



SUPREME COURT OF GEORGIA

Atlanta September 3, 2008

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that effective September 3, 2008, Part A, Section 10 of the Rules Governing Admission to the Practice of Law be hereby amended by redesignating subsection (e) as subsection (f) and adding new subsection (e) as follows:

Section 10. Readmission of Disbarred Lawyers

...

(e) If the Fitness Board, after review and investigation, decides that an applicant should be certified, it shall file a report and the complete record of its proceedings with the Clerk of the Supreme Court. Notice shall be given to the applicant. The Supreme Court shall make the final determination regarding certification of fitness.

(f) An applicant who is seeking reinstatement to the State Bar of Georgia pursuant to Bar Rule 1-501(b) shall file a fitness application after completing the requirements contained in that Bar Rule and shall not be required to take the bar examination. An applicant who has been terminated by the State Bar pursuant to Bar Rule 1-501(c) is required to comply with the provisions of that Bar Rule and is required to take and pass the bar examination before being readmitted.

It is further ordered that effective October 15, 2008, Part A, Section 4 (b) of the Rules Governing Admission to the Practice of Law in Georgia be hereby amended to read as follows:

Section 4. Application Deadline

...

(b) Applications for Certification of Fitness to Practice Law filed between the first Wednesday in July and the first Wednesday in October for consideration for the bar examination to be administered the following February and applications filed between the first Wednesday in December and the first Wednesday in March for consideration for the bar examination to be administered the following July will be accepted for the requested examination if accompanied by a non-refundable late fee of \$400, in addition to the regular fee prescribed by these Rules. Applications so filed will be placed for processing

in order of receipt, but no processing will begin until processing of all applications filed pursuant to the deadline set forth in subparagraph (a) above has begun. If appropriate, the Board may issue a temporary certification, valid for the requested examination only, which will permit the applicant to apply to the Board of Bar Examiners to take the examination while the investigation of the applicant's fitness to practice law is completed. An applicant who files pursuant to this subparagraph agrees that his or her bar examination results will not be released to him or her unless and until such time as the Board of Bar Examiners is informed by the Board to Determine Fitness of Bar Applicants that the applicant has been certified as fit to practice law.

...

It is further ordered that effective October 15, 2008, Part A, Section 5 be hereby amended to read as follows:

Section 5. Application Fees

*Late fees may be applicable; refer to Part A, Section 4 (b).

*(a) Filings made prior to the award of the first professional degree in law. \$500

*(b) Filings made between the award of the first professional degree in law and within one year thereof. \$700

*(c) Filings made more than one year after the award of the first professional degree in law. \$800

*(d) Applications for Certification of Fitness for the Attorneys' Examination or for Admission on Motion without Examination. \$1000

(e) Petitions to determine eligibility for Admission on Motion without Examination. \$600

*(f) Applications for Readmission following disbarment by the State Bar of Georgia. \$3500

*(g) Applications for Readmission after the expiration of five years from the effective date of voluntary resignation from the State Bar of Georgia. \$1000

(h) Applications for Readmission within five years from the effective date of voluntary resignation from the State Bar of Georgia. . . \$800

*(i) Applications for Reinstatement following termination from State Bar of Georgia due to non-payment of dues. \$1000

(j) Applications for Reinstatement following suspension from the State Bar of Georgia for non-payment of dues. \$800

(k) Applications for renewal of certification. \$400

Provided a request in writing for withdrawal of his or her Application for Certification of Fitness to Practice Law is filed within 15 work days of the date of receipt of the application by the Office of Bar Admissions, the Board to Determine Fitness of Bar Applicants shall refund 2/3 of the filing fee paid by the applicant; provided, however, that no part of the late filing fees described in Section 4, above, may be refunded.

It is further ordered that effective October 15, 2008, the title and subsection (b) of Part A, Section 10 be hereby amended to read as follows:

Section 10. Readmission and Reinstatement

. . .

(b) The applicant seeking readmission shall file a Fitness Application as provided in Part A, Sections 3 and 4. The fee required for such application shall be \$3500.

