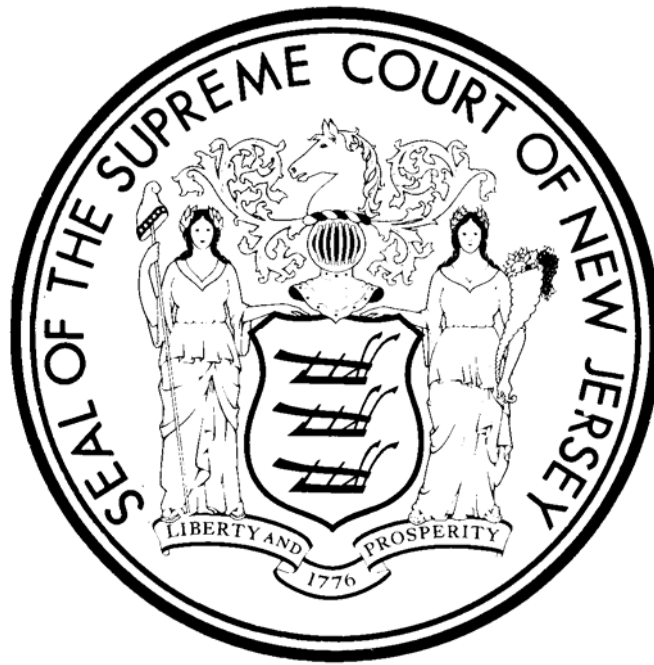


ADMISSION TO THE BAR



State of New Jersey

February 2010 Bar Examination

I. ADMISSION TO THE NEW JERSEY BAR

A. General Description of Qualifications

The Supreme Court has exclusive authority to determine who is qualified to practice law in New Jersey and what admission procedure will be used. Only a member of the New Jersey Bar may practice law in this State. To be admitted to the New Jersey Bar one must:

- (1) qualify for and pass the New Jersey bar examination;
- (2) receive a Certification of Character;
- (3) pass the Multistate Professional Responsibility Examination (MPRE) or an approved law school course on ethics; and
- (4) take the Oath of Admission and sign the attorney's roll.

All attorneys are admitted to the New Jersey Bar in the manner outlined above. The only exception, set out by the rules of the Supreme Court, is for a full-time faculty member of a New Jersey law school. See [Rule 1:27-2](#).

To sit for the New Jersey bar examination, candidates must: (1) be at least 18 years of age, (2) have completed the appropriate law school education, and (3) be in good standing in all jurisdictions to which they have been admitted.

B. Application Procedures

1. Application Forms Downloaded from the Internet

The bar examination application may be downloaded from the internet. The application must be completed and mailed (postmarked) to the [Board of Bar Examiners](#) in accordance with the following fee schedule. Hand delivered applications must be received no later than the final filing date.

Application Postmarked/Hand Delivered Date	Fees
September 1 to November 2, 2009	\$475
November 3 to November 12, 2009	\$525
November 13 to November 23, 2009	\$575
November 24 to December 4, 2009	\$625
December 5 to December 15, 2009	\$675

Each candidate must include a **non-refundable** cashier's check or money order with his or her application for admission to the bar examination. The cashier's check or money order is to be made payable to the Secretary, Board of Bar Examiners. **Personal checks or cash are not accepted. Applications received without payment or an original and one copy of your character statement attached will be returned as incomplete. Applications received with an incorrect fee attached will be returned as incomplete and not considered received for filing at that time.**

2. Candidates Requiring Testing Accommodations

Candidates who, because of physical or perceptual disabilities, require testing accommodations when taking the bar examination must make written application to the [Board of Bar Examiners](#). Forms and instructions are included in the application packet or may be downloaded from the website. Completed applications for testing accommodations must be filed **SEPARATELY** from other application forms. Candidates seeking testing accommodations are strongly advised to file their application as early as possible; in no event may requests be filed later than **December 15, 2009**.

3. Sitting for the Bar Examination in New Jersey and Another State

If you plan on sitting for the bar examination in New Jersey while taking the MBE in another state, you must make arrangements for the transfer of your MBE score **NO LATER THAN** February 1, 2010. Please note that you **MUST** take the MBE during this administration of the exam. New Jersey does **NOT** accept transfers from previous exams.

