

**AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

The following amendments to the Supreme Court Rules for the Government of the Bar of Ohio (Gov. Bar R. I, Sections 1 through 19; Gov. Bar R. VI, Sections 8 and 14; Gov. Bar R. IX, Section 4; Gov. Bar R. X, Section 9; Gov. Bar R. XI, Section 2; and Appendix III) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

November 4, 2019	Published for public comment
April 4, 2020	Final adoption by conference
June 1, 2020	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

RULE I. ADMISSION TO THE PRACTICE OF LAW

Section 1. General Requirements.

To be admitted to the practice of law in Ohio, an applicant shall satisfy all of the following requirements:

- (A) Be at least twenty-one years of age;
- (B) Have earned a bachelor's degree from an accredited college or university;
- (C) Have earned a J.D. or an L.L.B. degree from a law school that was approved by the American Bar Association at the time the degree was earned or, if not located in the United States, from a law school evaluated and approved in accordance with ~~Section~~ Sections 2(C) ~~or Section 9(C)(13), 10(C)(12), or 11(B)(7)~~ of this rule;
- (D) Prior to taking the Ohio bar examination ~~or~~ being admitted without examination pursuant to Section ~~9~~ 10 of this rule, or being admitted by transferred Uniform Bar Examination (UBE) score pursuant to Section 11 of this rule, have demonstrated that the applicant possesses the requisite character, fitness, and moral qualifications for admission to the practice of law and have been approved as to character, fitness, and moral qualifications under procedures provided in this rule;
- (E) Have passed ~~both~~ the Ohio bar examination or been admitted by transferred UBE score pursuant to Section 11 of this rule, passed the Ohio Law Component, and passed the Multistate Professional Responsibility Examination (MPRE), or have been approved for admission without examination pursuant to Section ~~9~~ 10 of this rule;
- (F) Have taken the oath of office ~~pursuant to~~ as provided in Section ~~8(A)~~ 9 of this rule.

Section 2. Preliminary Registration Requirements.

(A) Every applicant who intends to take the Ohio bar examination shall file with the Office of Bar Admissions of the Supreme Court an Application to Register as a Candidate for Admission to the Practice of Law in Ohio. The applicant shall file the registration application by the fifteenth day of November in the applicant's second year of law school.

(B) The registration application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

[Existing language unaffected by the amendments is omitted to conserve space]

(5) A fee in the amount charged by the National Conference of Bar Examiners (NCBE) for its character investigation and report;

(6) A typed and completed character questionnaire, in duplicate, in the form prescribed by the Board of Commissioners on Character and Fitness;

[Existing language unaffected by the amendments is omitted to conserve space]

Section 3. Application for Ohio Bar Examination; Updating Character and Fitness Information after the Examination.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) The examination application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

[Existing language unaffected by the amendments is omitted to conserve space]

(4) A typed and completed supplemental character questionnaire, in duplicate, in the form prescribed by the Board of Commissioners on Character and Fitness, updating the information on the applicant's character, fitness, and moral qualifications furnished on the applicant's registration application pursuant to Section 2 of this rule;

(5) A fee in the amount charged by the ~~National Conference of Bar Examiners~~ NCBE for the ~~Multistate Performance Test items~~ UBE components;

[Existing language unaffected by the amendments is omitted to conserve space]

(C) The Office of Bar Admissions shall refer the examination application to the regional or local bar association admissions committee in accordance with Section ~~44~~ 13 of this rule. The admissions committee shall review the examination application, conduct further investigation and interviews under Section ~~44~~ 13 of this rule if appropriate or necessary, and report its final recommendation regarding the applicant's character, fitness, and moral qualifications to the Board of Commissioners on Character and Fitness on a form prescribed by the Board. The Board shall make a final determination regarding the applicant's character, fitness, and moral qualifications to practice.

(D) Notwithstanding an applicant's timely filing of an Application to Register as a Candidate for Admission to the Practice of Law and an Application to Take the Bar Examination, an applicant may not take the Ohio bar examination unless the Board of Commissioners on Character and Fitness has issued a final approval of the applicant's character, fitness, and moral qualifications at least three weeks prior to the examination.

