

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

*April Term, A.D. 2018*

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

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

**The Board of Law Examiners for the Wyoming State Bar** has recommended that this Court amend the Rules and Procedures Governing Admission to the Practice of Law. This Court finds that the Board's recommendations should be adopted. It is, therefore,

**ORDERED** that the amendments to the Rules and Procedures Governing Admission to the Practice of Law, attached hereto, are adopted by the Court to be effective October 1, 2018; 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 also be recorded in the journal of this Court.

**DATED** this 19<sup>th</sup> day of June, 2018.

**BY THE COURT:**

/s/

**E. JAMES BURKE**  
Chief Justice

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

**SECTION I  
GENERAL PROVISIONS**

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**Rule 101. Board of Law Examiners.**

(a) Pursuant to W.S. § 33-5-101, the Board of Law Examiners shall consist of five not more than seven resident members of the Bar who are learned, experienced and of generally recognized ability and integrity and who have further completed five years in the active practice of law. The Court, with advice and recommendation from the president of the Bar, shall appoint all members for a term of three (3) years. ~~No person appointed shall be permitted to serve for more than two (2) consecutive, full terms.~~ Persons so appointed may serve subsequent terms or may be removed at the Court's discretion. Any vacancy created for whatever cause or reason shall be filled by appointment by the Court with advice of and recommendation from the president of the Bar. For good cause shown, the Court may appoint a temporary replacement member or members in situations in which one or more of the regularly-appointed members are not available to serve. ~~No more than one member shall be appointed from the same judicial district.~~ The Board shall designate a chair and the Executive Director of the Bar shall serve as Executive Secretary to the Board.

**Rule 102. Character and Fitness Committee.**

(a) The Character and Fitness Committee shall consist of ~~four~~ not more than five active, resident members of the Bar and ~~one~~ not more than two non-lawyers with special training in substance abuse, mental health, financial management or another area of value to the assessment of good moral character and fitness to practice law of applicants. The Court, with advice and recommendation from the president of the Bar, shall appoint all members for a term of three (3) years. ~~No person appointed shall be permitted to serve for more than two (2) consecutive, full terms.~~ Persons so appointed may serve subsequent terms or may be removed at the Court's discretion. Any vacancy created for whatever cause or reason shall be filled by appointment by the Court with advice of and recommendation from the president of the Bar. For good cause shown, the Court may appoint a temporary replacement member or members in situations in which one or more of the regularly-appointed members are not available to serve. From its members, the Committee shall select a chair. Each member of the Committee shall be compensated and reimbursed for expenses incurred in the performance of their duties as determined by the Court. At all times, a majority of the Committee shall constitute a quorum.

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**SECTION II  
APPLICATION FOR ADMISSION BY EXAMINATION**

**Rule 201. Applications for Admission by Examination, Fees.**

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(c) An applicant who is unsuccessful on an examination, or who fails to take the examination, may request registration for ~~the next~~ a second UBE without paying an additional fee and without resubmitting evidence of meeting the educational requirements set forth in these rules, provided that the request for a second UBE must be made not later than one year after the date of the first examination. Thereafter, the applicant shall be required to reapply by following the procedure set forth in Rule 201(b), except that the applicant shall not be required to resubmit evidence of meeting the educational requirements set forth in these rules. Reapplications must be filed no later than the first day of May for the July examination, and the first day of December for the February examination. An applicant who has failed a bar examination four times will not be permitted to sit for the UBE in Wyoming. For purposes of this rule, attempts to achieve a passing score on the UBE count toward the limit of four regardless of where the applicant sat for the UBE. The four-attempt limitation may be waived upon a strong showing, to the Board's satisfaction and in its sole discretion, that the applicant has substantially improved his or her exam preparation and there is good cause warranting the requested waiver.

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### SECTION III APPLICATION FOR ADMISSION ON MOTION OR BY TRANSFER OF UBE SCORE \*\*\*\*\*

#### **Rule 306. Admission of Military Spouse Attorneys.**

(a) Due to the unique mobility requirements of military families who support the defense of our nation, an attorney who is a spouse or a registered domestic partner of a member of the United States Uniformed Services ("service member"), stationed within this jurisdiction, may obtain a license to practice law pursuant to the terms of this rule.

(b) Eligibility. An applicant who meets this rule must:

(1) have been admitted to practice law in another U.S. state, territory, or the District of Columbia;

(2) have been awarded a juris doctor (JD) by a law school accredited by the American Bar Association;

(3) establish that the applicant is currently a member in good standing in all jurisdictions where admitted;

(4) establish that the applicant is not currently subject to attorney discipline or the subject of a pending disciplinary matter in any jurisdiction;

(5) establish that the applicant possesses the character and fitness to practice law in this jurisdiction; and

(6) demonstrate presence in Wyoming as a spouse or registered domestic partner of a member of the United States Uniformed Services.

(c) All applicants for admission pursuant to this rule shall complete an application prescribed by the Board and shall submit to a character investigation performed by or for the NCBE. Completed applications are to be filed with the Clerk of the Court. The Clerk shall not collect an application fee from applicants seeking admission pursuant to this rule. Incomplete applications will not be accepted for filing. The application shall be accompanied by all supporting data required by the Board to determine eligibility under this rule. Supporting data to the application shall include the following:

(1) A certificate of good standing from the highest court for each jurisdiction in which the applicant is admitted to practice law issued within the last 90 days;

(2) Evidence of compliance with the continuing legal education requirements of all jurisdictions in which the applicant is admitted to practice law, if applicable;

(3) An authorization and release form; and

(4) Proof the applicant has passed the MPRE with a scaled score of 85 points or greater.

(d) Applications for admission pursuant to this rule shall be accompanied by a copy of the applicant's Request for Preparation of a Character Report to the NCBE.

(e) The Board shall notify the Court of an applicant's eligibility for admission after the Committee has made its recommendation regarding the applicant's good moral character and fitness to practice law.

(f) The Court shall notify each applicant of the applicant's admission status as promptly as feasible following receipt of the Board's and the Committee's recommendations regarding the applicant's eligibility for admission.

(g) Attorneys licensed under this rule shall be entitled to all privileges, rights, and benefits and subject to all duties, obligations, and responsibilities of active members of the Bar.

(h) The license to practice law under this rule shall terminate sixty (60) days after the occurrence of any of the following events:

(1) the service member is no longer a member of the United States Uniformed Services;

(2) the attorney admitted pursuant to this rule is no longer married to, or a registered domestic partner of, the service member; or

(3) the service member receives a permanent transfer outside Wyoming, except that if the service member has been assigned to an unaccompanied or remote assignment with no dependents authorized, the attorney admitted pursuant to this rule may continue to practice pursuant to the provisions of this rule until the service member is assigned to a location with dependents authorized.

In the event that any of the events listed in this paragraph occur, the attorney admitted pursuant to this rule shall notify the Court of the event in writing within thirty (30) days of the date upon which the event occurs. If the event occurs because the service member is deceased or disabled, the attorney shall notify the Court within sixty (60) days of the date upon which the event occurs.

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