

RULES

Adopted by the Court of Appeals of Maryland
Regulating the Registration of Law Students
and Admission to the Bar—Adopted in Con-
formity with the Provisions of Sections 1 to 8,
inclusive, of Article 10 of the Annotated Code
of Maryland, on November 28, 1945.

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Adopted by the Court of Appeals of Maryland Regulating the Registration of Law Students and Admission to Bar—Adopted in Conformity with the Provisions of Sections 1 to 8, Inclusive, of Article 10 of the Annotated Code of Maryland, on November 28, 1945.

FIRST

Court of Appeals to Have Jurisdiction over All Matters Pertaining to Admission to the Bar

All applications of persons studying law within the State for registration as law students, and of persons studying law without the State for listing as candidates for admission to the Bar of this State, for authorization to take the Bar examination and for admission to the Bar shall be made by petition to the State Board of Law Examiners. All such petitions shall be under oath.

SECOND

Registration and Listing of Law Students

(1) Any persons residing in this State desiring to begin the study of law in this State for the purpose of admission to the Bar shall first file with the Secretary of the State Board of Law Examiners, at least three years prior to the time when he or she expects to take the Bar examinations, his or her application for registration as a law student. Every such application shall contain the full name, age, residence and place of birth of the applicant, and if said applicant was not born in the United States, shall state whether the applicant or the applicant's parents, or either of them, have been naturalized in the United States and, if so, the Court and the date of such naturalization.

(2) Any person pursuing a course of legal study in a law school located outside of the State of Maryland who desires to be listed as a candidate for admission to the Bar of the State shall, before beginning said course, file with the Secretary of the State Board of Law Examiners an application to be so listed and shall at the same time certify to said Board his or her full name, age, residence and place of birth and, if not born in the United States, whether the applicant or the applicant's parents, or either of them, have been naturalized in the United States and, if so, the Court and the date of such naturalization and the name of the institution at which the applicant is pursuing his or her legal studies.

(3) The applicant shall set forth facts showing that the applicant has complied with the requirements as to prelegal education as set forth in Article 10 Section 4 of the Annotated Code of Maryland (1939 Ed.) and in these Rules or desires to be examined as set forth in Rule Third.

(4) Every applicant for registration or listing shall also file with his or her application a certificate from two reputable citizens stating how long they have known the petitioner and that the petitioner is not a person of bad or dissolute habits but of good moral character.

Any application authorized by the provisions of the above sections (1) and (2) respectively may be received and filed *nunc pro tunc* in the discretion of the State Board of Law Examiners.

(5) Every person shall at the time of filing his or her application for registration or listing as a law student, pay a fee of Fifteen Dollars (\$15.00) to the Maryland State Board of Law Examiners to be applied by them in accordance with Rule Sixteenth of these Rules.

THIRD

Examination In Prelegal Subjects

(1) If the applicant has not secured from a college or university a diploma or certificate demonstrating his compliance with the prelegal education requirements, established by Article 10, Section 4 of the Annotated Code of Maryland (1939 Ed.), the applicant shall include within the applicant's application for registration a statement of the course of studies which the applicant has pursued (which must be included within the courses specified in Rule Fourth of these Rules) supported by a certificate from the dean, principal or other executive officer of any institutions in which the applicant has pursued said studies or, if the applicant has not pursued all or any of said studies in an institution, then by a certificate from a disinterested third party, or by other evidence, showing that the applicant has pursued, over a designated period of time, the study of certain subjects, enumerating them and further stating that the studies were comparable in scope and subject matter to standard college instruction. Such petition shall contain a request to be examined under the supervision of the State Board of Law Examiners as authorized by Section 4 (b) of Article 10 of the Annotated Code of Maryland (1939 Ed.). The State Board of Law Examiners shall thereupon examine, or cause to be examined under its supervision, said applicant in the subjects listed by the applicant if they fall within the requirements of Rule Fourth as aforesaid. If said

applicant shall, in the judgment of the State Board of Law Examiners, pass such examination the applicant shall be registered as a law student; otherwise said application shall be denied.

(2) The examinations given by the Board are usually held during the months of March and July. Any applicant who may hereafter desire to submit to an examination supervised by the Board must notify the Board in writing of the applicant's desire to participate in such an examination at least two months prior to March 20 and July 20, as the case may be, and at the same time shall furnish to the Board a list of the subjects in which the applicant desires to be examined prior to taking each such examination. The applicant shall also pay to the Board for the privilege of taking each such examination, a fee equal to the cost to the Board of giving such examination.

FOURTH

Prelegal Education

(a)

Requirements Under Article 10 Section 4 (a) of the Annotated Code of Maryland (1939) Ed.)

I

Any applicant who has satisfactorily completed a two year course of academic work in a university or college recognized by the Maryland State Department of Education as a standard institution of college grade, shall be eligible to register as a law student. In the event the said college or university does not offer a regular two year course, such applicant must have satisfactorily completed one-half of the semester hours required by said college or university for its regular four year course leading to a degree, but in no event shall any applicant be eligible who has not completed at least thirty-six (36) semester hours.

(b)

Requirements under Article 10, Section 4 (b) of the Annotated Code of Maryland (1939 Ed.)

I

In pursuance of the provisions of Article 10, Section 4 of the Annotated Code of Maryland (1939 Ed.), the Maryland State Board of Law Examiners hereby approves the following colleges and universities located in Maryland to give the prelegal education authorized in said section, and a certifi-

cate issued by any of said institutions that an applicant for registration as a law student has completed the course of studies hereinafter prescribed for the purpose of prelegal education will be accepted by said State Board of Law Examiners as conclusive evidence of the facts stated herein:

*Eastern College
Commerce
Law
Baltimore*

Baltimore Junior College, Baltimore
College of Notre Dame, Baltimore.
Goucher College, Baltimore.
Hood College, Frederick.
The Johns Hopkins University, Baltimore.
Loyola College, Baltimore.
Maryland College for Women, Lutherville.
Morgan College Baltimore (Negro).
Mount St. Agnes' Junior College, Baltimore.
Mount St. Mary's College, Emmitsburg.
National Park College, Forest Glen.
St. Charles' College, Catonsville.
St. John's College, Annapolis.
St. Joseph's College, Emmitsburg.
St. Mary's Seminary, Baltimore.
St. Mary's Female Seminary, St. Mary's City.
State Teachers' College, Bowie (Negro).
State Teachers' College, Frostburg.
State Teachers' College, Salisbury.
State Teachers' College, Towson.
United States Naval Academy, Annapolis.
University of Baltimore, Baltimore.
University of Maryland, Baltimore.
University of Maryland, College Park.
Washington College, Chestertown.
Western Maryland College, Westminster.
Woodstock College, Woodstock.