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(G) If an applicant passes the Ohio bar examination but is not admitted to practice within twelve months following that bar examination, the applicant shall file another supplemental character questionnaire with the Office of Bar Admissions. The supplemental character

questionnaire shall supplement the information on the applicant's character, fitness, and moral qualifications furnished in the applicant's examination application. The Office of Bar Admissions shall refer the supplemental character questionnaire to a regional or local bar association admissions committee in accordance with Section ~~4~~ 13 of this rule. The admissions committee shall review the supplemental character questionnaire, conduct further investigation and interviews pursuant to Section ~~4~~ 13 of this rule, if appropriate and necessary, and report to the Board its recommendation regarding the applicant's character, fitness, and moral qualifications to practice law. The applicant shall not be admitted to the practice of law unless the Board reissues a final approval of the applicant's character, fitness, and moral qualifications no fewer than six months before the applicant's admission.

(H) As used in this rule:

(1) "Accredited college or university" means a college or university approved by one of the following accrediting associations or, if not located in the United States or Canada, a college or university evaluated and approved in accordance with ~~Section~~ Sections 2(C) ~~or Section 9(C)(13), 10(C)(12), or 11(B)(7)~~ of this rule: Middle States Association of Colleges and Schools/Commission on Higher Education; New England Association of Schools and Colleges--Commission on Institutions of Higher Education; North Central Association of Colleges and Schools; Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools--Commission on Colleges; Western Association of Schools and Colleges--Accrediting Commission for Senior Colleges--Association of Universities and Colleges of Canada.

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Section 4. Bar Examiners; Readers.

(A) The Board of Bar Examiners shall be appointed by the Court and shall consist of eighteen members of the bar of Ohio in good standing. The term of office of each bar examiner shall be five years, beginning the first day of April immediately following the appointment. ~~Each bar examiner shall be appointed six months before the start of the term and shall serve an internship for those six months. During the internship, the intern shall attend Board meetings, Board training, and question review sessions and may assist in drafting essay questions.~~ Vacancies for any cause shall be filled by appointment by the Court for the unexpired term. Each year, the Court shall designate one bar examiner as Chair of the Board and one bar examiner as Vice-Chair of the Board. The Director of Attorney Services or ~~his or her~~ the Director's designee shall serve as secretary of the Board.

(B) The Board shall be responsible for examination of applicants for admission to the practice of law in Ohio. Subject to the Court's approval, the Board may promulgate rules and adopt procedures to aid in the administration and conduct of the examination, which may include resolution of allegations related to testing irregularities.

(C)(1) A bar examiner shall devote the time necessary to perform the duties of the office.

(2) A bar examiner shall be conscientious, studious, thorough, and diligent in considering, developing, and implementing sound testing and grading procedures; in preparing ~~bar examination questions; the Ohio Law Component~~ and in seeking to improve the administration of the examination and its administration, including resolution of allegations related to testing irregularities. ~~Before an essay question prepared by a bar examiner is accepted for use in a bar examination, the question shall be analyzed and approved by the Board or a committee of the Board.~~

(3) A bar examiner shall be just and impartial in performing the duties of the office.

(4) A bar examiner should not have adverse interests, conflicting duties, or inconsistent obligations that will in any way interfere or appear to interfere with the proper administration of the bar examiner's duties. A bar examiner shall not participate directly or indirectly in courses for the preparation of applicants for bar admission or act as a trustee, administrator, professor, adjunct professor, or instructor for a law school or for a university of which a law school is a part, or with which a law school is affiliated. ~~No bar examiner shall be an employee or consultant of a trade association in the field of Board interest.~~ The conduct of a bar examiner shall be such that there may be no suspicion that the bar examiner's judgment may be swayed by improper considerations.

(D) The Court will select readers to assist with grading the written portion of the Ohio bar examination. Readers shall be members of the bar of Ohio in good standing and satisfy the same standards of conduct as those required of bar examiners, to the extent those standards are applicable to readers. Readers shall not be related by blood, marriage, adoption, or domestic partnership to the bar examiner with whom they are assigned to grade. The Board shall train and supervise the readers.

Section 5. Ohio Bar Examination.

(A) Two Ohio bar examinations shall be held each year in ~~Columbus~~ Ohio, one commencing in February and one commencing in July. The examinations shall be the UBE prepared by the NCBE and shall be scheduled consistent with the dates designated by the National Conference of Bar Examiners NCBE for administration of the UBE. ~~The UBE shall consist of the Multistate Bar Essay Examination (MBE MEE) and the two Multistate Performance Test (MPT).~~ Each examination shall consist of five items, and the Multistate Bar Examination (MBE), which are administered in four half-day sessions over a period of two and one-half days. The UBE covers such subjects and skills as published by the NCBE on its website.

