

ADMISSION ON MOTION

FILING INSTRUCTIONS AND INFORMATION

Thank you for your interest in applying for admission by motion to the Wyoming State Bar. Before you begin completing the application forms, you have an obligation to read the Rules and Procedures Governing Admission to the Practice of Law and this document. Do not leave this to others; it is up to you to file a complete application (incomplete applications will NOT be accepted).

THE BASICS

Wyoming does have admission on motion but not all attorneys are eligible. Wyoming does not have a formal reciprocity agreement with any state. Any applicant is considered eligible for admission on motion if they meet all of the requirements of the Rules & Procedures Governing Admission to the Practice of Law in Wyoming found in Rules 302 and 303. Please read your jurisdiction's rules for admission on motion carefully if you are not sure about reciprocity. You will not be eligible for admission on motion if your jurisdiction does not offer admission on motion to members of the Wyoming State Bar, requires an additional exam for motion applicants, or if you are licensed but not actively practicing law in any jurisdiction.

If you apply for admission on motion and it is determined that you are not eligible, you may choose to sit for the next scheduled Uniform Bar Examination (UBE) without an additional application fee. However, you will have to provide evidence you can meet the educational requirements. See Rule 202 for more information. If you choose not to sit for the UBE, your application fee is non-refundable.

The basic requirements for admission on motion are having engaged in the active practice of law for five of the seven years immediately preceding the application date and being an active member in good standing in a UBE jurisdiction or a jurisdiction that grants admission without examination to Wyoming attorneys. The definition of the active practice of law is found in Rule 303. You can submit an original certificate of good standing from the highest court of a State, Commonwealth, Territory or Possession, or of the District of Columbia for each jurisdiction in which you are or have been admitted. Certify compliance with the continuing legal education (CLE) requirements of all jurisdictions in which the applicant is admitted to practice law (if applicable). Be of good moral character and fitness to practice law as evidenced by the National Conference of Bar Examiners' (NCBE) Character report and review by Character and Fitness Committee (Committee). You are a graduate with a J.D. from an ABA-approved law school and have been admitted by passing a written examination as required by an admitting jurisdiction. And, you can transfer a scaled score of 85 or higher on the Multistate Professional Responsibility Examination (MPRE).

There is no specific deadline for filing a motion application. Complete applications will be filed upon receipt and forwarded to the Wyoming State Bar. Once your application for admission has been filed, you can expect the process to take from 4 to 6 months before a recommendation is made to the Court.

Once the Board of Law Examiners (Board) and Committee have reviewed the application, together with all supporting data and have forwarded its recommendation, the Court will act on the recommendation in a timely manner and you will be notified of that recommendation.

You will pay a non-refundable \$600 fee to the Wyoming Supreme Court at the time your application is submitted for filing. The Court will accept payment by personal check or money order. Because of internal accounting, it may take several weeks before your check clears your bank; please ensure there will be adequate funds to process the check until it clears.

There is an additional, non-refundable fee for the background investigation that is paid directly to the NCBE. The NCBE form may be completed online at www.ncbex.org. Make a copy of the complete application to include with your Wyoming Bar application.

All forms are accessible on the Wyoming Judicial Branch website at www.courts.state.wy.us.

FINALIZING YOUR PETITION AND APPLICATION FOR ADMISSION

The following is a checklist of everything that must be included with your application. Submit single-sided copies of all documents. Copies printed on both sides will not be accepted. Do not send photocopies with these exceptions: You may submit a color photocopy of your driver's license and a photocopy of the NCBE Request for Preparation of a Character Report. Please make certain all items are included; otherwise, your application will be returned to you.

- ✓ Original Petition and Application for Admission to the Wyoming State Bar on Motion.
- ✓ Certification of Compliance with Rule 302.
- ✓ Certification of Compliance with Rule 304(b)(ii) - Part 1. Submit one of the following:
 - A Certificate by a judge or hearing officer of a tribunal of record of such other state, territory or district before which the applicant has practiced law; or
 - A Certificate by a member in good standing of the Bar of the State of Wyoming for at least 10 continuous years that the applicant is a person of good character and reputation, and competent legal ability; or
 - Two Certificates from any officer of a court in the applicant's current resident bar, provided that no such Certificate shall be submitted by any family member or client of the applicant, or by any two individuals within the same firm.
- ✓ Certification of Compliance with Rule 304(b)(ii) - Part 2. This form may be used by individuals to complete the Certifications in Part 1.
- ✓ Certification of Compliance with Rule 304(b)(3).
- ✓ Provide either a color photocopy of the front of your driver's license or a passport-style photograph no smaller than 2" x 2".

