

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 92-0107

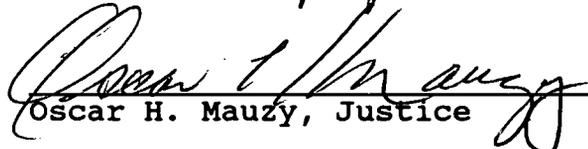
ORDER OF THE SUPREME COURT OF TEXAS

IT IS ORDERED that, effective on this date, the Rules Governing Admission to the Bar of Texas, as amended to March 6, 1991, are amended, by repealing all existing rules and substituting therefor the Rules Governing Admission to the Bar of Texas, attached hereto and incorporated herein for all purposes.

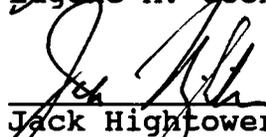
SIGNED AND EFFECTIVE this 30<sup>th</sup> day of June, 1992.

  
Thomas R. Phillips, Chief Justice

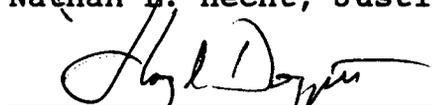
  
Raul A. Gonzalez, Justice

  
Oscar H. Mauzy, Justice

  
Eugene A. Cook, Justice

  
Jack Hightower, Justice

  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice

Misc. Docket No. 92- 0107

  
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John Cornyn, Justice

  
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Bob Gammage, Justice

**RULES GOVERNING ADMISSION TO THE BAR OF TEXAS**

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RULES OF THE SUPREME COURT  
GOVERNING ADMISSION TO THE BAR OF TEXAS

RULE I  
DEFINITIONS AND GENERAL PROVISIONS

(a) Frequently used terms are defined as follows:

(1) "Applicant" shall mean a person who files with the Board any Application or Re-Application to take the Texas Bar Examination, the Short Form Examination, to be admitted without examination, or for Certification as a Foreign Legal Consultant.

(2) "Application" shall mean an Application or Re-Application to take the Texas Bar Examination, the Short Form Examination, to be admitted without examination to the Texas Bar, or for Certification as a Foreign Legal Consultant.

(3) "Approved law school" shall mean a law school approved by the American Bar Association.

(4) "Board" shall mean the Board of Law Examiners.

(5) "Chemical dependency" shall mean:

(i) the abuse of alcohol or a controlled substance;

(ii) a pathological use of alcohol or a controlled substance that chronically impairs the Applicant's ability to competently provide legal advice or services; or

(iii) a physiological or physical dependence on alcohol or a controlled substance.

(6) "Controlled substance" shall have the meaning assigned by Section 462.001, Health and Safety Code.

(7) "Declarant" shall mean a person who files with the Board a Declaration of Intention to Study Law.

(8) "Declaration" shall mean a Declaration of Intention to Study Law.

(9) "District Committee" shall mean a District Committee on Admissions.

(10) "Short Form Examination" shall mean the shortened form of the bar examination available for Applicants qualified under Rule XIII.

(11) "State" shall mean any state or territory of the United States, as well as the District of Columbia.

(12) "Supreme Court" shall mean the Supreme Court of Texas.

(13) "Texas Bar Examination" shall mean the full bar examination.

(14) "Treatment" shall have the meaning assigned by Section 462.001, Health and Safety Code.

(15) "Treatment facility" shall have the meaning assigned by Section 462.001, Health and Safety Code.

(b) The terms "admitted," "admitted to the Bar," "admitted to the Texas Bar," "licensed," and "licensed to practice law in Texas" are used interchangeably in these Rules.

(c) If any completed document required to be filed hereunder is placed, along with all required fees, in a postpaid envelope properly addressed to the Board and then deposited in a post office or official depository under the care and custody of the United States Postal Service, such document shall be deemed timely filed if the envelope bears a legible U.S. Postal Service postmark which is dated on or before the applicable deadline date.

(d) Neither the Board nor any District Committee shall disclose to any third party any information obtained with respect to the character or fitness of any Applicant, Declarant, or probationary licensee, except:

(1) upon written authority of such Applicant or Declarant, or probationary licensee;

(2) in response to a valid subpoena from a court of competent jurisdiction; or

(3) to the Office of the General Counsel of the State Bar of Texas or to the Texas Unauthorized Practice of Law Committee.

RULE II  
GENERAL ELIGIBILITY REQUIREMENTS  
FOR ADMISSION TO THE TEXAS BAR

(a) To be eligible for admission as a licensed attorney in Texas, the Applicant shall:

(1) comply with all applicable requirements of these Rules;

- (2) be at least eighteen (18) years of age;
- (3) be of present good moral character and fitness;
- (4) have completed the law study required under these Rules, unless specifically exempted under the terms of Rule XIII;
- (5) qualify under one of the following categories:
  - (A) be a United States citizen;
  - (B) be a United States National;
  - (C) be an alien lawfully admitted for permanent residence;
  - (D) be an alien lawfully admitted for temporary residence under 8 USC Sec. 1160(a), Sec. 1161(a) or Sec. 1255 (a)(1);
  - (E) be admitted as a refugee under 8 USC Sec. 1157;or
  - (F) be granted asylum under 8 USC Sec. 1158.
- (6) have satisfactorily completed the Texas Bar Examination, unless exempted from the Bar Examination under Rule XIII;
- (7) have satisfactorily completed the Multistate Professional Responsibility Examination; and
- (8) be willing to take the oath required of attorneys in Texas.

(b) If an Applicant has not satisfied all requirements for admission to the Texas Bar within two years from the date that the Applicant is notified that (s)he has passed all parts of the Texas Bar Examination, the Applicant's examination scores shall be void, provided, however, that the Board may waive this provision for good cause shown.

### RULE III LAW STUDY REQUIREMENT

(a) The law study requirement for eligibility of an Applicant to take the Texas Bar Examination, unless otherwise provided by these Rules, is met by:

- (1) graduation with a J.D. degree or its equivalent from an approved law school;

(2) satisfaction of all requirements for graduation from an approved law school with a J.D. degree or its equivalent; or

(3) study of law in an approved law school or schools by satisfying all requirements for graduation with a J.D. degree or its equivalent, except for not more than four semester hours or its equivalent in quarter hours; provided, however, that no person shall be licensed to practice law until graduation or satisfaction of all requirements for graduation, unless specifically excepted hereunder. If an Applicant under this subsection has not graduated with a J.D. degree or satisfied all requirements for graduation within two years from the date that all parts of the bar examination are satisfactorily completed, the Applicant's examination scores shall be void.