II

The State Board of Law Examiners will approve any accredited college or university located outside of the State of Maryland to give the prelegal education required by said Section 4 (b) of Article 10 of the Annotated Code of Maryland (1939 Ed.).

III

a. The course of studies to be pursued by an applicant for registration as a law student shall consist of not less than forty semester hours. Not less than twenty semester hours shall be taken during each of the two years of academic work, and if the year be divided into two terms not less than ten semester hours shall be taken during each of said terms.

b. Unless otherwise stipulated herein, the subjects selected for his or her course by any such applicant from the list herein prescribed and authorized may be taken during either term of the two-year period of academic work required. The Board will not require that subjects be defi-

nately assignable either to first year's work or second year's work.

c. All subjects included in the list hereinafter authorized must, in order to receive official recognition, be taught at least two hours during each week of the term at which they are offered.

d. The following subjects, grouped into twelve distinct classes for convenient reference, are hereby approved by the Maryland State Board of Law Examiners as the subjects from which a candidate for registration as a law student may within the limitations hereinafter set forth make his selections for his or her prelegal work, and any such subjects so selected, when properly grouped and covering the requisite number of hours, shall constitute the course of studies required by the aforementioned Act of Assembly:

1. ENGLISH.

English composition, effective or creative writing, principles of writing, eighteenth century prose and poetry, nineteenth century prose and poetry, contemporary English Literature, prose and poetry, American Literature, world literature, comparative literature, current reading, fiction, English novel, effective speaking.

2. HISTORY.

Mediaeval history, modern European History, contemporary history, English history, either political or constitutional; American history, economic and social history of the United States, history of Maryland, current events, history of jurisprudence.

3. ECONOMICS.

Principles of economics, money and banking, taxation and public finance, survey of business, business organization, transportation, marketing problems, monopoly and public control, budgeting, financial statements and their analysis, investments, principles of accounting, commerce, statistics.

4. POLITICAL SCIENCES.

American national government, state and local government, comparative governments, political parties, American constitutional development, democratic governments, survey of law.

5. PSYCHOLOGY.

6. SOCIOLOGY.

Contemporary social and economic trends, urban or rural sociology, fundamental sociological problems, criminology, the family, social disorganization. race and population.

7. MATHEMATICS.

Trigonometry, advanced algebra, calculus, analytical geometry.

8. PHILOSOPHY.

Greek philosophy, modern philosophy, contemporary philosophy, history of philosophy, logic, ethics.

9. LATIN.

10. GERMAN.

11. ROMANCE LANGUAGES.

French, Italian, Spanish.

12. NATURAL SCIENCES.

Chemistry (general, inorganic, qualitative, quantitative), physics, biology (general, embryology, histology, physiology), scientific discoveries.

e. During the two years of academic work required each applicant must take during each term some English course selected from the list hereinbefore set forth, which will cover not less than two semester hours, among which English courses so selected English composition or some other course requiring original writing in English shall always be included. Each applicant must also during each of the four terms of the two years of academic work required take a course of not less than two semester hours selected from the subjects hereinbefore listed under either history, economics or political science. If the applicant has not during his secondary school course studied Latin for at least one year he must during at least two semesters of his prelegal college or university work study Latin for not less than two hours each semester. All other courses may be selected from the list of approved courses hereinbefore set forth, at the option of the applicant.

f. College courses when dealing with the subject of secondary school courses already taken by the applicant shall not be mere repetitions of such secondary school courses, but shall be supplementary thereto or extensions thereof.

g. The State Board of Law Examiners reserves the right to accept as part of the prelegal educational course of studies required by said Act any course substantially equivalent in subject matter and scope to a course appearing on the approved list hereinbefore set forth, even though the course offered may bear a different descriptive title from any appearing on said list. If the State Board of Law Examiners is of the opinion that is impracticable for any applicant who has not during his secondary school course

studied Latin for at least one year to obtain satisfactory courses in elementary Latin during his prelegal college or university work, as provided in Rule Fourth (b) III (e) hereof, the State Board of Law Examiners is authorized (but not required) to treat as a substantial equivalent of the study of Latin otherwise required by Rule Fourth (b) III (e) not less than four semester hours of advanced English composition in addition to the semester hours of English required by Rule Fourth (b) III (e).

h. The term "semester hour" as used in this rule shall mean one hour of classroom or lecture work per week per semester. The equivalent thereof in quarter, session or other hours will be equally acceptable.

FIFTH

Character Committee

(1) There shall be a committee to be known as the Character Committee for Baltimore City and for each of the Counties of the State.

The members of said Committees shall be appointed by the Court of Appeals. The Committee for Baltimore City shall consist of twelve members and the Committee for each County shall be composed of three members. The Baltimore City Committee shall designate one member of the Baltimore City Committee to act as the Secretary of said Committee.

(2) Each student conducting his or her legal studies within this State at the time of filing his or her application for registration as a law student, and each student pursuing his or her legal studies out of this State at the time of filing his or her application to be listed as a candidate for admission to the Bar of this State, shall be furnished by the Secretary of the State Board of Law Examiners with a copy of these Rules together with Forms A and B.

Form A shall be a questionnaire electing from said applicant information concerning such of the applicant's personal history and previous conduct as may throw light upon the applicant's moral character qualification for Bar membership.

Form B shall be a certificate signed by two reputable tax-payers of this State, resident in the same county or city as the applicant, certifying to said applicant's good moral character.