NOTE: Pennsylvania and New York handle their own transfers. You must contact their offices for information on how to transfer your MBE scores to New Jersey.

If you are taking the MBE in a State other than New York or Pennsylvania, please check the website of the National Conference of Bar Examiners to see if the State in which you are taking the MBE is listed. If it is, arrange for the score transfer. If it is not, contact that jurisdiction directly for transfer instructions. [The National Conference of Bar Examiners' website address is: http://www.ncbex.org/fileadmin/mediafiles/downloads/Test_PDFs/MBE_PDFs/MBE_SCOREREQUESTINFO.pdf]

Applicants are responsible for arranging with the sending state for the timely transfer of their MBE score to New Jersey. This must be done **PRIOR TO THE EXAMINATION!**

4. Withdrawal from Bar Examination

Candidates who withdraw from an examination and wish to apply for a subsequent examination must submit a new application with all attachments, along with the appropriate filing fee.

C. Bar Examination

1. Qualifications for Admission to the Examination

Admission to the bar examination depends on the candidates presenting satisfactory evidence of the following qualifications:

a. Age

Candidates must be at least 18 years of age.

b. Law School Education

Candidates must have received a juris doctor degree -- or its equivalent -- from a law school that is approved by the [American Bar Association](#). A Master of Laws degree from an ABA approved law school is not an acceptable substitute when the J.D. degree was earned at a non-accredited law school. Graduates of non-ABA approved law schools are not eligible to sit for the bar examination.

c. Good Standing

Candidates must be in good standing in every jurisdiction in which they were ever admitted to practice law. If you are admitted to the bar in other jurisdictions, you must file a Certificate of Good Standing from each jurisdiction. The Certificate must have been issued within six months of the date of the submission of your New Jersey bar application. You must also supply a certificate of disciplinary history from the appropriate grievance or disciplinary board as to whether there is now or has ever been any disciplinary action taken against you in any jurisdiction to which you have ever been admitted.

d. Relaxation of Qualifications

The Supreme Court does not generally grant relaxation of qualifications for admission to a bar examination.

However, the Clerk of the Supreme Court will provide information about petitioning for a relaxation. See [Rule 1:1-2](#).

2. Time and Place

Two bar examinations are held each year. The examination is two days long and is given at the end of February and July. The exact dates and locations of the examinations are subject to change from year to year. The number of locations at which the examination is given depends on the number of candidates qualifying to take the examination.

Approximately three weeks before the examination, each candidate will receive an admission ticket with an assigned location and instructions. No candidate will be permitted into a test site without a government-issued photo ID.

3. Multistate Bar Examination

The first day (Wednesday) of the bar examination is the Multistate Bar Examination (MBE), which is prepared by the [National Conference of Bar Examiners](#) (NCBE) in conjunction with [American College Testing](#) of Iowa City, Iowa. It consists of 200 multiple choice questions on the subjects of contracts, criminal law, constitutional law, real property, evidence, and torts.

The [National Conference of Bar Examiners](#) has prepared an informational bulletin that contains an outline of each of the subjects used in drafting the questions, as well as sample questions. This information can be found on the NCBE website: <http://www.ncbex.org/tests.htm>.

4. New Jersey Essay Questions

The second day of the examination consists, in part, of seven 45-minute essay questions drafted by the New Jersey Board of Bar Examiners that are designed to examine candidates' abilities to reason, analyze, and express themselves in a lawyer-like manner. The questions are based upon the subjects of contracts, criminal law, real property, torts, constitutional law, evidence and civil procedure.

An essay question may cut across two or more of the basic subject areas. In addition, these questions may be framed in the context of fact situations involving, and interrelated with, the following subjects: agency; conflicts of law; corporations; equity; family law; partnership; Uniform Commercial Code Articles 2 (Sales), 3 (Commercial Paper), and 9 (Secured Transactions); wills, trusts, and estates; zoning and planning; and disciplinary rules. Accordingly, familiarity with the basic principles and concepts of those subjects may help the candidate in answering the questions.