It is further ordered that effective October 15, 2008, Part A, Section 11 be hereby amended to read as follows:

Section 11. Certifications of Fitness to Practice Law

Upon being satisfied that an applicant possesses the integrity and character requisite to be a member of the Bar of Georgia, the Board shall certify the applicant as fit to practice law. Certifications may be in the form of a letter to the applicant which shall include the certification's expiration date, which shall be five (5) years after the date issued; however, certifications issued by the Board prior to January 1, 1984 or by judges of the superior courts prior to July 1, 1977 shall be valid for a period of five (5) years from the date issued and until a date specified by the Board in its

notification to the applicant that he or she must apply for renewal. Certifications may be renewed upon application to the Board not less than three months prior to the certificate's stated expiration date or, in case of certifications issued prior to January 1, 1984, not less than three months prior to the date specified by the Board in its renewal notification. Applications for renewal of certification shall be on such forms, including an original application form, as the Board may determine and shall be accompanied by a fee of \$400. The Board shall conduct such investigation as it deems appropriate in the circumstances, and the Board may renew, decline to renew or take such other action with respect to renewal as it might take with an original application. An applicant for renewal shall have the same rights with respect to conferences, hearings and appeals as would an original applicant. If application for renewal of certification is not made in accordance with the deadlines specified in this section and the applicant thereafter wishes to apply to take the bar examination, he or she, to be eligible to apply to the Board of Bar Examiners to take the examination, must file a new, initial Application for Certification with the Board to Determine Fitness of Bar Applicants and must pay the appropriate fee required by these Rules.

It is further ordered that effective October 15, 2008, Part C, Section 2 be hereby amended by revising subsections (b) and (f) and adding new subsections (h) and (i), to read as follows:

Section 2. Eligibility

...

(b) Has been admitted by examination to membership in the bar of the highest court of another United States jurisdiction which has reciprocity for bar admissions purposes with the State of Georgia; provided, however, that if the former jurisdiction of the applicant permits the admission of Georgia judges and lawyers upon motion but that jurisdiction's rules are more stringent and exacting and contain other limitations, restrictions or conditions or the fees required to be paid are higher, the admission of the applicant from that jurisdiction shall be governed by the same rules and the applicant shall pay the same fees (if higher than the fees under these Rules) which would apply to an applicant from Georgia seeking admission to the Bar in the applicant's former jurisdiction;

...

(f) Is currently or resigned while in good professional standing in every jurisdiction in which the applicant has been licensed to practice law;

...

(h) Must state that he or she intends to engage in the practice of law in Georgia.

(i) Must state that he or she has not engaged in the unauthorized practice of law in Georgia.

It is further ordered that effective October 15, 2008, Part C, Section 4 be hereby amended to read as follows:

Section 4. Fees and Filing Instructions

(a) Applications for Certification of Fitness to Practice Law for admission pursuant to this Rule shall be made in accordance with the requirements established in Part A of these Rules and shall be accompanied by a non-refundable fee of \$1000.

(b) Simultaneously with the Application for Certification of Fitness, the applicant must file a petition with the Board of Bar Examiners requesting admission on motion without examination. The petition from the applicant must be accompanied by a non-refundable fee of \$600. Such petition will be approved if the applicant documents to the satisfaction of the Board compliance with Section 2 of this Part and satisfies the Board that the jurisdiction in which the applicant has been admitted and practiced will admit Georgia lawyers without examination.

(c) Once the Board of Bar Examiners has approved the petition, and the Board to Determine Fitness of Bar Applicants to Practice Law has certified the applicant for fitness, the applicant shall be issued a Certification of Eligibility for Admission to the Practice of Law. The applicant shall follow the procedures specified in Part B, Sections 14, 15, 16 and 17 of these Rules in order to be sworn in by a judge of the Superior Court.

It is further ordered that effective October 15, 2008, Part D, Section 5 (a) be hereby amended to read as follows:

Section 5. Fees and Filing Deadlines

(a) Applications for Certification of Fitness to Practice Law shall be made in accordance with the deadlines established in Part A, Section 4 (a) of these Rules and shall be accompanied by a non-refundable fee of \$1000. Late filing of Applications for Certification of Fitness to Practice Law shall be

accepted if made in accordance with the deadlines established in Part A, Section 4 (b) of these Rules and if accompanied by the late filing fees specified therein.

...

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 Clerk