(b) If a law school was an approved law school at the time the Applicant enrolled, the law school shall be deemed an approved law school as to that Applicant for four years thereafter, regardless of its status at the date of the Applicant's graduation. If a law school was an approved law school at the time the Applicant graduated, the Applicant shall be deemed to be a graduate of an approved law school, regardless of the status of the school at the time the Applicant enrolled.

(c) If a person graduated from a law school that was not an approved law school at either the time the person enrolled or at the time the person graduated, the person is not a graduate of an approved law school even if the law school later became or becomes an approved law school.

#### RULE IV

#### GOOD MORAL CHARACTER AND FITNESS REQUIREMENT

(a) No one shall be eligible for admission to the Texas Bar or for certification as a Foreign Legal Consultant until the investigation of such person's moral character and fitness has been completed, and it has been determined by the Board that such individual possesses good moral character and fitness.

(b) Good moral character is a functional assessment of character and fitness of a prospective lawyer. The purpose of requiring an Applicant to possess present good moral character is to exclude from the practice of law those persons possessing character traits that are likely to result in injury to future clients, in the obstruction of the administration of justice, or in a violation of the Code of Professional Responsibility. These character traits usually involve either dishonesty or lack of trustworthiness in carrying out responsibilities. There may be other character traits that are relevant in the admission process, but such traits must have a rational connection with the

Applicant's present fitness or capacity to practice law and accordingly must relate to the legitimate interests of Texas in protecting prospective clients and in safeguarding the system of justice within Texas.

(c) Fitness, as used in these Rules, is the assessment of mental and emotional health as it affects the competence of a prospective lawyer. The purpose of requiring an Applicant to possess this fitness is to exclude from the practice of law any person having a mental or emotional illness or condition which would be likely to prevent the person from carrying out duties to clients, courts or the profession. A person may be of good moral character, but may be incapacitated from proper discharge of his or her duties as a lawyer by such illness or condition. The fitness required is a present fitness, and prior mental or emotional illness or conditions are relevant only so far as they indicate the existence of a present lack of fitness.

RULE V  
PROFESSIONAL RESPONSIBILITY EXAMINATION REQUIREMENT

No person, whether an Applicant under Rule IX or under Rule XIII, shall be issued a license to practice law in Texas until such Applicant has furnished to the Board evidence that (s)he has passed the Multistate Professional Responsibility Examination (MPRE) with a scaled score of 85. A passing MPRE score is valid for five years from the date the MPRE is taken.

RULE VI  
DECLARATION OF INTENTION TO STUDY LAW;  
GENERAL PROVISIONS

(a) Every person who is beginning law study in an approved law school in Texas for the first time (an "entrant") and who intends to apply for admission to the Bar of Texas shall file with the Board a Declaration of Intention to Study Law, on a form promulgated by the Board.

(1) The Declaration shall show:

(A) the history, experience, and educational qualifications of the Declarant;

(B) the approved law school in which the Declarant is or was enrolled;

(C) the Declarant's history as to being formally charged with any violations of law, excluding:

(i) dismissals unrelated to technical defects in the charging instrument;

(ii) cases in which the Declarant was found not guilty;

(iii) cases involving minor traffic violations;

(iv) expunged arrests or convictions;

(v) pardoned offenses;

(vi) Class C misdemeanors;

(D) the Declarant's history of mental illness;

(E) the Declarant's history with regard to charges of fraud in any legal proceeding;

(F) the Declarant's involvement in any civil litigation or bankruptcy proceedings;

(G) the Declarant's willingness to take the oath required of attorneys in Texas;

(H) the Declarant's history as to compliance with court orders regarding child support and spousal support;

(I) the Declarant's history regarding re-payment of federally guaranteed student loans;

(J) the Declarant's history regarding the filing of required federal income tax returns and the payment of federal income tax liability;

(K) the Declarant's history regarding payment to the IRS of payroll taxes (s)he collected as an employer of others; and

(L) such other information regarding the Declarant as the Board deems reasonably related to its investigation of the Declarant's moral character and fitness.

(2) The Board may require the Declarant to provide, in addition, such supporting documents relating to the Declarant as the Board deems reasonable.

(3) The Board may also require the Declarant to execute a consent form supplied by the Board, authorizing all persons, firms, officers, corporations, associations, organizations, and institutions to furnish to the Board or any of its authorized

representatives, all relevant documents, records, or other information pertaining to the Declarant.

(b) The timely filing deadline for such Declaration, for which no late fees shall be charged, shall be as follows:

Fall entrants, December 1;  
Regular Spring entrants, May 1;  
Spring entrants at quarter-hour law schools, June 1;  
Summer entrants, September 15.

(c) Declarations filed with the Board after the timely filing deadline will be accepted with the payment of applicable late fees as set forth in Rule XVIII, provided that, in the opinion of the Board, there is sufficient time for completion of the investigation of the late-filed Declaration. However, no Declarant shall be eligible to take the Texas Bar Examination, unless the Declaration and required fees are filed by:

For a February examination, the preceding June 1;

For a July examination, the preceding November 1.

The Board may, for good cause shown in writing, approve a waiver of this provision.

(d) Upon receipt of a Declaration, the Board shall note the filing date in its records. Absent a Declarant's written request to retain a Declaration, all Declarations will be destroyed five years after the date of filing if the Declarant has not activated his or her file by applying to take the Texas Bar Examination during that five year period.

(e) The Board shall conduct a complete investigation of the moral character and fitness of the Declarant, including a preliminary investigation before forwarding any Declaration and supporting documentation to any District Committee on Admissions, as provided in Rule VII.

#### RULE VII DISTRICT COMMITTEES ON ADMISSIONS

(a) The District Committee on Admissions in each Bar District in Texas, appointed by the Supreme Court in accordance with applicable law, shall aid the Board in determining the good moral character and fitness of Declarants, to the extent required by the Board.

(b) The Board shall provide to the Chair of each District Committee on Admissions a list of all Declarations filed by the following persons:

(1) each Texas resident whose Declaration indicates that the Declarant's legal residence, prior to entering law school, was in the geographical area encompassed by such district; and

(2) each person who was not a resident of Texas when (s)he entered law school, whose Declaration indicates that the Declarant entered law school in the geographical area encompassed by such district.

(c) Upon written request of the Chair of such District Committee, the Board shall provide a copy of any person's Declaration, together with the information received in the Board's preliminary investigation. Upon receipt of such Declaration and preliminary information, the District Committee may conduct a personal interview of the Declarant. Such personal interview shall be before not less than five (5) members of the District Committee.