5. Suggestions on Answering Essay Questions

The essay portion of the bar examination is designed to test your ability to demonstrate a basic and essential capacity for the practice of law. Your grade will be based on your ability to identify and analyze issues and to present an organized, coherent and well-written response within the prescribed format. The response must be lawyer-like. On some questions this may require you to write a concise document that approximates the work product of a practicing lawyer; for example, a written legal argument, a memorandum of law, an attorney's letter, a contractual provision, or an analysis of a statute.

Knowledge of developments in the law of New Jersey may be beneficial; Board members have used case law as a source of questions. Although knowledge of New Jersey law is not crucial to success on the examination, familiarity with new law or distinctive cases will aid you in preparing your responses. In addition to the foregoing:

- a. Read and re-read the problem carefully to familiarize yourself with the facts and circumstances. Do not assume additional facts unless directed to do so.
- b. Make sure you understand the directions that appear in boldface type at the conclusion of the problem. Adhere to those instructions and plan your response accordingly. Before you begin to write your answer, outline and organize your response.
- c. Do not use a "scattershot" approach; rather, structure your answer before you begin to write so that your essay will demonstrate your ability to analyze legal problems and to provide an organized, logical and coherent written response.
- d. When appropriate to the format of the question, discuss all sides of issues and do not let your disposition of an issue

preclude discussion of other issues presented. When appropriate, discuss procedures and remedies, as well as legal rights and liabilities.

e. Allocate enough time to compose a clear and concise response. The writing ability exhibited by your response will affect your grade.

6. Requirements for Passing the Bar Examination

Candidates for admission to the bar of the State of New Jersey must take the Multistate Bar Examination (MBE) and the New Jersey Essay Examination contemporaneously. Candidates may take the MBE in another jurisdiction on the Wednesday before the New Jersey Essay Examination.

You must make a *bona fide* effort to answer each essay question and both sessions of the MBE. If the Examiners conclude you have not done so, none of your exams will be graded.

The seven New Jersey Board of Bar Examiners-drafted essay questions are graded on a seven-point (0-1-2-3-4-5-6) standard. These grades are converted to a scale that equates to the MBE. The two bar examination components will be weighted for grading as follows:

1. Multistate Bar Examination = 50%
2. Essay Examination = 50%

PHASE I (BAR EXAMINERS AND READERS)

<u>Decision</u>	<u>Combined Average Scaled Score Range</u>
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Pass	136.000 and above
Re-grade	130.000 to 135.999
Fail	129.999 and below

PHASE II (READERS)

<u>Decision</u>	<u>Combined Average Scaled Score Range</u>
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Pass	133.000 and above
Fail	132.999 and below

Candidates whose essays are re-graded under Phase II will have all of their essays re-graded by different

Readers who will be unaware of the first grades. The two grades for each answer will then be averaged and the combined average scaled score re-computed.

PHASE III (BAR EXAMINERS)

Candidates whose essays have been re-graded under Phase II and who have had the Readers from Phase I and II disagree by two or more points on any given question will have that book graded by the Bar Examiner who drafted the question. The Examiner's grade will be the final grade for that question. This "resolution" grade may not be below the lower grade or above the higher grade assigned by the Readers in Phases I and II.

8. Limitation on Review

The procedures described herein constitute the sole review of individual performance on the New Jersey bar examination. There is no right to appeal a failing grade.

Candidates may request a hand scoring of their MBE answer sheets by [American College Testing](#). Further information on hand scoring of MBE answer sheets will be made available with the release of the examination results.

D. Certification of Character

To practice law in the State of New Jersey, candidates are required to demonstrate their fitness by showing the requisite traits of honesty, integrity, fiscal responsibility, trustworthiness, and a professional commitment to the judicial process and the administration of justice.

Established pursuant to [Rule 1:25](#), the Committee on Character reviews the personal record and reputation of each candidate for admission to the bar of the State of New Jersey to determine fitness to practice law. Each candidate must file an original and one copy of their Certified Statement of Candidate. The Committee on Character reviews and verifies the information in the Statement of Candidate. The Committee on Character obtains credit history reports on all candidates. The fingerprints that are submitted by the candidate are processed through the New Jersey State Police and Federal Bureau of Investigation for a criminal record check.