Forms A and B, with such amendments as may be made from time to time, shall be prepared by the State Board of Law Examiners and be submitted to the Court of Appeals for its approval.

Form A shall be filled in by the student and, with Form B, shall be returned to the said Board within thirty days from the date of said application, which said date shall be stamped on said Forms by said Board.

(3) Upon the receipt of said Forms the Board shall forthwith transmit copies thereof respectively to the Committee for the city or county in which the applicant resides.

(4) Each Committee shall then promptly, through one or more of its members, (a) personally interview applicant and (b) check up on the applicant's questionnaire and character references and make such further investigation as may be deemed desirable and necessary.

(5) Said Committee shall, as promptly as possible after the names of applicants for registration as law students and the names of those studying without the State and applying to be listed as candidates for admission to the Bar of this State, as hereinbefore described, are submitted to them, investigate and consider the character of said persons and their fitness to be admitted to the Bar, and transmit to the State Board of Law Examiners a report of such investigation of such applicants and their recommendation as to the character and fitness of the applicant to be admitted to the Bar. Should said Board, because of matters so reported to it by said Committee, or for any other reason, conclude in the case of any of said applicants that there apparently exist proper grounds for recommending disapproval of such application, it shall promptly notify such applicant and give the applicant an opportunity to appear before it and be fully informed of the matters so reported by said Committee and to answer or explain the same. If said Board is thereafter still of the opinion that an adverse report should be made on such application, it shall first give the applicant the privilege of withdrawing his or her application, but if the applicant elects not to do so and the recommendation of the Board to the Court of Appeals is then against the approval of such application, the Court of Appeals shall require the applicant to show cause why his or her application for registration or listing should not be refused; and if the said Board shall decide the applicant is entitled to registration or listing and the Committee having the matter in charge should desire to have such decision reviewed, the said Committee shall have the privilege, upon ten days' notice to the applicant, of an appeal therefrom to the Court of Appeals within thirty days after such decision.

(6) Said Committee shall continue respectively to have under observation and subject to their further report all

of said registrants up to and until the day set for Bar admission.

(7) The Court of Appeals may award to the Secretary of the Character Committee of Baltimore City and to the members of the several Character Committees such compensation for the services rendered by them respectively as the Court may deem proper, such compensation to be discharged from the fees required to be paid by the provisions of Rule Fifth (8).

(8) When returning to the Secretary of the State Board of Law Examiners Forms A and B, as required by Section (3) of this Rule, each applicant for registration as a law student shall pay to the State Board of Law Examiners an additional sum of Five Dollars (\$5.00), and each applicant studying law outside the State and asking to be listed as a candidate for admission to the Bar of this State shall pay to the said Board the sum of Fifteen Dollars (\$15.00), to be applied to the expenses incurred by said Board and said Character Committee under this Rule, and to the payment of any compensation which may be allowed by the Court of Appeals to the members of said Committees and to the Secretary of the Baltimore City Character Committee, any balance of said fund to be applied from time to time as may be authorized by order of said Court.

SIXTH

Bar Examinations—Qualifications of Applicants and Procedure to be Followed

(1) All applications for admission to the Bar by examinations shall be referred to, and filed with, the State Board of Law Examiners who shall examine the applicants for original admission as to their qualification to practice law.

Any person who shall have graduated from a recognized law school in the United States after pursuing a course of study therein consisting of not less than three academic years, and who possesses all other qualifications which are now or may hereafter be prescribed by law and any person who shall have studied law in the office of a member of the Bar of this State for at least three years and shall have pursued the course of study prescribed in Rule Eighth and who possesses all the qualifications which are now or may hereafter be prescribed by law, shall be eligible to take the examinations provided for in these Rules. Any applicant who may be otherwise qualified, shall be eligible to take said examinations even though the applicant be an alien or less than twenty-one years of age; provided, however, that no such

person shall receive his or her certificate of admission to the Bar of this State nor be qualified nor permitted to perform any of the duties of an attorney at law, unless he or she be a citizen of the United States and shall have arrived at the age of twenty-one years.

(2) Any person desiring to take the examinations conducted by the State Board of Law Examiners shall file his or her petition with the State Board of Law Examiners in which the petitioner shall state that the petitioner is a citizen of the United States or an alien, and if an alien, a native of what country, an actual bona fide resident of Maryland, the place of his or her residence within the State of Maryland, his or her age, his or her place of birth and, if not born in the United States, but naturalized, the Court in which the petitioner or the petitioner's parents were naturalized, and further stating that the petitioner's legal education is in compliance with the provisions of Rule Sixth (1).

The petitioner shall also file with his or her petition a certificate from the president, dean or any instructor of a recognized law school of the United States certifying that the petitioner is a graduate of said law school and has pursued a course of study therein consisting of not less than three academic years, and that the petitioner is not a person of bad or dissolute habits but of good moral character, or a certificate from the member of the Bar in whose office the petitioner studied, certifying that the petitioner has pursued, under the direction of such member of the Bar, for at least three years, the course of study prescribed in Rule Eighth and that such course of study has been comparable in scope and time devoted to the course of study offered at a recognized law school and further that the petitioner is not a person of bad or dissolute habits but of good moral character. Such certificates shall be *prima facie* evidence of the facts stated in them.

The petition shall be filed at least twenty days before the date fixed for an examination by the State Board of Law Examiners.

In the event the petitioner has successfully completed a course of study of not less than three academic years in a recognized law school in the United States, and is eligible for graduation therefrom, but the graduation exercises of said law school have not been or will not be held prior to fifteen days before the day fixed for the petitioner's examination by the State Board of Law Examiners, a certificate setting forth such facts by the President, Dean or any instructor of said law school shall be deemed the equivalent

Court of Appeals of Maryland

ORDER OF COURT

ORDERED by the COURT OF APPEALS OF MARYLAND this 28th day of April, 1949, that Rule Sixth of the Rules Regulating the Registration of Law Students and Admission to the Bar, entitled Bar Examinations—Qualifications of Applicants and Procedure to be Followed, be and the same is hereby amended to read as follows:

RULE SIXTH

BAR EXAMINATIONS—QUALIFICATIONS OF APPLICANTS AND PROCEDURE TO BE FOLLOWED

(1) All applications for admission to the Bar by examinations shall be referred to, and filed with, the State Board of Law Examiners who shall examine the applicants for original admission as to their qualification to practice law.