(d) The District Committee is authorized to use all reasonable means to satisfy itself that a Declarant possesses the present good moral character and fitness to practice law; provided, however, that in all cases, the District Committee shall treat Declarants uniformly and impartially.

(e) The District Committee, upon completion of its investigation, shall file with the Board, within sixty (60) days of its receipt of the Declaration and preliminary investigation, a written report, on forms provided by the Board, as to whether, in the opinion of the Committee, such Declarant possesses the good moral character and fitness to be a candidate for admission to the Bar.

(f) The Board may, during the period of the District Committee's inquiry, provide to the Committee additional information and suggestions for further investigation; may direct the District Committees to employ such practices and procedures as the Board may deem appropriate; and may require the Committee to provide to the Board such reports and information with respect to the work of the District Committee as the Board may determine necessary.

#### RULE VIII DETERMINATION OF DECLARANT CHARACTER AND FITNESS

(a) After completing its own investigation and considering the reports, if any, received from the applicable District Committee on Admissions, the Board shall thereupon determine

whether, on all the documentation before it at this stage, the Board is satisfied that the Declarant possesses the good moral character and fitness necessary for admission to the Texas Bar and shall advise the Declarant accordingly, no later than the 270th day after the date the Declaration and fees were filed with the Board.

If the determination is that the Declarant does not have the requisite good character and fitness, such notice shall include:

(1) a detailed analysis of the results of the investigation; and

(2) an objective list of actions, if any, which the Declarant may take to correct the deficiencies and become qualified for admission to the bar after passing the Texas Bar Examination.

(b) A hearing may be set on any such preliminary negative determination, in accordance with the provisions of Rule XV.

(c) If the Board determines that a Declarant may suffer from chemical dependency, the Board shall direct the Declarant to meet with representatives of the Lawyers' Assistance Program of the State Bar of Texas or a similar program of the State Bar, and may require that the Declarant submit to a treatment facility for evaluation.

(d) If the Board determines that a Declarant does suffer from chemical dependency, the Board shall assist the Declarant in working with the Lawyers' Assistance Program of the State Bar of Texas or a similar program of the State Bar in order to address the dependency.

#### RULE IX

#### APPLICATION TO TAKE THE TEXAS BAR EXAMINATION

(a) Each Applicant to take the Texas Bar Examination, whether or not such Applicant was required under Rule VI to file a Declaration, shall file an Application therefor with the Board as follows:

(1) For the February Examination, an Application shall be timely filed if the Board receives the required forms and fees between June 30 and August 30 of the year preceding the examination.

(2) For the July Examination, an Application shall be timely filed if the Board receives the required forms and fees between the preceding November 30 and January 30.

(3) Upon a showing of good cause or to prevent hardship, the Board may permit the Application to be filed later, upon the payment of applicable late fees as set forth in Rule XVIII. Other

than as provided in subsection (f) of this Rule or Texas Government Code, Section 82.025, no Applicant shall be eligible to take an examination until such Application has been on file with the Board by the preceding October 30, for the February examination, or by March 30, for the July examination.

(b) The Application shall be made on a form furnished by the Board and calling for information reasonably related to a thorough inquiry into the Applicant's good moral character, fitness, legal education and other qualifications required in these Rules. Applicants who have filed a Declaration required under these Rules shall be required to complete the Application with information relating only to the period since the filing of the Declaration.

(c) The Board may require the filing of a Supplemental Investigation Form if:

(1) an Applicant previously filed a Declaration and did not apply to take the Texas Bar Examination within four (4) years of the filing date of the Declaration;

(2) two years have elapsed since the date the initial Application was filed with the Board;

(3) two years have elapsed since the date a previously required Supplemental Investigation Form was filed with the Board; or

(4) in other situations deemed appropriate by the Board.

(d) The Applicant shall furnish proof satisfactory to the Board of compliance with the law study requirements of Rule III, and no Applicant shall be admitted to the examination until the Board has determined that these requirements have been met, except as may be required by statutory provisions to the contrary.

(e) Upon the filing of an Application, the Board shall note the filing date and shall initiate an investigation of the Applicant. For Applicants who filed a Declaration required under these Rules, the investigation shall cover only the period of time subsequent to the filing of the Declaration, unless other matters relevant to moral character or fitness not previously revealed in such Declaration shall have come to the attention of the Board.

(f) Any Applicant who fails a Texas Bar Examination may take a later examination upon filing a Re-Application and payment of the then required fees by January 15, for the February Examination, and by June 15, for the July Examination, unless another provision of these Rules requires the filing of a Supplemental Investigation Form, in which case the Applicant must comply with the regular Application deadlines.

RULE X  
DETERMINATION OF APPLICANT MORAL CHARACTER AND FITNESS

(a) After completing its investigation on the Application, the Board shall determine whether, on all the documentation before it, the Board is satisfied that the Applicant possesses the requisite good moral character and fitness and shall advise the Applicant accordingly, no later than the 150th day after the date the Application or Re-Application and fees were filed with the Board. If the determination is that the Applicant does not have the requisite acceptable character and fitness, such notice shall include:

(1) a detailed analysis of the results of the investigation; and

(2) an objective list of actions, if any, which the Declarant may take to correct the deficiencies and become qualified for admission to the bar after passing the bar examination.

(b) If, after investigation, the Board determines:

(1) that an Applicant may suffer from chemical dependency, the Board shall require the Applicant to submit to a treatment facility for evaluation;

(2) that an Applicant suffers from chemical dependency, the Board shall assist the Applicant in working with the Lawyers' Assistance Program of the State Bar of Texas or a similar program of the State Bar.

(c) A hearing may be set on any such preliminary negative determination, in accordance with the provisions of Rule XV.

RULE XI  
TEXAS BAR EXAMINATION

(a) The Supreme Court by separate order has established a list of the subjects for the Texas Bar Examination which shall be open to public inspection at all reasonable times.<sup>1</sup>

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<sup>1</sup> A list of such subjects, established by the Supreme Court as of the time of publication, is included in the Appendix to these Rules. In the event the Court changes such list, the Board will provide a copy of the revised list upon request.

(b) The Texas Bar Examination shall be given in the following locations and at such other places in the State of Texas as the Board may direct: Austin, Dallas or Fort Worth, Houston, Lubbock, San Antonio, and Waco.

(c) The Texas Bar Examination shall be given two times each year, beginning on the last Wednesday of the months of February and July, unless the Board otherwise directs.

(d) The approved Applicants for an examination are required to be in attendance at the time and place designated by the Board.