As a part of the Character certification process, complete Driver's Abstracts must be submitted from each state in which the candidate has been licensed to drive within the last seven years. Candidates should start the process of obtaining Driver's Abstracts immediately. Contact the Division of Motor Vehicles in each state or jurisdiction (including foreign jurisdictions) where you have been licensed to drive over the past seven years and request the most complete abstract of your driving record that is available.

After reviewing the Certified Statement and other materials, the Committee either certifies a candidate or recommends the withholding of certification pursuant to the [Regulations Governing the Committee on Character](#). These regulations can be found at www.njbarexams.org under "Downloads."

You have a continuing obligation to supplement the information on your Certified Statement of Candidate to keep it current and accurate until the date of your admission to the bar of New Jersey.

E. Multistate Professional Responsibility Examination

All candidates must demonstrate knowledge of the ethical obligations of the legal profession. This may be done by the successful completion of the Multistate Professional Responsibility Examination (MPRE) prior to admission. A score of 75 has been set by the Board as the qualifying level. Candidates are encouraged to take the MPRE while in law school.

In lieu of the MPRE, candidates may submit evidence in their Law School Certificate of successful completion at Law School of an approved course on professional ethics.

To qualify, the course must be for credit (at least one credit hour), a minimum of nine classroom hours of instructions, and be devoted entirely to legal ethics and professional responsibility. Candidates must have received at least a grade of "C" or its equivalent.

F. Attorneys' Oaths and Signing the Attorneys' Roll

No one is admitted to the New Jersey Bar without signing the attorneys' roll and taking the oath to support the Constitution of the United States and the Constitution of New Jersey, the oath of allegiance to this State, and the oath of office as an attorney. An affirmation may be given in lieu of an oath. See [R. 1:27-1\(c\) and \(d\)](#).

Pursuant to Supreme Court [R. 1:27-1\(d\)](#), successful applicants from the bar examination must be sworn-in as an attorney-at-law of New Jersey no more than 90 days after the date on which they have become eligible for the administration of the attorney's oath.

The oaths are generally administered and the roll signed at public "swearing-in" ceremonies held within a month after the publication of the bar examination results. All those candidates present at the ceremony are moved for admission to the New Jersey Bar and to the United States District Court for the District of New Jersey. The date of the public "swearing-in" ceremonies will be the date of admission of new attorneys.

Candidates may elect to complete their admission by taking the oaths before any person authorized to administer oaths. Eligible candidates must take the oath within ninety days of the date of notification of their eligibility. The candidate must forward the completed signature card to the Clerk of the Supreme Court within thirty days of the date the oath is administered. The effective date of mailed-in admissions will be the date on which the oath is taken and the card signed. Details of this option will be made available to candidates on becoming eligible for admission.

II. POST-ADMISSION RESPONSIBILITIES

A. Lawyers' Fund for Client Protection and Disciplinary Oversight Committee

Members of the New Jersey Bar are assessed annual fees to finance the Lawyers' Fund for Client Protection and the attorney discipline system. The amount of the assessment, and its allocation between the Fund and the disciplinary system, are determined by the Supreme Court of New Jersey each year. The Fund, created by the Supreme Court in 1969, is designed to provide reimbursement to clients who have incurred financial losses due to the dishonest conduct of their attorneys under [Rule 1:28](#).

The other portion of the assessment goes to the Disciplinary Oversight Committee that provides support for such disciplinary functions as the Office of Attorney Ethics, including the Random Audit Program, the Disciplinary Review Board, and emoluments to the Secretaries of District Ethics and Fee Arbitration Committees.

Billing is done strictly on a calendar year basis; there are no pro rata charges. Attorneys are not required to pay the annual assessment during the first calendar year of their admission regardless of how long or short the portion of that calendar year of admission may be. Under the current system there is a reduced assessment for the second calendar year of admission.

