Managing Director’s Guidance Memo

Standard 504

August 2015

Standard 504. QUALIFICATIONS FOR ADMISSION TO THE BAR

(a) A law school shall include the following statement in its application for admission and on its website:

In addition to a bar examination, there are character, fitness, and other qualifications for admission to the bar in every U.S. jurisdiction. Applicants are encouraged to determine the requirements for any jurisdiction in which they intend to seek admission by contacting the jurisdiction. Addresses for all relevant agencies are available through the National Conference of Bar Examiners.

(b) The law school shall, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness, and other requirements for admission to the bar in each jurisdiction in which they intend to seek admission to the bar.

Background

This memo provides guidance on compliance with Standard 504, which covers qualifications for admission to the bar. The Standard was revised in August 2014 as part of the comprehensive review of the Standards. There are two major changes in the new Standard from the provisions in effect prior to August 2014. First, the new Standard prescribes exact language that law schools must include in their application for admission and on their websites. In the past, there have been numerous citations to law schools for failure to advise students about character and fitness requirements. Providing the exact language in the Standard avoids ambiguity and makes
it easier for law schools to comply. Second, the new Standard clarifies that there are additional steps that law schools must take to apprise students once enrolled about character, fitness, and other requirements for admission to the bar.

Posting the Statement on the Law School’s Website

The statement required by Standard 504(a) must be posted conspicuously or available by a link featured prominently on the main page for admissions/prospective students.

The statement should include the heading, “Qualifications for Admission to the Bar.”

Including the Statement in the Law School’s Application for Admission

Law schools are not uniform with respect to the types of questions they may ask regarding an applicant’s character and fitness. Differences may be due to law schools’ missions or to varying state requirements for admission to the bar.

Regardless of those differences, the statement required by Standard 504(a) must be included in every law school’s application for admission.

Additional Steps to Apprise Entering Students Upon Matriculation of Character, Fitness, and Other Requirements

A law school must be able to demonstrate the steps it has taken to comply with the requirement of Standard 504(b). While no particular approach is required, law schools can do a variety of things to address this requirement, including the following:

- Advising students in writing of their obligation to determine applicable character and fitness requirements and the process for making character and fitness determinations in the jurisdiction or jurisdictions in which they may seek a law license.
- Covering character and fitness during orientation for the 1L class; encouraging students to familiarize themselves with the fitness expectations of the Court; emphasizing the obligation to provide complete, accurate, and truthful information to bar admission authorities.
- Advising matriculants that their law school applications may be reviewed by the admission agencies for consistency with the record at the time of seeking admission.
- Inviting the administrator or a board member of the jurisdiction’s bar admission office to the school to make a presentation to matriculants about character, fitness, and other issues.
- Providing students with a link to the Comprehensive Guide to Bar Admission Requirements, especially Chart II, which covers requirements regarding character and fitness determinations: http://www.ncbex.org/publications/bar-admissions-guide/
- Publishing a link to the Character and Fitness page of the website of the National Conference of Bar Examiners: http://www.ncbex.org/character-and-fitness
• Publishing a link to the Bar Admissions webpage of the Section of Legal Education and Admissions to the Bar:
  http://www.americanbar.org/groups/legal_education/resources/bar_admissions.html
• Directing students to the Moral Character and Fitness section of the Code of Recommended Standards for Bar Examiners, which is included in the Comprehensive Guide to Bar Admission Requirements. This section includes examples of issues that might be cause for further inquiry before the bar examining authority decides whether the applicant possesses the character and fitness to practice law.

The Managing Director’s Office will issue Guidance memoranda from time-to-time when new Standards or Interpretations have been adopted or when, in the course of the Office’s dealings with schools about compliance with the Standards, a number of schools are asking for clarification or direction regarding a particular Standard, Interpretation or reporting requirement. The Office does its best to provide helpful guidance, but we remind schools that we do not have the authority to bind either the Council or the Accreditation Committee. That said, the Council and the Accreditation Committee understand the necessity of providing guidance and will take that guidance into account in any determination about a school’s operating in compliance with the Standards.