

***IN THE SUPREME COURT, STATE OF WYOMING***

***October Term, A.D. 2012***

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***In the Matter of the Amendments to*** )  
***Rules 302 and 304 of the*** )  
***Rules and Procedures Governing*** )  
***Admission to the Practice of Law*** )

**ORDER AMENDING RULES 302 AND 304 OF THE RULES AND PROCEDURES  
GOVERNING ADMISSION TO THE PRACTICE OF LAW**

**This matter** came before the Court upon a recommendation from the Wyoming Board of Law Examiners. After a careful review of the proposed amendments to Rules 302 and 304 of the Rules and Procedures Governing Admission to the Practice of Law, this Court finds that Rules 302 and 304 should be amended. It is, therefore,

**ORDERED** that the amendments to Rules 302 and 304 of the Rules and Procedures Governing Admission to the Practice of Law, attached hereto, are adopted by the Court to be effective immediately. However, these rule amendments shall not apply to applications for admission on motion that were filed on or before October 1, 2012, *i.e.*, motions filed by applicants who seek to be admitted with the February 2013 examination applicants. These amendments shall apply to all applications for admission on motion that are filed between now and March 1, 2013, (*i.e.*, motions filed by applicants who seek admission with the July 2013 examination applicants) and to all applications for admission on motion filed thereafter; and it is further

**ORDERED** that this order and the attached amendments shall be published in the advance sheets of the Pacific Reporter; the attached amendments shall be published in the Wyoming Court Rules Volume; and that this order and the attached amendments shall be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall thereafter be spread at length upon the journal of this Court.

**DATED** this 30<sup>th</sup> day of October, 2012.

**BY THE COURT:**

/s/

**MARILYN S. KITE**  
**Chief Justice**

## Rules and Procedures Governing Admission to the Practice of Law

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### Rule 302. Eligibility.

At the discretion of the Court, and upon the submission of (1) the application(s) required by the Board certifying the qualifications of eligibility listed below, (2) all supporting data, and (3) the necessary fees, admission may be granted to an applicant who:

(a) Has been awarded a juris doctor (JD) or Bachelor of Letters of Law (LLB) by a law school approved by the American Bar Association; and who

(b) Is not now nor ever has been admitted to the practice of law in Wyoming or, if previously admitted, one whose membership was withdrawn or terminated in good standing; and who

(c) Has been admitted to practice as an attorney in the highest court in any state, territory or district of the United States by passing a written examination as required by such other state, territory or district; and who

(d) Has engaged in the active, authorized practice of law in one or more states, territories or districts for five of the seven years immediately preceding the date of the application and is currently engaged in the active, authorized practice of law in one of the jurisdictions to which the applicant is admitted; and who

(e) Has not been denied on motion to practice law in Wyoming or been allowed to withdraw an application due to questions raised by the Board on character and fitness within the last two years; and who

(f) Has not previously engaged in the unauthorized practice of law ~~in State of Wyoming~~; and who

(g) Has engaged in the active, authorized practice of law for a minimum of 300 hours per year for five of the seven years immediately preceding the date of application, in a jurisdiction that grants bar admission without bar examination, including a local essay, administration of the MBE ~~or MPRE~~ or any performance test, to attorneys licensed in Wyoming on the basis of practice in Wyoming; and who

(h) Has shown that the applicant has met all such other requirements as may be appropriately prescribed by the Board to demonstrate qualification, character and fitness to practice law; and who

(i) Has never taken and failed the Wyoming Bar Examination; and who

(j) Is currently a member in good standing in all jurisdictions where admitted; and who

(k) Is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction.

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### Rule 304. Applications, Fees and Filing Deadlines

(a) An application for admission on motion shall consist of two parts:

(1) a questionnaire and affidavit for applicants seeking admission on motion prescribed or approved by the Board, and

(2) a character investigation performed by or for the National Conference of Bar Examiners, and

(b) The questionnaire and affidavit prescribed or approved by the Board shall be submitted with all supporting data required by the Board to determine eligibility under Rule 302, above. Supporting data to the application shall include the following:

(1) A certified copy of the applicant's license of admission or records of admission under the seal of the court;

(2) A certificate by a judge of a court of record of such other state, territory or district before which the applicant has practiced law, setting forth the maker's acquaintance with the applicant, the facts and circumstances of such acquaintance, containing a positive and unqualified statement that the applicant is a worthy, fit and proper person to perform and accept the obligations and responsibilities of a member of the Bar and stating that the applicant is of good standing in the courts of such other state or territory;

(3) Verification of 45 hours of approved or approvable course work in Continuing Legal Education during the three years immediately preceding the application for admission to the Wyoming Bar; ~~and~~

(4) Two authorization and release forms; and

(5) Proof the applicant has passed the Multistate Professional Responsibility Exam with the score required by the Court to be achieved by successful examination applicants under Rule 211.

(c) The Board shall, in each case, give consideration to such certificates of moral character it has required along with the character report by the National Conference of Bar Examiners and shall, either directly or indirectly or through the Committee, make independent inquiry and investigation as to the applicant's moral character and fitness to be a member of the Bar. The Board may, either directly or through the Committee, at its discretion, hold further proceedings with the applicant as described in Section IV and shall thereafter report to the Court the results of its findings, together with its recommendation. The Court may on its own motion make such further inquiry and investigation as it deems proper.

(d) Applications for admission on motion shall be accompanied by a fee established by the Board and the Court and, in addition, the fee required to obtain a Character Report from the National Conference of Bar Examiners. Refunds will not be made for withdrawal of an application, but may only be allowed by the Supreme Court upon motion and for good cause shown. Additional investigation fees may be required by the Board, including but not limited to, the expenses necessary for the Board and/or the Committee to obtain records and documents and the fee necessary to pay the services of an investigator, if deemed of assistance to the Board and/or Committee.

(e) Completed applications are to be filed with the Clerk of the Court.

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