Exemptions from payment are limited to attorneys who are serving in the U.S. military, Peace Corps or VISTA. Members of the New Jersey Bar who live or work out-of-state are not exempt on that basis. Judges, government lawyers, law professors, and virtually all attorneys using their legal expertise, regardless of where they are located, are obligated to pay each year. Those who do not pay are declared ineligible to practice law by

Order of the Supreme Court of New Jersey. Attorneys who are declared ineligible by reason of non-payment for seven or more years consecutively will be subject to having their licenses administratively revoked. Rule 1:28-2(c). The Ineligible List is published and distributed to all vicinages.

Within a few months of admission every attorney should receive the first of his or her annual billing cards. This billing card is the key to the process. It is currently a three-part card, the top portion of which tells the attorney what fee is due. The second, or middle, portion of the card is that which the Office of Attorney Ethics uses to collect vital information regarding whether an attorney is engaged in the private practice of law and if so, details about the attorney's compliance with requirements for a bona fide office and trust and business accounts. These additional requirements for those who wish to engage in private practice in New Jersey are independent of the requirement to pay the annual assessment and may be found in [Rule 1:21](#). The third, or bottom, portion of the card gathers information important to the Judiciary's assignment of pro bono counsel. Given the importance of the billing and the information sought on this card, it is absolutely essential that attorneys keep their address current with the Fund at all times after admission.

For further details on the Lawyers' Fund for Client Protection, please write to PO Box 961, Trenton, New Jersey 08625-0961. For the Disciplinary Oversight Committee, the address is PO Box 970, Trenton, New Jersey 08625-0970.

B. Skills and Methods Course Requirement

All newly admitted attorneys must successfully complete a [Skills and Methods Course](#). The Skills and Methods Course is designed to familiarize new members of the New Jersey Bar with some important procedures and techniques of the day-to-day practice of law in New Jersey. See [Rule 1:26](#).

The Skills and Methods Course consists of a five-section "core program" to be taken during the year following the bar examination, a two-section program to be taken during the second year following the bar examination, and a two-section program to be taken during the third year following the bar examination.

Completion of the requirements for the "core program" may occur prior to admission to the bar. If the "core program" is not completed prior to admission, it must be completed within the two Skills Course administration cycles following admission to the bar. If the "core program" is not completed within the two Skills Course administrations following admission to the bar, the attorney will be administratively ineligible to practice law. Eligibility to practice law will be regained on completion of the "core program" and will remain in effect pending timely

completion of the year #2 and #3 requirements. Attorneys who continue to practice while ineligible may be subject to disciplinary proceedings.

For additional information about the Skills and Methods Course, communicate with the [Institute for Continuing Legal Education](#), One Constitution Square, New Brunswick, New Jersey 08901-1500 (732) 214-8500.

C. Disciplinary Rules

The Constitution of New Jersey provides that the Supreme Court shall govern the admission to the bar and the practice of law in this State. Accordingly, every attorney admitted to the bar is bound by the Code of Professional Responsibility of the [American Bar Association](#), as adopted and modified by the Supreme Court. Every person intending to practice law in New Jersey should have these disciplinary rules, which are included in the Rules Governing the Courts of the State of New Jersey. The rules are published by Gann Law Books, 224 Market Street, Newark, New Jersey, and by the West Group, St. Paul, Minnesota, 55102. They may be found in any law library in New Jersey.

D. Change of Name

Attorneys who change their names after admission to practice in this State shall file a certification with the [Board of Bar Examiners](#) stating the name under which they were admitted, the new name, the facts pertaining to the change of name, and the name under which they wish to continue to practice. For a fee of \$10, a certificate of good standing will be issued. For an additional fee of \$40, a confirmatory wall license in the new name will be prepared on request. See [Rule 1:29](#).

E. Bar Association Membership

Membership in bar associations in New Jersey is entirely voluntary. Associations function at the State, county and local levels. A partial listing of statewide and federal associations appears below.