Any person who shall have graduated from a law school recognized by the State Board of Law Examiners and located in the United States, or any other law school which may be recognized by the Board of Law Examiners, after pursuing a course of study therein consisting of not less than three academic years, and who possesses all other qualifications which are now or may hereafter be prescribed by law and any person who shall have studied law in the office of a member of the Bar of this State for at least three years and shall have pursued the course of study prescribed in Rule Eighth and who possesses all the qualifications which are now or may hereafter be prescribed by law, shall be eligible to take the examinations provided for in these Rules. Any applicant who may be otherwise qualified, shall be eligible to take said examinations even though the applicant be an alien or less than twenty-one years of age; provided, however, that no such person shall receive his or her certificate of admission to the Bar of this State nor be qualified nor permitted to perform any of the duties of an attorney at law, unless he or she be a citizen of the United States and shall have arrived at the age of twenty-one years.

(2) Any person desiring to take the examination conducted by the State Board of Law Examiners shall file his or her petition with the State Board of Law Examiners in which the petitioner shall state that the petitioner is a citizen of the United States or an alien, and if an alien, a native of what country, an actual bona fide resident of Maryland, the place of his or her residence within the State of Maryland, his or her age, his or her place of birth and, if not born in the United States, but naturalized, the Court in which the petitioner or the petitioner's parents were naturalized, and further stating that the petitioner's legal education is in compliance with the provisions of Rule Sixth (1).

The petitioner shall also file with his or her petition a certificate from the president, dean or any instructor of such recognized law school certifying that the petitioner is a graduate of said law school and has pursued a course of study therein consisting of not less than three academic years, and that the petitioner is not a person of bad or dissolute habits but of good moral character, or a certificate from the member of the Bar in whose office the petitioner studied, certifying that the petitioner has pursued, under the direction of such member of the Bar, for at least three years, the course of study prescribed in Rule Eighth and that such course of study has been comparable in scope and time devoted to the course of study offered at a recognized law school and further that the petitioner is not a person of bad or dissolute habits but of good moral character. Such certificates shall be prima facie evidence of the facts stated in them.

The petition shall be filed at least twenty days before the date fixed for an examination by the State Board of Law Examiners.

In the event the petitioner has successfully completed a course of study of not less than three academic years in such recognized law school, and is eligible for graduation therefrom, but the graduation exercises of said law school have not been or will not be held prior to fifteen days before the day fixed for the petitioner's examination by the State Board of Law Examiners, a certificate setting forth such facts by the President, Dean or any instructor of said law school shall be deemed the equivalent for the purposes of this Rule Sixth, to a certificate that the petitioner is a graduate of said law school.

In the event the petitioner has successfully completed a course of study of not less than three (3) years in a recognized law school, but is not eligible for graduation therefrom because of having been a member of the armed forces of the United States during the existence of a state of war between the United States and any foreign power, the State Board of Law Examiners, in its discretion, may permit the petitioner to take the examinations conducted by the State Board of Law Examiners, notwithstanding the fact that such petitioner has not graduated from said law school.

OGLE MARBURY,
EDWARD S. DELAPLAINE,
STEPHEN R. COLLINS,
WILLIAM L. HENDERSON,
CHARLES MARKELL.

Filed April 29, 1949.

True Copy—Test:

MAURICE OGLE,
Clerk, Court of Appeals.

for the purposes of this Rule Sixth, to a certificate that the petitioner is a graduate of said law school.

In the event the petitioner has successfully completed a course of study of not less than 3 years in a recognized law school, but is not eligible for graduation therefrom because of having been a member of the armed forces of the United States during the existence of a state of war between the United States and any foreign power, the State Board of Law Examiners, in its discretion, may permit the petitioner to take the examinations conducted by the State Board of Law Examiners, notwithstanding the fact that such petitioner has not graduated from said law school.

SEVENTH

Fee for Privilege of Taking Bar Examination

All applicants for admission to the Bar who are required by the Statute or Rules of this Court to take an examination for admission before the State Board of Law Examiners shall pay a fee of Twenty-Five Dollars (\$25.00) at the time of filing their petition.

EIGHTH

Bar Examination

The State Board of Law Examiners shall meet twice annually, once in the month of March and once in the month of July, at such place in the State of Maryland as said Board may determine, for the purpose of conducting a Bar examination. During the calendar year 1946, the State Board of Law Examiners shall meet only once for the purpose of conducting a Bar examination and such Bar examination shall be given by the Board in July of 1946. Thirty days' published notice of the time and place of meeting shall be given.

Such examination shall consist of a morning session and an afternoon session of three hours each on two consecutive days. The examination shall be in writing. At each session fifteen questions shall be submitted. A correct answer to any question shall entitle the applicant to five points and in order to pass the examination the applicant must receive at least two hundred and ten points out of a possible three hundred points.

All applicants shall be examined by said Board on each of the following subjects: Agency, Conflict of Laws, Constitutional Law, Contracts, Corporations, Criminal Law, Domestic Relations, Equity, Evidence, Negotiable Instru-

ments, Personal Property, Pleading and Practice at Law and in Equity, Administrative Law including Public Service Companies, Real Property, Torts and Testamentary Law.

The Board may in its election, in addition to the written examination, examine orally any or all of the applicants.

NINTH

Rules and Special Meetings

The State Board of Law Examiners may prescribe such rules, not inconsistent with those herein specifically set forth, as it may deem to be necessary for the proper and expeditious conduct of both the Bar examinations and the examinations in prelegal subjects.

The said Board shall hold such other meetings for the purpose of conducting examinations at such time and place and on such notice as may be directed by the Court of Appeals from time to time by special orders.

TENTH

Maryland Residence Essential

No person, unless he or she shall be a bona fide resident of Maryland at the time of filing his or her application therefor, shall be entitled to register as a law student pursuing his or her legal studies within the State of Maryland, or, while studying without the State, to be listed as a candidate for admission to the Bar of this State, to be authorized to take the Bar examination, or to be admitted to the Bar.

