

## **ADMISSION BY MOTION APPLICATION - ELIGIBILITY BASED ON PRACTICE** **INSTRUCTIONS/FEES/CHECKLIST**

*Refer to Rule 7.A. of the North Dakota Admission to Practice Rules*

**It is your responsibility to read and follow all instructions carefully. Failure to comply with any instructions may result in return of your application.**

### **FEES**

\$400 - **application fee** payable to the *State Board of Law Examiners* (Board) only by check or money order (no credit cards accepted). Application fees are not refundable.

\$500\* - character and fitness **investigation fee** payable to the *National Conference of Bar Examiners* (NCBE) by check, money order, or credit card. [*\* If you submitted an application in a state where the NCBE completed an original investigation less than four years ago, only a supplemental investigation fee of \$225 may be required. Refer to NCBE's fee schedule to determine the fee required in that instance.*]

The fees payable to the NCBE and the Board of Law Examiners must be paid separately.

### **APPLICATION PROCESS**

- \* The Board uses the services of the National Conference of Bar Examiners (NCBE) to assist in conducting an applicant's character and fitness investigation.
- \* Motion applications take *approximately* 4-7 months to process, but can take longer.
- \* File application with required documentation and fees with the Board. Make arrangements for outside documents to be filed with the Board. Remind your references and former and present employers to promptly respond to requests from the NCBE.
- \* Receive a confirmation letter from the Board. Sometimes a request for further information will be included in the letter. Promptly respond to any request for absent or additional documentation.
- \* May receive correspondence directly from NCBE.

### **REMEMBER WHEN COMPLETING YOUR APPLICATION:**

- \* Each question on the application must be answered completely. Give complete addresses, including street names and numbers, city, state, and postal zip codes.
- \* Criminal matters - include all adult charges – whether or not they were expunged. Attach the officer's report, complaint, and disposition of charges.
- \* Civil Lawsuits – attach complaint and disposition documents.
- \* **Two of the six required personal references must be clients not related to you by blood or marriage. Please indicate which two references are clients by handwriting "client" behind their name on the printed application. If you cannot identify two client references, you must explain why by affidavit.**

**[See Checklist on following page.]**

## **CHECKLIST**

All items listed below are required to be submitted to the State Board of Law Examiners as part of your application for admission:

- A copy of this checklist affirmatively checking off that each item is included in your application packet or has been requested.
- [Application](#). The application must be completed online at the NCBE website and then printed. The Acknowledgment page must be signed. The ORIGINAL (single-sided) is filed with the Board of Law Examiners.
- NCBE release form (original) (included with the online Bar application)
- Fees (as set out above) **and** NCBE Payment Confirmation Form. The NCBE “Character and Fitness Application Payment Confirmation” form will print out with your application and must be included with the hard copy of your application.
- 2” x 2” recent color photograph
- One executed original "Motion Petition" form [\[Petition form\]](#)
- One executed original North Dakota release form. [\[ND Release\]](#) (This is in addition to the NCBE release included in the online bar application.)
- Certification of admission and good standing from the state jurisdiction(s) where admitted.
- Certification from the state disciplinary authority in each jurisdiction where the applicant is admitted disclosing all pending or prior disciplinary proceedings (public and private) against the applicant's license to practice or affirming there have been no such proceedings.
- The affidavits delineated in Rule 7(A)(2), Admission to Practice Rules.  
*(Information required to be attested to by applicant may be combined into a single document. In lieu of a notarized affidavit, an unsworn declaration may be used if it follows substantially the form set forth in N.D.C.C. 31-15-05.)*
  - Affidavit identifying all jurisdictions where applicant has applied for admission and the final decision of the admitting authority in each jurisdiction.
  - Affidavit disclosing the place or places in the other state or states or District of Columbia where the applicant has practiced law.
  - Provide the name and address of a judge who has presided in a court before which the applicant has practiced law. [If the nature of your practice is transactional and you are not able to provide a judge reference, if you know a judge on a personal basis who can attest to your character and fitness, please provide his/her name and address. If not, please provide the name of an attorney who is familiar with your work, preferably one who was on the opposing side in one of your transactional matters.]

- Verification of 45 hours of approved or approvable course work in Continuing Legal Education, three of which shall be in ethics, earned in the 42 months immediately preceding filing of an application for admission. See Rule 7(A)(2)(g), Admission to Practice Rules. Verification must be in affidavit form and include, or attach a CLE transcript, containing the name of each course attended, the sponsoring agency, a brief description of each course, location and date held, and number of credits earned. The N.D. CLE Commission determines what constitutes approved coursework. Basic information on what types of courses receive credit, what other activities are eligible for Continuing Legal Education credit, and limits on self-study hours are located at: SBAND-CLE. Submitting an application with deficiencies in CLE hours may result in return of your application.
- Two affidavits from attorneys in the other jurisdiction who can attest to character and fitness.
- An affidavit addressing the following:
  1. Whether you have read Rule 5.5 of the North Dakota Rules of Professional Conduct;
  2. Whether you currently maintain, or have ever maintained, an office in North Dakota;
  3. Whether, on behalf of any other person or entity, you have drafted deeds, mortgages, or other legal instruments associated with the transfer and/or encumbrances of title to North Dakota real property;
  4. Whether, on behalf of any other person or entity, you have examined title information and/or rendered opinions concerning the validity of title to North Dakota real property;
  5. Whether, on behalf of any other person or entity, you have given advice concerning documentation necessary to cure a cloud on the title to North Dakota real property; and
  6. Whether, on behalf of any other person or entity, you have given advice or drafted documents concerning North Dakota law.

## **AMENDMENTS**

**It is your responsibility to update your application during its pendency.** To do so, log into your [NCBE Account](#) and select Amend Application.

Retain a copy of your application for your records as requests for a copy will involve a copying charge.

Mail completed application packet to:

State Board of Law Examiners  
Judicial Wing, 1st Fl  
600 E Boulevard Ave.  
Bismarck, ND 58505-0530

*Rev. 05-2020*