

ADMISSION BY MOTION APPLICATION - ELIGIBILITY BASED ON TEST SCORE
INSTRUCTIONS/FEES/CHECKLIST

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

DEADLINE

A completed application, fees, and proof of the UBE or MBE score must be received at the offices of the Board within:

- Two years from the date of the examination in the jurisdiction where the examination was written, if the applicant has not been actively engaged in the practice of law,

OR

- Five years from the date of licensure if the applicant has been actively engaged in the practice of law, to an extent deemed by the Board to demonstrate competency, and
 - ❖ The application must be accompanied by verification of 12 hours of approved or approvable course work in Continuing Legal Education, one hour of which shall be in the area of ethics or course work commonly considered professional responsibility, within the 36-month period immediately preceding the application for admission.

FEES

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

Character and fitness **investigation fee** payable to the National Conference of Bar Examiners. Please see the NCBE Fee Schedule at: <https://www.ncbex.org/character-and-fitness/north-dakota-fee-schedule/>

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

APPLICATION PROCESS OVERVIEW

The Board uses the services of the National Conference of Bar Examiners (NCBE) to assist in conducting an applicant's character and fitness investigation. This is a very brief overview of the application process.

1. Applicant completes the application online, uploads supporting documents, and pays the appropriate investigation and application fees. Applicant makes arrangements for documents from third parties to be filed with the Board of Law Examiners. Applicant should encourage personal references and former and present employers to promptly respond to requests from the NCBE.
2. Applicant will receive a confirmation email from the Board when the application has been accepted for processing. Sometimes a request for further information will be made by the Board staff. Promptly respond to any request for absent or additional documentation.
3. Applicant may receive correspondence directly from NCBE requesting additional information.
4. Motion applications take *approximately* 4-7 months to process, but can take longer.

REMEMBER WHEN COMPLETING YOUR APPLICATION:

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

- * Each question on the application must be answered completely. Give complete addresses, including emails, street names and numbers, city, state, and postal zip codes.
- * The primary email address you list on your NCBE character and fitness application is the email at which the Board of Law Examiners will contact you. Make sure you are always checking the *primary* email address you provided for communications from the Board.
- * Criminal matters - include all adult charges – whether or not they were expunged. Upload the officer's report, complaint, and disposition of charges to your NCBE account.
- * Civil Lawsuits – upload the complaint and disposition documents to your NCBE account.
- * **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 noting "client" behind their name. If you cannot identify two client references, you must explain why by affidavit.**

CHECKLIST - BY TEST SCORE

Please note that the Application form is completed online through the NCBE website. However, additional documents and an application fee are required to be filed directly with our office. Your application is not considered received until the application fee and the core documents listed below are timely received at the Board's office. Please carefully follow the checklist below or your application may be rejected.

- ☐ [Application](#). The application must be completed online through the NCBE website. All supporting documents referenced in your application must be uploaded into your NCBE account.

All items listed below are required to be **mailed** to the Board of Law Examiners as part of your application (delivery address below).

Core documents:

- ☐ A copy of this checklist affirmatively checking off that each item is included in your application packet or has been requested.
- ☐ \$400 application fee paid by check or money order to the Board of Law Examiners.
- ☐ Acknowledgment of Complete Application. The Acknowledgment form must be printed, signed, and mailed to the Board of Law Examiners. (Electronic or physical signature is accepted.)
 - * The Acknowledgment form is a linked document within the Completion Checklist in your NCBE Account. Log into your NCBE account. Select "Character & Fitness" and the application in question. In the "Actions" column, select "View Checklist".

- 2" x 2" recent color photograph
- One executed original "Motion Petition" form [\[Petition form\]](#)
- One executed original North Dakota release form. [\[ND Release\]](#)
- UBE or MBE Score has been requested.

Score eligibility: UBE scaled score of 260 or above; or
 MBE scaled score of 150 or above and applicant is admitted in the jurisdiction where the MBE exam was written.

It is the applicant's sole responsibility to initiate steps for the transfer of the applicant's UBE or MBE score directly by NCBE to the first decimal place. If your jurisdiction does not use the score transfer services of NCBE, your jurisdiction must certify your score directly to us with the score reported to the first decimal place.

An application will not be accepted for processing if your score has not been transferred before or at the time of filing your application.

- If the application will be received more than two years after the date of the UBE or MBE examination, the application must be accompanied by proof of 12 hours of approved or approvable course work in Continuing Legal Education, one hour of which shall be in the area of ethics or course work commonly considered professional responsibility, within the 36-month period immediately preceding the application for admission.
- An affidavit addressing the following:
(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.)
 1. Whether you have read Rule 5.5 of the North Dakota Rules of Professional Conduct;
 2. Whether you currently or have ever worked as a lawyer in North Dakota;
 3. Do you currently or have you ever had a law office in North Dakota;
 4. 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;
 5. 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;
 6. 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
 7. Whether, on behalf of any other person or entity, you have given advice or drafted documents concerning or regarding North Dakota law.

Additional documents required:

- Certificate of admission and good standing from the state jurisdiction(s) where admitted. Include this with your application packet. If applicant is not admitted in the jurisdiction whether the exam was taken, this requirement may be disregarded.
- Certificate 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. Include this with your application packet. If applicant is not admitted in the jurisdiction whether the exam was taken, this requirement may be disregarded.
- Certified copy of your application for admission in the jurisdiction where the Multistate Bar Examination or Uniform Bar Examination was written (sent directly by the jurisdiction) has been requested.
- Multistate Professional Responsibility Examination (MPRE) scaled score of 85 or higher (sent directly by the NCBE) has been requested. MPRE scores achieved more than five years prior to receipt of an application will not be accepted. It is the applicant's sole responsibility to contact the National Conference of Bar Examiners to initiate steps for the transfer of the applicant's MPRE score.

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

Email: barexaminers@ndcourts.gov

Phone: 701-328-4201

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