In time of war, notwithstanding anything in this Rule or in Rule Sixth to the contrary, no person in the military service, defined in Article 87A of Flack's Annotated Code, if otherwise qualified, shall be prevented from taking the Bar examination by reason of non-residence in the State, but such person shall not be admitted to the Bar as a result of such examination until he or she actually establishes a bona fide residence in the State.

ELEVENTH

Results of Examination to be Reported to Court of Appeals

The State Board of Law Examiners shall, as soon as practicable after each Bar examination, report to the Court of Appeals all their proceedings in connection with such examination. They shall file with their report a copy of the

Court of Appeals of Maryland

RULE FOURTH

FOURTH

Character Committee.

(1) There shall be a committee to be known as the Character Committee for Baltimore City and for each of the Counties of the State.

The members of said Committee shall be appointed by the Court of Appeals. The Committee for Baltimore City shall consist of twelve members and the Committee for each County shall be composed of three members. The Baltimore City Committee shall designate one member of the Baltimore City Committee to act as the Secretary of said Committee.

(2) Each student conducting his or her legal studies within this State at the time of filing his or her application for registration as a law student, and each student pursuing his or her legal studies out of this State at the time of filing his or her application to be listed as a candidate for admission to the Bar of this State, shall be furnished by the Secretary of the State Board of Law Examiners with a copy of these Rules together with Forms A and B.

Form A shall be a questionnaire eliciting from said applicant information concerning such of the applicant's personal history and previous conduct as may throw light upon the applicant's moral character qualification for Bar membership.

The applicant shall at all times have the burden of proving his or her good moral character before the Character Committee, the State Board of Law Examiners and the Court of Appeals, and the failure of an applicant to answer any question on Form A or any question propounded by any member of the Character Committee, the State Board of Law Examiners or the Court of Appeals shall justify a finding that the applicant has not met the burden of proof of establishing the applicant's good moral character.

Form B shall be a certificate signed by two reputable taxpayers of this State, *resident in the same county or city as the applicant*, certifying to said applicant's good moral character.

Forms A and B, with such amendments as may be made from time to time, shall be prepared by the State Board of Law Examiners and be submitted to the Court of Appeals for its approval.

Form A shall be filled in by the student and, with Form B, shall be returned to the said Board within thirty days from the date of said application, which said date shall be stamped on said Forms by said Board.

(3) Upon the receipt of said Forms, the Board shall forthwith transmit copies thereof respectively to the Committee for the City or county in which the applicant resides.

(4) Each Committee shall then promptly, through one or more of its members, (a) personally interview applicant and (b) check up on the applicant's questionnaire and character references and make such further investigation as may be deemed desirable and necessary.

(5) Said Committee shall, as promptly as possible after the names of applicants for registration as law students and the names of those studying without the State and applying to be listed as candidates for admission to the Bar of this State, as hereinbefore described, are submitted to them, investigate and consider the character of said persons and their fitness to be admitted to the Bar, and transmit to the State Board of Law Examiners a report of such investigation of such applicants and their recommendations as to the character and fitness of the applicant to be admitted to the

Bar. Should said Board, because of matters so reported to it by said Committee, or for any other reason, conclude in the case of any of said applicants that there apparently exist proper grounds for recommending disapproval of such application, it shall promptly notify such applicant and give the applicant an opportunity to appear before it and be fully informed of the matters so reported by said Committee and to answer or explain the same. If said Board is thereafter still of the opinion that an adverse report should be made on such application, it shall first give the applicant the privilege of withdrawing his or her application, but if the applicant elects not to do so and the recommendation of the Board to the Court of Appeals is then against the approval of such application, the Court of Appeals shall require the applicant to show cause why his or her application for registration or listing should not be refused; and if the said Board shall decide the applicant is entitled to registration or listing and the Committee having the matter in charge should desire to have such decision reviewed, the said Committee shall have the privilege, upon ten days' notice to the applicant, of an appeal therefrom to the Court of Appeals within thirty days after such decision.

(6) Said Committee shall continue respectively to have under observation and subject to their further report all of said registrants up to and until the day set for Bar admission.

(7) The Court of Appeals may award to the Secretary of the Character Committee of Baltimore City and to members of the several Character Committees such compensation for the services rendered by them respectively as the Court may deem proper, such compensation to be discharged from the fees required to be paid by the provisions of Rule Fourth (8).

(8) When returning to the Secretary of the State Board of Law Examiners Forms A and B, as required by Section (3) of this Rule, each applicant for registration as a law student shall pay to the State Board of Law Examiners an additional sum of Fifteen Dollars (\$15.00), and each applicant studying law outside the State and asking to be listed as a candidate for admission to the Bar of this State shall pay to the said Board the sum of Fifteen Dollars (\$15.00), to be applied to the expenses incurred by said Board and said Character Committee under this Rule, and to the payment of any compensation which may be allowed by the Court of Appeals to the members of said Committees and to the Secretary of the Baltimore City Character Committee, any balance of said fund to be applied from time to time as may be authorized by order of said Court.

ORDER OF COURT

ORDERED by the Court of Appeals of Maryland, this 19th day of September, 1957, that Rule Fourth of the Rules Governing Registration of Law Students and Admission to the Bar of Maryland, promulgated by this Court on June 10, 1955, entitled "Character Committee," be and the same is hereby abrogated and rescinded, and in lieu thereof the foregoing Rule Fourth be, and the same is hereby adopted.

/s/ FREDERICK W. BRUNE,
/s/ STEPHEN R. COLLINS,
/s/ WILLIAM L. HENDERSON,
/s/ HALL HAMMOND,
/s/ STEDMAN PRESCOTT.

Filed: September 19, 1957

J. LLOYD YOUNG,
Clerk,
Court of Appeals of Maryland.

questions asked and all replies. The report shall also state the conclusions of said Board as to the qualifications of all applicants and shall recommend, in the case of each person examined, that he or she be or be not admitted to the Bar. The State Board of Law Examiners shall also make a similar report to the Court of Appeals after each examination in prelegal subjects.