- ✓ A \$600.00 check or money order made payable to the Clerk of the Wyoming Supreme Court. This fee is separate from the fee paid to the NCBE.
- ✓ Original Wyoming Authorization and Release form.
- ✓ Original certificate of good standing from the highest court of a State, Commonwealth, Territory or Possession, or of the District of Columbia for each jurisdiction in which you are or have been admitted. Certificates must have been issued no more than 90 days before filing your application. Do not submit a Bar Association certificate in place of the court's certificate, your application will be returned.
- ✓ A copy of the NCBE Request for Preparation of a Character Report you submitted to the NCBE.

SEND YOUR COMPLETE APPLICATION TO:

Clerk, Wyoming Supreme Court
2301 Capitol Avenue
Cheyenne, WY 82001

YOUR MPRE SCORE

A scaled score of 85 or higher is required on the MPRE (75 points or greater for MPREs administered between Jan 1, 1999 and Oct 1, 2014). If you previously obtained a passing score, you must request a score transfer from the NCBE. If the date of the applicant's first admission in any jurisdiction was prior to 1999, a certification by the applicant that they obtained a passing MPRE score in connection with that admission will suffice.

If you have not taken or did not receive a scaled score of 85 on the MPRE, then you must sit for the MPRE and obtain a passing score before you may be recommended for admission.

ONCE YOUR APPLICATION HAS BEEN FILED

When your application has been filed, you will receive a receipt from the Clerk's office. It is very important to use a mailing address where you regularly and reliably receive mail. Periodic e-mails will also be sent to the e-mail address on file for you.

Once your application is filed, you have a continuing obligation to notify the Director of Admissions at the Wyoming State Bar of any changes to your application. This includes, but is not limited to: any change in name, residence, business address, telephone number, e-mail address, employment, or attorney membership status in any other jurisdiction. You are also obligated to inform the Admissions Director of any denial of admission in another jurisdiction, disciplinary action, involvement in any civil or criminal proceeding (including traffic violations),

or the recurrence or development of any illness or condition which would have a bearing on your fitness to practice law. Report these changes on the Amendment to Application form (available at www.courts.state.wy.us), and submit it to the Wyoming State Bar. You may also be required to submit an amendment to the NCBE character report; that form is available at www.ncbex.org.

QUESTIONS AND ADDITIONAL INFORMATION

I want my application to be filed, what are some common mistakes that prevent filing?

Number one, by far, is the failure to submit a Certificate of Good Standing from a jurisdiction's highest court. Letters of Discipline from a State Bar are not substitutes. Photocopies cannot be accepted.

Submitting an incomplete NCBE Request for Preparation of a Character Report or not submitting one at all. A complete form will be all pages and any supplemental forms required by your responses along with any supporting documents.

Submitting photocopies of forms instead of the originals.

Not using the Application Checklist to assure a complete application is being submitted.

If I am applying for admission to another state, can I get a copy of my application?

Yes; you may request a copy of your original application. If the state requires a certified copy of your application to Wyoming, it will be sent directly to the other admissions office. Please contact Cathy Duncil, Admissions Director, at (307) 432-2105 or by e-mail at cduncil@wyomingbar.org

What if I have a history of substance abuse/dependency, a diagnosed mental or physical impairment, or have neglected my financial affairs?

Applicants who are engaged in a sustained and effective course of treatment or remediation of substance abuse or dependence; a diagnosed mental, behavioral or physical impairment that, should it reoccur, would likely impair the applicant's ability to practice law or pose a threat to the public; or a history of neglect of financial affairs, may qualify for conditional admission, a confidential status that allows the applicant to practice so long as he or she is complying with post-admission requirements designed to assure the applicant's continuing fitness to practice. See Rule 401 et seq. for more information.

If Character and Fitness recommends denial of admission, do I have any recourse?

Once the Committee submits its recommendation and the record to the Court, the applicant may file a brief setting forth objections to the Committee's recommendation. The Court will review the same materials the Committee relied upon to make its decision. See Rule 404 for more information.

If I graduated from a non-ABA accredited school, but then went on to receive an advanced degree at an ABA accredited institution and otherwise meets the motion requirements, is admission on motion allowed?

No. In addition to the Rules Governing Admission to the Practice of Law requirement that an applicant have graduated from an ABA accredited school with a J.D., Wyoming Statute §33-5-105 also requires graduation from an ABA accredited school with a juris doctorate.

What if I have questions not addressed in the Questions and Additional Information?

The Wyoming Supreme Court Clerk's office and the Wyoming State Bar are on hand to answer any questions you may have.

- Questions regarding application documents and filing the application? Please contact the Clerk of the Wyoming Supreme Court at (307) 777-7316.
- Questions regarding the admission process? Please contact Cathy Duncil, Admissions Director, Wyoming State Bar, at (307) 432-2105 or by e-mail at cduncil@wyomingbar.org.