(e) The Texas Bar Examination shall last two and one-half days and shall consist of two parts. Part I shall be given on Wednesday and Thursday and shall include all subjects established by the Supreme Court of Texas for Part I.<sup>1</sup> Part II shall be given Friday morning and shall cover only the subjects of Civil Procedure, Criminal Procedure, and Evidence. To pass the examination, the Applicant must pass Part I with a minimum grade of 75 and Part II with a minimum grade of 75.

(f) An Applicant shall be required to sit for both parts of any examination until such time as the Applicant shall pass one part, after which the Applicant may sit for only the failed part. If all parts of the examination are not satisfactorily completed within five years after the taking of the first examination, the Applicant must, if (s)he is eligible to be admitted to a subsequent examination, retake all parts as if (s)he were a new Applicant. The fee for either part taken separately shall be the same as the fee for the entire examination. An Applicant who fails either part of an examination shall be deemed to have failed an examination for the purpose of Rules IX and subsections (i) and (j) of this rule.

(g) An Applicant may take no more than five (5) examinations. However, for good cause shown, the Board at its discretion may waive this limitation upon such conditions as the Board may prescribe.

(h) Any Applicant who has failed the examination at least two times may submit a written request, within two weeks of the release of the examination results, for a Formal Review of the Applicant's performance on the immediately preceding examination (excluding the multistate portion). Such Formal Review shall take place in Austin, Texas at such time selected by the Board and shall consist of an individual oral review of such examination papers by the examining members of the Board. Regardless of the number of examinations taken, an Applicant may receive only one Formal Review under the provisions of this paragraph.

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<sup>1</sup> See the list in the Appendix.

(i) Any Applicant who has failed the examination may submit a written request, within thirty (30) days of the release of the examination results, for an Informal Review of the Applicant's performance on his/her failed parts of the immediately preceding examination (excluding the multistate portion). The form of such Informal Review shall be either oral or written, at the discretion of the examining members of the Board. An Applicant may request an Informal Review each time (s)he fails all or part of an examination.

(j) The Board shall keep, for one year from the date of every examination, all failing parts of such examination. The Board shall not be required to keep any passing parts of any examination.

#### RULE XII EXAMINEES WITH DISABILITIES

(a) The Texas Bar Examination and the Short Form Examination shall be administered to all eligible Applicants in a reasonable manner, while maintaining the integrity of the examination. In each city in which an examination is administered, the Board shall provide facilities that are reasonably accessible and which enable persons having disabilities to take the examination.

(b) Any Applicant who desires special testing accommodations based upon a disability shall submit a written request to the Board on forms designated by the Board with the required Application.

(c) A request for special testing accommodations must be accompanied by written proof evidencing the existence of the disability. Statements from licensed physicians or a professional specialist that specifically set forth the physical, mental or emotional handicap or disability, the treatment rendered, the prognosis, and the relationship between the disability and the inability to take the examination under standard conditions shall be required. The Board may require additional information or evidence from the Applicant. The Applicant will be responsible for the cost of obtaining documented medical evidence and other required information.

(d) After considering the written request of the Applicant and the evidence submitted, the Board shall determine what reasonable special testing accommodations will be granted.

#### RULE XIII ATTORNEYS FROM OTHER JURISDICTIONS

(a) An attorney holding a valid law license issued by another state shall meet the requirements imposed on any other Applicant

under these rules, unless such attorney qualifies under one of the following exceptions:

(1) Such attorney is eligible for admission without examination, if the attorney:

(A) at the time the Texas law license is issued, meets the requirements of Rule II(a)(5);

(B) satisfies the Board of his/her good moral character and fitness after furnishing to the Board such evidence as the Board may require;

(C) has been actively and substantially engaged in the lawful practice of law as his/her principal business or occupation for at least five of the last seven years immediately preceding the filing of the Application; and

(D) has a J.D. degree from an approved law school.

(2) An attorney who does not meet the criteria for admission without examination set out above is eligible for admission after passing the Short Form Examination,<sup>1</sup> if the attorney:

(A) at the time the Texas law license is issued, meets the requirements of Rule II(a)(5);

(B) satisfies the Board of his/her good moral character and fitness after furnishing to the Board such evidence as the Board may require; and

(C) meets one of the following requirements:

(i) has a J.D. degree from an approved law school and has been actively and substantially engaged in the lawful practice of law as his/her principal business or occupation for at least three of the last five years immediately preceding the filing of the Application; or

(ii) has a J.D. degree from an unapproved law school and has been actively and substantially engaged in the lawful practice of law as his/her principal business or occupation for at least five of the last seven years immediately preceding the filing of the Application.

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<sup>1</sup>The Short Form Examination shall cover the areas of Texas substantive law and procedure which the Board may determine advisable. Any applicant who fails the Short Form Examination twice shall thereafter be required to pass the Texas Bar Examination as provided in Rule XI.

(b) An attorney holding a law license issued by a foreign nation must meet all of the requirements for admission imposed on any other Applicant under these rules. However, the law study requirement is deemed to have been fulfilled, without the attorney holding a J.D. from an approved law school, if such attorney:

(1) has been licensed, for at least seven years, to practice law in the highest court of the foreign nation;

(2) has been actively and substantially engaged in the lawful practice of law in such foreign nation, as his/her principal business or occupation, for at least seven of the last ten years immediately preceding the filing of the Application;

(3) has a law degree from a law school which requires, as a condition of graduation, legal study for a comparable period of time to that required by an approved law school; and

(4) demonstrates to the Board that the law of such foreign nation is sufficiently comparable to the law of Texas that, in the judgment of the Board, it enables the foreign attorney to become a competent attorney in Texas without additional formal legal education.

(c) An attorney applying under this Rule XIII shall furnish to the Board such proof of his/her active and substantial engagement in the practice of law as his/her principal business as the Board may require.

(1) The phrase "practice of law" shall include:

(A) private practice as a sole practitioner or for a law firm, legal services office, legal clinic, public agency, or similar entity;

(B) practice as an attorney for an individual, a corporation, partnership, trust, or other entity, with the primary duties of furnishing legal counsel and advice, drafting and interpreting legal documents and pleadings, interpreting and giving advice regarding the law, or preparing, trying or presenting cases before courts, departments of government or administrative agencies;

(C) practice as an attorney for local, state, or federal government, with the same primary duties described in the preceding subsection;

(D) employment as a judge, magistrate, referee, or similar official for the local, state, or federal government, provided that such employment is open only to licensed attorneys;

(E) employment as a full-time teacher of law at a law school approved by the American Bar Association;

(F) any combination of the preceding categories.