TWELFTH

Procedure Following Report to Court of Appeals—Filing and Hearing of Exceptions

The names and places of residence of all persons recommended by said Board for admission to the Bar shall be published once a week for three successive weeks in two daily newspapers published in the City of Baltimore before the day fixed for the ratification by the Court of Appeals of the report of the State Board of Law Examiners.

If exceptions to the report of the Board shall be filed, such exceptions shall be heard and decided by the Court. In case an exception shall be filed to the recommendation of the Board that any applicant shall not be admitted to the Bar, and the exception relates to the qualifications of the applicant to practice law, no new examination will be held, but the exception will be heard and determined on an examination by the Court of the applicant's answers to the questions asked the applicant. If the exception relates to the moral character of the applicant, the exceptant and the applicant shall have the right to produce evidence in support of or against their exception before the Court or before an Examiner appointed for the purpose of taking testimony and the Court shall thereupon, in such manner as it may determine, finally adjudicate the matter.

If no exceptions are filed to the report of the State Board of Law Examiners within thirty days after their report is filed, the recommendations contained in their report shall be adopted by the Court of Appeals, the action of the Board ratified and the applicants admitted or rejected as recommended by the Board.

THIRTEENTH

Final Order of Admission

When it shall be thus determined by the Court of Appeals that an applicant is qualified to practice law and is of good moral character, an order will be passed directing that he or she be admitted to the Bar on taking the oath required

of a member of the Bar by Article 10, Section 10,, of the Annotated Code of Maryland (1939 Ed.).

FOURTEENTH

Admission of Members of the Bar of Another State, District or Territory of the United States or of the Courts of the United States

If any person shall apply for admission to the Bar of this State as a member of the Bar of another State, district or territory of the Courts of the United States pursuant to Section 7 of Article 10 of the Annotated Code of Maryland (1939 Ed.), he or she shall file with the Secretary of the State Board of Law Examiners a petition addressed to the Court of Appeals, in which petition he or she shall state that the petitioner is now an actual bona fide resident of this State, shall name the State, district or territory of the United States in which and the Court by which the petitioner was admitted to the Bar and shall also state that the petitioner has, for at least five years before filing his or her said petition, been engaged continuously as a practitioner or teacher of the law or a judge in one of the States (including the District of Columbia or territory) of the United States. The time during which any petitioner has served in the armed forces of the United States during the existence of a state of war between the United States and any foreign power, and during which the petitioner has been continuously engaged in the office of the Judge Advocate General, or in other legal work in said armed forces, may be added to the time during which the petitioner has been engaged continuously as a practitioner or teacher of the law, or a judge in one of the States (including the District of Columbia or territory) of the United States, in order to meet the requirements of said five period of continuous practice. The petitioner shall file with his or her petition a copy of the petitioner's license to practice, duly certified, or a copy of the Record of the Court in which the petitioner was so admitted, certified as required by law for the authentication of the records of the Courts of other States, district or territory of the United States when offered as evidence in the Courts of this State.

The petitioner shall also file a certificate of a judge of the State, district or territory of the United States in which the petitioner was so admitted or a certificate from two members of the Bar of this State, or of the State (or District of Columbia or territory of the United States) in which for at least five years the petitioner may have taught or practiced law or served as a judge, as aforesaid, certifying how long they have known the petitioner and that the petitioner is

ORDERED by the Court of Appeals of Maryland this 10th day of December, 1946, that Rule Fourteenth of the Rules regulating the registration of law students and admissions to the Bar, adopted by the Court of Appeals on November 28, 1945, be, and the same hereby is amended by adding a new paragraph to said Rule Fourteenth, which new paragraph shall be inserted as a new paragraph immediately following the first paragraph of Rule Fourteenth and shall read as follows:

“Veterans honorably discharged from the armed forces of the United States, who were actual residents of this State prior to their entry into the armed forces and who continue to be actual residents of this State after their discharge from the armed forces, or any members of the armed forces who are still in such service and who were likewise actual residents of this State prior to their entry into the armed forces and who continue to be and are actual residents of this State, and who are members of the bar of any State, District or Territory of the United States, and who for five years after admission did engage in any one or more places in the United States or in any district or territory thereof, as practitioners, judges or teachers of law, shall be admitted without examination on proof of good moral character.”

not a person of bad or dissolute habits, but of good moral character; that the petitioner is, at the time of such certificate, a member of the Bar in good standing and that the petitioner has been actively and continuously engaged as a practitioner or teacher of the law, or judge, in such State, district or territory of the United States for at least five years before the filing of his or her said petition.

After the petition is filed with the Secretary of the State Board of Law Examiners, said Board shall investigate the matters set forth in said petition in such manner as to the said Board may seem adequate and proper. Upon the conclusion of said investigation the State Board of Law Examiners shall make a report on said petition to the Court of Appeals, either approving or disapproving the admission of the petitioner to the Bar of Maryland, accompanying said report with all of the papers relating to said case. If the report shall be adverse to the petitioner, he or she may, within thirty days from the date of the mailing to the petitioner by the Clerk of the Court of Appeals of notice of said report of the State Board of Law Examiners, enter an appeal therefrom to the Court of Appeals. Said appeal shall thereafter be heard by the Court in such manner as the Court may determine and its decision shall be final.

The petitioner shall, at the time of filing his or her petition, pay to the State Board of Law Examiners in money or by certified check the sum of ~~Seventy-Five Dollars (\$75.00)~~ ^{100⁰⁰} to be used in the discretion of the Board in conducting any investigation which it may deem necessary, the unexpended residue to be included in the fund from which the members of the State Board of Law Examiners shall receive such compensation as shall be awarded them from time to time by the Court of Appeals. The said payment of ~~Seventy-Five Dollars (\$75.00)~~ ^{100⁰⁰} shall not in any event be refunded.

(1) The active and continuous practice required by Rule Fourteenth must occur in one State, District or Territory (unless legal service in the Armed Forces as provided in the amendment to Rule Fourteenth on November 28, 1945 is involved); the purpose of the requirement of five years active and continuous practice explained. *Edmonds vs. Webb*, 182 Md. 60.

