, the period for taking the examination and the viability of the application fee shall be extended for such additional time as shall be determined by the Board.

(i) An applicant who is retaking the examination shall file a completed application with the current application fee and late penalty fee, if applicable, on or before the filing date.

(j) Upon the filing of an application, the name and address of the applicant shall be posted in a conspicuous place in the office of the Clerk of the Appellate Courts for not less than forty-five days prior to the date of the bar examination.

(k) The Board shall conduct examinations of applicants for admission to the bar as to their learning in the law and educational qualifications for admission to the

practice of law. The Board shall test applicants by administering the Uniform Bar Examination prepared by the National Conference of Bar Examiners which consists of six Multistate Essay Examination questions; two Multistate Performance Test questions; and the Multistate Bar Examination.

(l) At every bar examination each applicant may be required to provide evidence of identification satisfactory to the Clerk of the Appellate Courts. Each applicant shall place his or her name on the form furnished by the Clerk and deposit it in a sealed envelope with the Clerk. When the applicant shall have finished the examination, he or she shall mark it with his or her examination number only, as directed by the Board. Any other mark of identification placed upon the examination paper shall disqualify it, and the Board may refuse to read or consider it.

(m) In lieu of taking the Multistate Bar Examination portion of the first Kansas bar examination taken by the applicant, the Board may, if requested by the applicant, accept any Multistate Bar Examination score achieved in another jurisdiction in a concurrent examination or in a prior examination conducted within thirteen months of the current examination, provided the applicant successfully passed the entire bar examination in the other jurisdiction in one sitting and achieved a minimum scaled score of 125 on the Multistate Bar Examination. An applicant desiring to use the Multistate Bar Examination score from a concurrent bar examination in another state will not be eligible for admission to the practice of law in Kansas until it is shown that the applicant successfully passed the entire bar examination of the other state in one sitting, regardless of the score obtained on the Multistate Essay Examination and the Multistate Performance Test portions of the Kansas examination. Applicants transferring a Multistate Bar Examination score to Kansas will not receive a Uniform Bar Examination score. In the event the applicant fails the bar examination in the other jurisdiction, the Multistate Bar Examination score may not be used in Kansas in the current or any succeeding examination. If the applicant fails the Kansas examination, the Multistate Bar Examination score so transferred may not be used in any succeeding Kansas Bar Examination. All applicants shall notify the Clerk of their intention to use Multistate Bar Examination scores achieved in another jurisdiction at the time their application is filed. It shall be the responsibility of the applicant to cause his or her Multistate Bar Examination scores to be certified to the Clerk by the National Conference of Bar Examiners or by the appropriate bar examination authority where the prior Multistate Bar Examination was taken. The Clerk shall adopt such procedures as are necessary to report such scores to the Board without divulging the identity of the applicant to the Board members.

~~(n) No applicant shall be admitted to the bar who has not completed the Multistate Professional Responsibility Examination, caused his or her score to be reported to the Clerk of the Appellate Courts, and received a passing score as determined by the Board. Failure to successfully complete the Multistate Professional Responsibility Examination within 180 days of the date an applicant took the bar examination will negate the results of such bar examination and require reapplication for admission and reexamination, including the payment of all fees required. To be eligible to sit for the Uniform Bar Examination in Kansas, an applicant must:~~

- ~~(1) complete the Multistate Professional Responsibility Examination;~~
- ~~(2) request the official score to be reported to the Clerk of the Appellate Courts; and~~
- ~~(3) receive a passing score as determined by the Board.~~

~~An official score report must be sent by the National Conference of Bar Examiners and received by the Clerk of the Appellate Courts no later than January 15 for the February examination and June 15 for the July examination.~~

(o) As soon as practicable after the completion of a bar examination, the Board shall file a report with the Clerk of the Appellate Courts recommending granting or denying admission of the applicant. When such report recommends granting admission, unless some reason appears to the contrary, the Supreme Court will make an order admitting the applicant to practice in all the courts of the state, which order shall become effective upon taking an oath pursuant to Rule 720.

(p) When the Board recommends denying admission by reason of an applicant's failure to make a satisfactory grade on the bar examination, its report shall be final and shall be filed with the Clerk of the Appellate Courts.

(q) An applicant who has failed the examination four times shall no longer be eligible to apply for admission.

(r) Any applicant whose admission is denied because of failure to make a satisfactory grade on the bar examination shall have the right to receive a copy of his or her Multistate Essay Examination and Multistate Performance Test papers if such request is made in writing not later than the ninetieth day after the mailing by the Clerk of the notice of denial of admission. Because of the need for confidentiality to protect the integrity of the examination, no review or inspection of questions asked or answers given on the Multistate Bar Examination is permitted.

No examination papers of an applicant who successfully passes the examination shall be retained beyond the administration date of the next succeeding examination.

BY ORDER OF THE COURT this 5 day of October, 2017.

FOR THE COURT

A handwritten signature in blue ink, appearing to read 'L. R. Nuss', written over a horizontal line.

Lawton R. Nuss  
Chief Justice