(2) The requirement of active and substantial engagement in the practice of law as his/her principal business or occupation cannot be satisfied with practice by a non-resident attorney under Rule XIX.

(d) Any attorney applying and qualifying under this Rule XIII is required to take and pass the Multistate Professional Responsibility Examination (MPRE) as required under Rule V.

RULE XIV  
FOREIGN LEGAL CONSULTANTS

(a) A "Foreign Legal Consultant" is a person who:

(1) has been, and is currently, admitted to practice law in a foreign country, and while so admitted, has engaged in the practice of law in that country for a period of not less than five of the seven years immediately preceding the date of Application and has been in good standing as an attorney or counselor at law or the equivalent in that country throughout the period of such admission; and

(2) possesses the good moral character and fitness requisite for admission to the Bar of Texas; and

(3) is an actual resident of Texas; and

(4) is over twenty-six (26) years of age; and

(5) possesses the requisite documentation evidencing compliance with the immigration laws of the United States; and

(6) has been issued a Certificate of Registration as Foreign Legal Consultant, which certificate is in current status.

(b) An Applicant for a Certificate of Registration as a Foreign Legal Consultant shall file an Application with the Board on a form furnished by the Board accompanied by the requisite fee. Such Application shall include, but not be limited to:

(1) a certificate from the authority in such foreign country having final jurisdiction over professional admission and discipline, certifying as to the Applicant's admission to practice and the date thereof and as to his or her good standing as such attorney or counselor at law or the equivalent, together with a duly authenticated English translation of such certificate if it is not in English; and

(2) a letter of recommendation from one of the members of the executive body of such authority or from one of the judges of the highest law court or intermediate appellate court of such foreign country, together with a duly authenticated English translation of such letter if it is not in English; and

(3) a summary of the law or rules of such foreign country which permits members of the Bar of Texas to establish offices for the giving of legal advice to clients in such foreign country, together with a duly authenticated English translation of such law or rules if it is not in English; and

(4) such other evidence as to the Applicant's educational and professional qualifications, required practice, and good moral character and fitness; and

(5) documentation in duly authenticated form evidencing that the Applicant is lawfully entitled to reside and be employed in the United States of America pursuant to the immigration laws thereof; and

(6) a duly acknowledged instrument in writing setting forth the Applicant's address of actual residence in the State of Texas and designating an agent for service in Texas upon whom process may be served, with like effect as if served personally upon the Applicant, in any action or proceeding thereafter brought against the Applicant and arising out of or based upon any legal services rendered or offered to be rendered by the Applicant within or to residents of the State of Texas whenever, after due diligence, service cannot be made upon the Applicant at such address or at such new address as filed by a supplemental instrument; and

(7) in such amount as the Board may prescribe, evidence of professional liability insurance or such other proof of financial responsibility as the Board may require, to assure the Applicant's proper professional conduct and responsibility; and

(8) a duly acknowledged statement affirming that the Board will be immediately advised of any law suit brought against the Applicant which arises out of or is based upon any legal services rendered or offered to be rendered by the Applicant within Texas.

(c) The Board shall investigate the qualifications, moral character, and fitness of any Applicant for a certificate, and may require the Applicant to submit any additional proof or information which the Board deems appropriate.

(1) The Applicant shall disclose all past charges of professional misconduct and shall show that the Applicant has never been disbarred or had their license suspended and that there are no

charges of misconduct pending against Applicant, and so far as the Applicant knows none are being threatened.

(2) Upon a showing that strict compliance with the provisions of (b)(1) or (2) of this Rule is impossible or very difficult for reasons beyond the control of the Applicant, the Board may in its discretion, waive or vary the Application of such provisions and permit the Applicant to submit other evidence.

(3) Upon completion of its investigation, if the Board determines that the Applicant possesses all the qualifications set forth in paragraph (a) of this Rule, the Board shall recommend to the Court the issuance of a Certificate of Registration as a Foreign Legal Consultant.

(d) The Certificate of Registration as a Foreign Legal Consultant shall be valid for one year, unless revoked for good cause shown, and may be renewed upon the filing of an annual request, which shall be accompanied by payment of the annual renewal fee and such evidence as the Board shall deem necessary that all requirements for the issuance of an original Certificate continue to be met.

(e) Certified Foreign Legal Consultants shall be subject to control by the Supreme Court of Texas and to censure, suspension, removal or revocation of the Certificate of Registration in accordance with the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct applicable to members of the State Bar of Texas.

(f) Each Applicant, prior to the issuance of the Certificate of Registration, shall execute and file with the Supreme Court of Texas an oath in the form prescribed attesting that the Foreign Legal Consultant will abide by the rules and regulations applicable to such Certified Foreign Legal Consultant.

(g) A Foreign Legal Consultant may render legal services and give professional legal advice only on the law of the foreign country where the legal consultant is admitted to practice, subject, however, to the limitations that such person shall not:

(1) appear for a person other than himself as attorney in any Court, before any magistrate or other judicial officer, or before any administrative agency in Texas or prepare pleadings or any other papers or issue subpoenas in any action or proceeding brought in any such Court, before any such magistrate or other judicial officer, or before any such administrative agency; or

(2) prepare any deed, mortgage, assignment, discharge, lease, trust instrument, or any other instrument affecting title to real estate located in the United States; or

(3) prepare:

(A) any will or trust instrument affecting the disposition on death of any property located in the United States; or

(B) any instrument relating to the administration of a decedent's estate in the United States; or

(4) prepare any instrument in respect to the marital relations, rights or duties of a resident of the United States or the custody or care of the children of such a resident; or

(5) otherwise render professional legal services or advice on the law of the State of Texas or of the United States or of any other jurisdiction (domestic or foreign) in which such person is not authorized to practice law (whether rendered incident to the preparation of legal instruments or otherwise); or

(6) in any way hold himself out as an attorney licensed in Texas, as a member of the State Bar of Texas, or as an attorney licensed in any United States jurisdiction; or

(7) use any title other than "Foreign Legal Consultant," or his or her authorized title and/or firm name in the foreign country of his admission to practice, in each case in conjunction with the name of such foreign country.

#### RULE XV HEARINGS

(a) The Board shall set a time and place for a public hearing on the question of the requisite moral character and fitness of an Applicant or Declarant, under the following circumstances:

(1) When any Applicant or Declarant who is the subject of a preliminary negative character and fitness determination files a written request for such a hearing within thirty (30) days of his or her receipt of the Board's letter containing the notice of such determination; or

(2) When the Board determines that, in the interest of fairness, such a hearing is necessary regardless of whether the Declarant or Applicant files a timely request for hearing.