(2) Applicant, who had no established law office, was not connected with an established law office, who had tried no cases in Court and who, during part of five year period, had engaged as an insurance solicitor had not been engaged in the "active and continuous practice of law" within the meaning of Rule Fourteenth. *In the matter of the Appeal of Wilbur Rogers from an Adverse Report of the Maryland State Board of Law Examiners*, 197 Md., 737 Opinion filed February 5, 1946.

FIFTEENTH**Form of Petitions to be Prepared by State Board of Law Examiners**

The State Board of Law Examiners may prepare forms of petitions to be used in applying for relief pursuant to any of these Rules and may incorporate therein such inquiries for information as to the Board may seem proper, and when said forms have been submitted to the Court of Appeals and approved by it they may thereafter be used officially for the purposes for which they have been respectively prepared.

SIXTEENTH**Compensation of the State Board of Law Examiners**

The members of the State Board of Law Examiners shall receive such compensation as shall be fixed from time to time by the Court of Appeals after receiving reports from the Board of the amounts of fees received from all sources and of expenses incurred for all purposes and their recommendation of a suitable amount to be held in reserve.

Published by

MARYLAND STATE BOARD OF LAW EXAMINERS.

November 28, 1945.

*From the Annotated Code
of Maryland, 1939 Ed.*

ARTICLE 10.

Attorneys at Law and Attorneys in Fact. Admission to the Bar.

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1715, ch. 48. 1753, ch. 17. 1831, ch. 268. 1908, ch. 638. 1910, ch. 608 (p. 6). 1933, ch. 286. 1939, ch. 576.

1. No person shall practice the profession or perform the services of an attorney at law within this State without being admitted to the bar as hereinafter directed; and any person who shall give legal advice, represent any person in the trial of any case at law or in equity or prepare any written instrument affecting the title to real estate, for pay or reward, shall be deemed an attorney at law for purposes of this Article; provided, however, that this section shall not apply to Garrett County, so far as it relates to the preparation of written instruments affecting the title to real estate for pay or reward.

Cited but not construed, *In re Taylor*, 48 Md. 30.

Cited in construing Art, 43, Sec. 368. *Dvorine v. Castleberg Corp.*, 170 Md. 674.

An Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1898, ch. 139. 1945, ch. 732.

2. A State board of law examiners is hereby created, to consist of three members of the bar of at least ten years' standing, who shall be appointed by the court of appeals, and shall hold office for the term of three years. Said examiners shall hold office for one, two and three years, respectively, to be designated by the judges of the court of appeals. After the first appointment the court of appeals shall annually appoint a member of said board in the place of the examiner whose term shall expire. Members of said board shall be eligible to reappointment. In case of any vacancy in said board by reason of death, resignation or otherwise, the court of appeals shall fill said vacancy by the appointment of a member of said board to serve until the expiration of the term for which the person so dying or resigning has been appointed. All applications for admission to the Bar of this State shall be made by petition to the Court of Appeals and said petition shall be filed with the State Board of Law Examiners.

For cases now apparently inapplicable to this section by reason of changes in the law, see *In re Taylor*, 48 Md. 31; *State v. Johnston*, 2H. & McH. 163.

An. Code, 1924, sec. 3. 1912, sec. 3. 1904, sec. 3. 1892, ch. 37. 1898, ch. 139. 1902, ch. 399. 1916, ch. 509, sec. 3. 1918, ch. 426 and ch. 270. 1939, ch. 410, sec. 3. 1945, ch. 732.

3. (a). Prior to June 1, 1940, any person in this State desiring to begin the study of law for the purpose of admission to the Bar shall first file with the State Board of Law Examiners an application for registration as a law student, and at the same time shall file therewith

a certificate showing that he or she has completed a course of study substantially equivalent to a high school education in Maryland; the following shall be accepted as satisfactory proof of compliance with the requirements of this Section: Filing evidence with the State Board of Law Examiners that the applicant has (a) graduated from any high school approved by the Maryland State Department of Education, or (b) passed an examination conducted under the supervision of the State Board of Law Examiners only in the subjects now being given by the State Board of Law Examiners as the equivalent of a high school education, or (c) completed the university or college work as required under section 4. If the applicant shall pass such an examination he or she shall be entitled to registration as a law student.

Nunc pro tunc registration may be permitted if the candidate had the requisite education at the date as of which he desires to be registered and there has been no laches on his part, said matters to be determined by the State Board of Law Examiners; provided, however, that any person over the age of 40 years, who was a resident of the State of Maryland on June 1, 1918, may register as a law student on or before November 1, 1939, under the provisions of the law for admission to the bar as existed prior to June 1, 1918.

(b). A candidate removing from a jurisdiction having similar standards for registration may have the registration transferred. The State Board of Law Examiners shall examine the applicant touching his or her qualifications for admission to the Bar. No one shall be examined who shall not have studied law in a law school in the United States, or in the office of a member of the Bar of this State for at least three years; no one shall be examined who shall not have been registered as aforesaid as a law student before beginning said period of study with the exception that any applicant who shall have pursued the study of law in a school outside the State of Maryland for the requisite period may take the Bar Examination without registration provided the entrance requirements of said school shall be approved by the State Department of Education.

(c). The said Board shall report their proceedings in the examination of applicants to the Court of Appeals, with any recommendations said Board shall desire to make. If the Court of Appeals shall then find the applicant to be qualified under the provisions of this Section and also (if registered on or after June 1st, 1940) under the provisions of Section 4 to discharge the duties of an attorney, and to be of good moral character and worthy to be admitted, they shall pass an order admitting him or her to practice in all the Courts of the State.

(d). The Court of Appeals shall prescribe rules for a uniform system of examinations in this State, both for registration as aforesaid and for admission to the Bar; and for the fees to be paid by the applicant upon taking the examinations aforesaid; and for the compensation of the members of the Board, who shall be paid out of said fees; and generally such other rules as may be necessary or convenient to carry out the provisions of this section. Every applicant, upon presenting himself or herself for examination before the Board of Law Examiners; shall pay to the treasurer of the Board such fee, not exceeding twenty-five dollars, as may be fixed by the Court of Appeals. On payment of one examination fee the applicant shall be entitled to the privilege of three examinations, but no more.