New Jersey State Bar Association

New Jersey Law Center
One Constitution Square
New Brunswick, NJ 08901-1500
(732) 249-5000

Garden State Bar Association

P.O. Box 2404
East Orange, NJ 07019

Association of the Federal Bar of the State of New Jersey
P.O. Box 172
West Allenhurst, NJ 07711
(732) 517-0727

Hispanic Bar Association of New Jersey, Inc.
P.O. Box 25562
Newark, NJ 07102
(973) 645-2730

III. WHO MAY PRACTICE LAW

A. In General

To practice law in the State of New Jersey, a person must (1) have been admitted to the New Jersey Bar, (2) be a member of the bar in good standing, (3) maintain a bona fide office, (4) have completed the [Skills and Methods Course](#) in a timely manner, (5) be current with all annual assessment payments of the Disciplinary Oversight Committee and the Lawyers' Fund for Client Protection, see [Rule 1:21-1\(a\)](#) and (6) be in compliance with all requirements of the New Jersey IOLTA Program, see [Rule 1:28A-1 and -2](#).

B. Appearance by Law School Graduates and Law Clerks Who Have Not Passed the Bar Examination

A law clerk or a graduate of a law school approved by the [American Bar Association](#) who has successfully completed an approved [Skills and Methods Course](#) may, although he or she has not passed the bar examination, appear in any court for the purpose of answering the calendar call in any action in which his or her attorney or firm is the attorney of record. See [Rule 1:21-3\(a\)](#).

C. Appearance in Accordance with Special Programs Approved by the Supreme Court

1. Law Students and Graduates

A third year law student at, or graduate of, an approved law school may appear before any court or agency in accordance with a program approved by the Supreme Court on submission by such law school or by agencies authorized to do so by [Rule 1:21-3](#). Participation by a law graduate is terminated upon the receipt of notification that they have been unsuccessful on the bar examination for the third time or after two years of employment following graduation, whichever occurs sooner.

2. Out-of-State Attorneys Employed by/or Associated with an Approved New Jersey Legal Services Program

A graduate of an approved law school, who is a member of the bar of another state or of the District of Columbia and is employed by or associated with a legal services program approved by the Director of [Legal Services of New Jersey](#), shall be permitted to practice, under the supervision of a member of the bar of this State, before all courts of this State in all causes in which they are associated with such legal services program, subject to certain conditions in [Rule 1:21-3\(c\)](#).

D. Appearances Pro Hac Vice

An attorney of any other jurisdiction, in good standing there, whether practicing law in such other jurisdiction as an individual, or a member or employee of a partnership, or an employee of a professional corporation authorized to practice law in such other jurisdictions, or an attorney admitted in this State, of good standing, who is not domiciled in this State and who does not maintain in this State a bona fide office for the practice of law, may, at the discretion of the court in which any matter is pending, be permitted, pro hac vice, to speak in such matter in the same manner as an attorney of this State. See [Rule 1:21-2](#).

E. Real Party in Interest

Any person may appear to prosecute or defend an action in any court in New Jersey if he is a real party in interest to the action or the guardian of a real party in interest. See [Rule 1:21-1\(a\)](#).

IV. MISCELLANEOUS

A. Certificates of Good Standing

An attorney may obtain a certificate attesting to his or her good standing in the bar of the State of New Jersey by sending a written request to the [Board of Bar Examiners](#) and enclosing a check or money order for \$10, payable to the [Secretary, Board of Bar Examiners](#). Such a certificate will not be issued for an attorney on the Ineligible List of the Lawyers' Fund for Client Protection or IOLTA Fund. See [Rule 1:29-1](#) and [Rule 1:28A](#).

B. Confirmatory License

Whenever an certification pertaining to a change of name is filed or whenever an attorney declares that the certificate of admission originally issued to him or her has been lost or destroyed, the [Board of Bar Examiners](#) will issue a confirmatory certificate in the appropriate name,

upon payment of a \$40 fee that was established by the Board of Bar Examiners with the approval of the Supreme Court. [Rule 1:29-3](#).

V. CONFIDENTIALITY

Subject to rules and regulations by the Board of Bar Examiners and the Committee on Character, and unless otherwise ordered by the Supreme Court, bar candidates' files are confidential. [Rule 1:23-3](#).