(b) The Applicant or Declarant shall be given reasonable notice, by registered or certified mail, return receipt requested, of the time and place of the hearing.

(c) An Applicant or Declarant, either before or after receiving notice of a hearing, may agree to waive the hearing, stipulate to the facts regarding good moral character and fitness,

and allow the Board to proceed with making a final determination as to the Applicant's moral character and fitness under these Rules. An Applicant may additionally agree to a Probationary License and to any conditions imposed by the Board to protect the public.

(d) At the hearing:

(1) The Board or any opponent of approval of the moral character and fitness of the Applicant or Declarant, shall have the burden of proof and be required to present evidence that the Applicant or Declarant does not have the requisite good moral character or fitness. Upon the admission of such evidence, the burden of proof shall shift to the Applicant or Declarant to show that the Applicant possesses good moral character and fitness as defined in these Rules. However, in a re-determination hearing on a Probationary License, the burden of proof shall be on the Probationary Licensee to demonstrate that (s)he has complied with the conditions of the Probationary License.

(2) The Applicant or Declarant shall be given the opportunity to be present in person and by attorney, to present evidence, to confront and to cross-examine adverse witnesses, and to present argument to the Board on the issues of law and fact.

(3) Evidence and argument for or against the Declarant or Applicant may be presented by the Board or any other interested party.

(e) In connection with hearings conducted under this Rule, the Board shall have the authority to administer oaths, issue subpoenas, take depositions, and employ court reporters.

(f) After the hearing, in closed deliberations, the Board may:

(1) determine that a Applicant or Declarant has the requisite present good moral character and fitness and, in the case of an Applicant, should be recommended for admission to the Texas Bar;

(2) determine that a Declarant should be granted conditional approval of his or her present good moral character and fitness and be required to meet such conditions as the Board deems appropriate;

(3) determine that an Applicant should be granted conditional approval of his or her present good moral character and fitness and be recommended for a Probationary License subject to the terms of Rule XVI, after meeting all other requirements of these Rules;

(4) determine that a Applicant or Declarant does not possess the requisite present good moral character and fitness required for admission to the Texas Bar; or

(5) defer a decision until such time as the Board has the opportunity to consider further information, evaluations, or documentation as deemed necessary by the Board.

(g) Within a reasonable period of time after the decision is made, the Board shall furnish to the Applicant or Declarant a written order setting forth the decision of the Board. If the decision is adverse, such order shall specify the bases of the Board's determination and shall include an objective list of actions, if any, the Applicant or Declarant may take to become qualified for a license to practice law in Texas. Any such order containing a determination that the Applicant or Declarant suffers from chemical dependency shall include provisions setting out the rights under Section 82.038, Texas Government Code.

(h) If an individual who has been the subject of a Board order containing a negative character and fitness determination thereafter passes all parts of the Texas Bar Examination or the Short Form Examination, as applicable and required under these Rules, and passes the MultiState Professional Responsibility Examination, as required herein, then the individual may petition the Board in writing for a re-determination hearing on the issue of character and fitness, as follows:

(1) No petition for re-determination may be filed earlier than the date specified in the Board's order (or if none, then no earlier than twelve months from the date of the hearing), nor more often than once every twelve months.

(2) Such individual shall have the burden of proof as to rehabilitation and the possession of present good moral character and fitness.

(3) Such individual shall complete and file with the Board a Supplemental Investigation form and pay the requisite fees therefor within thirty (30) days of the filing of the re-determination petition.

(4) This subsection (h) shall not apply to character and fitness re-determinations in Probationary License cases, which are governed under the provisions of Rule XVI.

(i) The following provisions shall govern judicial review of the Board's decisions:

(1) The affected Applicant or Declarant shall institute, in the district courts of Travis County, Texas proceedings for

review of such decision within sixty (60) days after the date the written decision is mailed to the Applicant.

(2) The petition for review shall name the Board as defendant and shall be served on the Executive Director of the Board.

(3) After service of such petition, and within the time permitted for filing an answer, the Board shall file with the district court a certified copy of the record of the Board's proceedings.

(4) The review of the Board's decision shall be tried by the court without a jury.

(5) The court shall determine from the certified record on file whether or not the Board's decision is reasonably supported by substantial evidence. The reviewing court may affirm the action complained of or remand the matter to the Board for further proceedings.

(6) Appeals from any final judgment of the court may be taken by either party in the manner provided for in civil actions generally, but no appeal bond shall be required of the Board.

(j) The Board shall have the authority to adopt such other rules of procedure for hearings, not inconsistent with these Rules, as the Board deems necessary or appropriate to implement these Rules.

#### RULE XVI PROBATIONARY LICENSES

(a) The Board shall have the authority to grant conditional approval of the present good moral character and fitness of an Applicant and to recommend the granting of a Probationary License, after the Applicant meets all other requirements under these rules, in the following circumstances:

(1) when the Board determines that the Applicant suffers from chemical dependency or has been convicted of, or is on probation for, a first offense of driving while intoxicated under Article 67011-1, V.T.C.A.; or

(2) in other circumstances in which, on the record before it, the Board determines that the protection of the public requires the temporary monitoring of the Applicant in question.

(b) The Board shall not have the authority to refuse to recommend the granting of a Probationary License to an Applicant who has passed the applicable bar examination solely because the

Applicant suffers from chemical dependency or has been convicted for a first offense for driving while intoxicated under Article 67011-1, V.T.C.A.

(c) In any order recommending the issuance of a Probationary License to practice law, the Board shall specify the conditions of the license, which may include, but are not limited to, the following:

(1) prohibiting the use of alcohol or controlled substances;

(2) requiring treatment for chemical dependency;

(3) requiring the individual to practice law under the supervision of an attorney admitted to the Texas Bar;

(4) requiring submission to periodic, random drug testing;

(5) requiring the individual to report periodically to the Board;

(6) requiring suspension, for any portion of the probationary period, of an activity for which a license to practice law is required;

(7) requiring the individual to reside continuously in Texas during the period of the Probationary License, unless for good cause shown, the Board waives such requirement; or

(8) requiring the individual to take specific actions designed to cure or end any deficiencies in his or her moral character and fitness, as determined by the Board.

(d) Probationary Licenses shall expire as follows:

(1) A Probationary License issued solely because of the Board's determination that the individual suffers from chemical dependency shall expire on the second anniversary of the date on which it is issued, unless temporarily extended hereunder.

(2) Any other Probationary License shall expire on the date specified by the Board in the Order recommending issuance of the Probationary License, unless temporarily extended hereunder.