The Board of Examiners shall render an annual account of their expenses to the Court of Appeals.

Any fraudulent act or representation by any applicant in connection with his application, registration or examination shall be sufficient cause for the revocation of the order admitting him to practice.

Prior to the act of 1902, ch. 399, women were not entitled to practice law in Maryland. *In Re Maddox*, 93 Md. 729.

For a case apparently now inapplicable to this section by reason of changes in the law, see *In Re Taylor*, 48 Md. 30 (involving the right of a negro to practice law).

1939, ch. 410, sec. 3½.

4. From and after June 1st, 1940, no person shall begin the study of the law under the provisions of Sections 3 and 4, unless and until, in addition to the requisites for the study of law as provided in Section 3 of the Article, he or she submits proof satisfactory to the Board of Law Examiners that he or she has successfully completed one year of college work or its equivalent; nor from and after June 1st, 1941, unless he or she shall submit proof satisfactory to the State Board of Law Examiners that in addition to the requisites of Section 3, he or she has successfully completed two years of college work or its equivalent.

The following shall be accepted as satisfactory proof of compliance with the requirements of this Section:

(a) If the application for registration as a law student is made on or after June 1st, 1940, it must be accompanied by evidence satisfactory to the State Board of Law Examiners of the successful completion of one year's academic work, consisting of not less than thirty (30) semester hours, and if made on or after June 1st, 1941, then of two years of academic work, consisting of a total of not less than thirty-six (36) semester hours, in each instance taken in a university or college recognized by the Maryland State Department of Education as a standard institution of college grade, or

(b) Filing with the said application for registration a certificate from any college or university approved by the State Board of Law Examiners, as hereinafter provided, certifying that the applicant has successfully completed a course of studies which the State Board of Law Examiners shall have deemed for the purpose of pre-legal education as set forth in Sections 3 and 4 of this Article, as full and complete compliance with its requirements and which course of studies the State Board of Law Examiners shall have promulgated by rule duly published in a newspaper of general circulation in the State of Maryland within thirty (30) days from June 1, 1939. This rule when so promulgated shall specify the subjects to be taught, the number of hours for each subject and the colleges or universities in Maryland which have been approved by the State Board of Law Examiners to give pre-legal education. The said Board of Law Examiners, when said rule shall have been promulgated, shall thereafter neither enlarge nor diminish the course of study nor number of hours specified. The State Board of Law Examiners shall not add to nor take from the list of Maryland colleges and universities approved by it, except that if the State Board of Education shall certify to the State Board of Law Examiners that any college or university theretofore approved is not

providing the pre-legal education required by the rule promulgated, such institution maybe removed from the list, provided, however, that the General Assembly of Maryland, may, from time to time, by an enabling act authorize the State Board of Law Examiners to make specified changes in said rule. Actual college or university attendance shall not be required in the acquisition of said "Equivalent" education herein provided for, but if the applicant has not completed such course of study as may be prescribed by said rule under this Section in such an approved college or university, he or she shall submit to an examination to be held under the supervision of the State Board of Law Examiners in subjects specified by said rule of the State Board of Law Examiners in order to show that his or her education is equivalent to the standard of pre-legal education established and required by Sections 3 and 4 of this Article. Prior to taking such last mentioned examination, applicants shall pay to the State Board of Law Examiners a fee not in excess of the cost involved in giving such examination, which said fee shall be determined and fixed by rule or resolution passed or adopted by said Board.¹

¹Sec. 3, ch. 410, 1939, repeals all laws inconsistent therewith.

An. Code, 1924, sec. 4. 1912, sec. 3A. 1914, ch. 655.

5. All persons, graduates of a recognized law school and possessing all other qualifications which are now or may hereafter be prescribed by law, shall be eligible to take the examination provided for in this Article at the regular examination of the Examining Board, held at any time following his graduation, even though he be less than twenty-one years of age; provided, however, that no such person shall receive his certificate of admission to the Bar of this State, nor be qualified nor permitted to perform any of the duties of an Attorney at Law as provided by this Article until he shall have arrived at the age of twenty-one.

An. Code, 1924, sec. 5. 1912, sec. 4. 1902, ch. 399, sec. 3A.

6. Women shall be permitted to practice law in this State upon the same terms, conditions and requirements and to the same extent as provided in this article with reference to men.

This section apparently grew out of the decision, *In Re Maddox*, 93 Md. 727.

An. Code, 1924, sec. 6. 1912, sec. 5. 1904, sec. 5. 1888, sec. 6. 1831, ch. 268, sec. 5. 1898, ch. 139.

7. Members of the bar of any State, district or territory of the United States, who, for five years after admission, have been engaged as practitioners, judges or teachers of law, shall be admitted without examination on proof of good moral character, after becoming actual residents of this State. Members of the bar of any other State, district or territory of the United States, who may be employed as counsel in any case pending before any of the courts of this State, may be admitted for all the purposes of the case in which they are so employed by the court before which said case is pending, without examination. Nothing herein contained shall be construed to deprive the courts of this State of the power, as at present existing, of disbaring or otherwise punishing members of the bar.

This section would not authorize the admission to the Maryland bar of women who have been practicing law in other states, if women were not entitled to be originally admitted here. *In Re Maddox*, 93 Md. 734. (See sec. 6.)

The act of 1898, ch. 139, does not interfere with the authority of Maryland courts to admit non-resident attorneys for the purpose of appearing in a particular case. How a difficulty in serving pleadings in such case, may be met. *Chappell v. Real Estate Co.*, 89 Md. 261.

An. Code, 1924, sec. 7. 1912, sec. 6. 1904, sec. 6, 1888, sec. 9. 1831, ch. 228, sec. 1. 1878, ch. 400.

8. All persons who are now or shall hereafter be admitted to practice law in the court of appeals of this State shall be entitled to practice law in any or all other courts of the State, upon exhibiting to the judge or clerk thereof a duly authenticated certificate of such admission to the bar of the court of appeals.