(3) The term of a Probationary License may be temporarily extended, upon the request of the Probationary Licensee, in the event that the normal expiration date falls before the Board has had the opportunity to make a re-determination as provided hereunder.

(e) A probationary licensee may apply for a renewal of the Probationary License or for a regular license to practice law, by filing a written request therefor, at least sixty (60) days prior to the expiration date of the Probationary License.

(f) The Board shall require any probationary licensee issued a Probationary License because of a determination of chemical dependency, prior to the re-determination hearing, to submit to an evaluation, at the sole cost of the probationary licensee, by a treatment facility approved by the Board.

(g) After a hearing held subject to the provisions of Rule XV herein on the re-determination of the character and fitness of a probationary licensee, the Board may:

(1) recommend, upon a finding of the requisite good moral character and fitness, the issuance of a regular license to practice law in Texas; provided, however, that in any case in which a Probationary License was issued on the basis of chemical dependency, the Board shall not recommend the probationary licensee for regular admission until the Board finds that the probationary licensee has successfully completed treatment and has been free from chemical dependency for the preceding two years;

(2) recommend, upon a finding that a condition of the probationary license has been violated:

(A) extension of the Probationary License, or

(B) termination or immediate revocation of the Probationary License.

(h) The Board shall initiate and maintain a working relationship with the Lawyers' Assistance Program or similar program of the State Bar of Texas in order to provide for the evaluation and referral to treatment for those persons issued a Probationary License hereunder. The treatment and professional evaluation shall be at the sole expense of the probationary licensee.

RULE XVII  
ISSUANCE OF LICENSE CERTIFICATES AND  
CANCELLATION OF LICENSE UNLAWFULLY OBTAINED

(a) Upon an Applicant's becoming entitled to a license under these Rules, the Board shall certify such Applicant to the Supreme Court, whose Clerk shall thereupon issue the corresponding license in the form of a written certificate. The license shall be issued only in the name as shown on the Applicant's birth certificate or as changed by the final order of a court of competent jurisdiction or by marriage, except that a given name may be omitted or

represented by initial if the Applicant so requests in writing. No license shall be issued using an alias, assumed name, nickname, or abbreviation of a name.

(b) All law licenses are issued upon the condition that the Applicant has faithfully complied with these Rules. If at any time it appears that an Applicant has obtained a license fraudulently or by willful failure to comply with these Rules, after notice and hearing, the Board may recommend to the Supreme Court that such license be withdrawn and cancelled, and the name of the license holder stricken from the roll of attorneys.

**RULE XVIII  
FEES**

(a) The following provisions shall govern the fees charged by the Board:

**FEES RELATING TO DECLARATIONS**

Declaration Investigation Fee	\$125
Late Filing Fee	150
Fee for Check Returned for Insufficient Funds	25

**FEES RELATING TO ELIGIBILITY & EXAMINATIONS**

Texas law student:

\$ 150      Application & Examination Fee

Out-of-state law student:

\$ 150      Application & Examination Fee  
150      Investigation Fee

=====  
\$ 300

Attorneys licensed in another state for less than one year:

\$ 275      Application Fee  
150      Examination Fee  
150      Investigation Fee

=====  
\$ 575

Attorneys licensed in another state for one year or more (unless a full-time professor in a Texas approved law school OR unless qualified for admission without examination):

\$ 575      Application Fee  
150      Examination Fee  
150      Investigation Fee

=====  
\$ 875

Full-time professor in approved Texas law school, unless qualified for admission without examination:

\$ 350      Application Fee  
150      Examination Fee  
150      Investigation Fee  
=====  
\$ 650

Attorney qualified for admission without examination under Rule XIII (unless a full-time professor in approved Texas law school):

\$ 625      Application Fee  
150      Investigation Fee  
=====  
\$ 775

Full-time professor in approved Texas law school, qualified for admission without examination:

\$ 400      Application Fee  
150      Investigation Fee  
=====  
\$ 550

Foreign nation attorney:

\$ 575      Application Fee  
150      Examination Fee  
150      Investigation Fee  
100      Foreign Nation Inquiry Fee  
=====  
\$ 975

Foreign Legal Consultant:

\$ 700      Application Fee  
150      Investigation Fee  
100      Foreign Nation Inquiry Fee  
=====  
\$ 950

Foreign Legal Consultant Re-Application Fee:

\$ 150      Re-Application Fee  
150      Supplemental Investigation Fee (every second  
=====  
renewal year only)  
\$ 300      (\$150 in alternate years)

Supplemental Investigation Fee (as required under Rule IX):

\$ 150

Miscellaneous Fees:

Late Filing Fee:	\$150
Re-Application Fee:	\$150
Fee for Check Returned for Insufficient Funds:	\$25
MBE Transfer Fee:	\$15

(b) No refund of fees will be made in the event of the withdrawal of any Declaration or Application, nor in the event a determination is made by the Board that the Applicant or Declarant does not meet the requirements imposed under these Rules.

(c) Any fee required under these Rules may be waived or lowered by the Board upon written request and proof of indigency.

RULE XIX  
 REQUIREMENTS FOR PARTICIPATION  
 IN TEXAS PROCEEDINGS  
 BY A NON-RESIDENT ATTORNEY

(a) A reputable attorney, licensed in another state but not in Texas, who resides outside of Texas may seek permission to participate in the proceedings of any particular cause in a Texas court by filing with the applicable court a written, sworn motion requesting permission to participate. The motion shall contain:

(1) the office address, telephone number, and, if available, the telecopier number of the non-resident attorney movant;

(2) the name and State Bar card number of an attorney licensed in Texas, with whom the non-resident attorney will be associated in the Texas proceedings, and that attorney's office address, telephone number, and, if available, telecopier number;

(3) a list of all cases and causes, including cause number and caption, in Texas courts in which the non-resident attorney has appeared or sought leave to appear or participate in within the past two years;

(4) a list of jurisdictions in which the non-resident attorney is licensed, including federal courts, and a statement that the non-resident attorney is or is not an active member in good standing in each of those jurisdictions;

(5) a statement that the non-resident attorney has or has not been the subject of disciplinary action by the Bar or courts of any jurisdiction in which the attorney is licensed

within the preceding five (5) years, and a description of any such disciplinary actions;

(6) a statement that the non-resident attorney has or has not been denied admission to the courts of any State or to any federal court during the preceding five (5) years;

(7) a statement that the non-resident attorney is familiar with the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct governing the conduct of members of the State Bar of Texas, and will at all times abide by and comply with the same so long as such Texas proceeding is pending and said Applicant has not withdrawn as counsel therein.

(b) The motion of the non-resident attorney seeking permission to participate in Texas proceedings shall be accompanied by motion of the resident practicing Texas attorney with whom the non-resident attorney shall be associated in the proceeding of a particular cause, which motion shall contain a statement that the resident attorney finds the Applicant to be a reputable attorney and recommends that the Applicant be granted permission to participate in the particular proceeding before the court.

(c) The court may examine the non-resident attorney to determine that the non-resident attorney is aware of and will observe the ethical standards required of attorneys licensed in Texas and to determine whether the non-resident attorney is appearing in courts in Texas on a frequent basis. If the court determines that the non-resident attorney is not a reputable attorney who will observe the ethical standards required of Texas attorneys, that the non-resident attorney has been appearing in courts in Texas on a frequent basis, that the non-resident attorney has been engaging in the unauthorized practice of law in the state of Texas, that other good cause exists, the court or hearing officer may deny the motion.

(d) If, after being granted permission to participate in the proceedings of any particular cause in Texas, the non-resident attorney engages in professional misconduct as that term is defined by the State Bar Act, the State Bar Rules, or the Texas Disciplinary Rules of Professional Conduct, the court may revoke such non-resident attorney's permission to participate in the Texas proceedings and may cite the non-resident attorney as for contempt. In addition, the court may refer the matter to the Grievance Committee of the Bar District wherein the court is located for such action by the Committee as it deems necessary and desirable.

(e) The filing of a motion under this Rule shall constitute submission to the jurisdiction of the Grievance Committee for the District wherein the court is located. The county in which the court is located shall be considered the county of residence of

said non-resident attorney for purpose of determining venue in any disciplinary action involving said attorney.

RULE XX  
ORGANIZATIONAL AND MISCELLANEOUS  
POWERS OF THE BOARD

(a) Upon completion of the tabulation of grades given on an examination and approval of such tabulation by the Chairman, the grades shall be mailed to the examinees at the addresses given on their Applications. The Deans of the Law Schools in the State of Texas shall be furnished a list of the candidates passing the Bar examination after release of results to the individual candidates. Prior to mailing grades to examinees, no grades shall be given by the Board by telephone to any person nor shall any Board member or employee of the Board give grades in person to an examinee or anyone inquiring on behalf of an examinee.

(b) Unless the Court designates the member of the Board who shall serve as Chairman, the Board shall have authority to select a Chairman. The Board shall select other officers from its own membership, assign their respective duties, may delegate power and authority to one or more of its members, and shall have authority to formulate the procedure of the Board.

(c) The Board shall keep and maintain its files on Declarants and Applicants until such time as their destruction is authorized, as follows:

(1) Files in which a regular license has been issued shall be destroyed five (5) years from the date the license was issued.

(2) Files in which a Probationary License has been issued but no Regular License has been issued shall be destroyed ten (10) years from the date of the last formal activity on the file (i.e., petition for re-determination, hearing, order, expiration of last term of probationary license, issuance of regular license following re-determination hearing, etc.).

(3) Files in which a Declaration, but not an Application, has been filed shall be destroyed five (5) years from the date the Declaration was filed.

(4) Files in which an Application has been filed, but no regular or Probationary License issued, shall be destroyed five (5) years from the date of the last formal activity on the file (i.e., re-Application, examination, hearing, petition for re-determination, etc.), after inputting into the Board's computer data base pertinent and necessary data contained therein.

(d) Insofar as may be consistent with these Rules, the Board is authorized to make all reasonable regulations, including written interpretations of general Application with respect to these Rules or provisions of general Application for relevant subjects not covered by these Rules. The Board may also prescribe forms and certificates to be executed by Applicants for admission to the Texas Bar, whether for a first license to practice law or as a practicing attorney of another jurisdiction, or certificates or other forms to be executed by or on behalf of the Board itself.

(e) The Board is given discretion in the interpretation and Application of these Rules. For good cause shown to the satisfaction of the Board, upon written request, waivers of specific requirements described in these Rules may be granted, unless it appears therefrom that no exceptions are contemplated by the Supreme Court.

(f) The Board may, in conjunction with its investigation of moral character and fitness or the administration of the bar examination, require Declarants and Applicants to furnish a complete set of fingerprints.

(g) The Board may delegate its duties to a panel of the Board or to the staff, as necessary and where not prohibited by law; provided, however, that the Board shall not delegate to staff its authority to make final determinations that an Applicant or Declarant lacks the requisite good moral character and fitness.

(h) The Supreme Court hereby creates the Board of Law Examiners Fund which shall be comprised of all fees and monies received and interest earned by the Board and shall be used by the Board to administer the functions of the Supreme Court and the Board relating to the licensing of lawyers as directed by the Court. The Fund shall be maintained in one or more financial institutions in Texas, as designated by the Board.

(i) Expenses incurred by the Board including the acquiring and maintaining of its office, staff, supplies, furniture and equipment, and expenses incurred by the Board members and staff, shall be allocated among the Board's functions in accordance with sound accounting principles based upon the percentage of expense attributable to each function. Expenses of investigating moral character include those incurred in connection with the review and processing of National Conference reports, Declarations, and Applications insofar as such review and processing relate to such investigation. Expenses of holding the Examination include those incurred in connection with determining eligibility for reasons other than character and fitness and the preparation, obtaining, administration and grading of the examination. Expenses of determining eligibility for the purpose of the preceding sentence include those incurred in connection with the review and processing of National Conference reports, Declarations and Applications

insofar as such review and processing relate to eligibility other than on the basis of character and fitness. The Board shall have full power to contract in performance of all of its functions and any person dealing or contracting with the Board shall be conclusively entitled to rely upon the Board's written determination that the expense thus incurred or contracted is for a proper function of the Board.

(j) The disbursement of funds shall be according to such rules, regulations and budgets as the Board may adopt. The Board shall keep a full record of such receipts and disbursements.

APPENDIX

TEXAS BAR EXAMINATION SUBJECTS

PART I

MULTISTATE SUBJECTS

1. Constitutional Law
2. Contracts
3. Criminal Law
4. Evidence
5. Real Property
6. Torts

ESSAY SUBJECTS

7. Oil & Gas
8. Uniform Commercial Code
9. Business Associations (including corporations, agency and partnerships)
10. Family Law
11. Trusts (including resulting and constructive trusts)
12. Wills & Administration

PART II

1. Civil Procedure (including Federal and Texas court jurisdiction, pleading and practice)
2. Criminal Procedure
3. Evidence