~~(1) Two of the half-day sessions of each examination shall consist of the MBE prepared by the National Conference of Bar Examiners.~~

~~(2) One of the half-day sessions of each examination shall consist of two MPT items prepared by the National Conference of Bar Examiners.~~

~~(3)(a) Two of the half-day sessions of each examination shall consist of twelve essay questions prepared by the Board of Bar Examiners.~~

(b) ~~The essay portion of each examination shall consist of at least one question, and no more than two questions, in each of the following subjects:~~

~~Business Associations (including Agency, Partnerships, and Corporations)
Civil Procedure
Commercial Transactions
Constitutional Law
Contracts
Criminal Law
Evidence
Legal Ethics
Property (Real and Personal)
Torts
Wills~~

(c) ~~The subject matter of the essay questions shall not be designated or labeled on the examination.~~

(B)(1) The MBE shall be graded by the ~~National Conference of Bar Examiners~~ NCBE or its agent. An applicant's MBE scaled score shall be used in computing the applicant's Ohio bar examination score.

(2) All answers to the written portion of the examination, which shall consist of both the ~~essay questions~~ MEE and the ~~MPT items~~, shall be graded under the direction of the Board of Bar Examiners. The Board shall adopt rules and policies for grading that are consistent with the sound testing practices followed by all jurisdictions that administer the UBE. The rules shall include a provision for scaling the NCBE to convert the raw scores on the written portion of an examination to the MBE range of scores for that examination using the mean and standard deviation method scale by the methodology used for UBE jurisdictions. The rules also shall include a provision for regrading of the written portion of the examination, prior to announcement of examination results, for any applicant whose total examination score after scaling falls within one point two points below the minimum passing score.

(3) ~~In the calculation of an applicant's total examination score, the applicant's scaled score on the written portion of the examination shall be weighed twice as much as the applicant's scaled MBE score~~ calculating UBE total scores, the MEE shall be weighted thirty percent, the MPT shall be weighted twenty percent, and the MBE shall be weighted fifty percent. Subject to the Court's approval, the Board shall determine and publish the total score necessary to pass the examination.

(4) Except where a mathematical or clerical error has been made, scores determined in accordance with this section and Board rules shall be final and shall not be subject to appeal.

(C) To earn a portable UBE score that is transferable to other UBE jurisdictions, persons taking the Ohio bar examination shall sit for and take all components of the bar examination in a single administration.

(D) Within a reasonable time following the announcement of examination results, the Board ~~shall~~ may publish the ~~essay questions~~ MEE and MPT used on the examination. The Board may publish a selection of applicant answers to the written portion of the examination. For a reasonable fee, applicants who did not pass the examination may obtain copies of their answers to the written portion of the examination. All other examination and Board materials shall not be considered public information.

~~(D)~~(E)(1) Information regarding whether an applicant has taken or passed a particular bar examination shall be public information. ~~As~~ Except as provided in division (E)(2) of this section, an applicant's bar examination scores shall not be public information.

(2) The applicant's raw bar examination score shall be provided to the NCBE to calculate scaled scores. Upon request by an applicant, the NCBE will certify and transfer the applicant's scaled written score, scaled MBE score, and total UBE score to other UBE jurisdictions. The NCBE may also release to an applicant, upon request by the applicant, the applicant's scaled MBE score, scaled written score, and total UBE score.

Section 6. Multistate Professional Responsibility Examination.

(A) Before being admitted to the practice of law in Ohio by examination or by transferred UBE score, an applicant shall take and pass the ~~Multistate Professional Responsibility Examination (MPRE)~~ prepared and administered by the ~~National Conference of Bar Examiners~~ NCBE. An applicant may take the MPRE at any time before or after taking the ~~Ohio~~ bar examination.

(B) An applicant shall make arrangements for taking the MPRE directly with the ~~National Conference of Bar Examiners~~ NCBE and shall pay the fee for the MPRE to the ~~Conference~~ NCBE.

(C) Subject to the Court's approval, the Board of Bar Examiners shall determine and publish the scaled score necessary to pass the MPRE.

Section 7. Ohio Law Component.

(A) Before being admitted to the practice of law in Ohio by examination or by transferred UBE score, an applicant shall take and pass the Ohio Law Component prepared and maintained by the Board of Bar Examiners. If applying to transfer a UBE score, an applicant may take the Ohio Law Component any time after the acceptance of the application by the Office of Bar Admissions. If applying by examination, an applicant may take the Ohio Law Component at any time after the applicant completes the final day of the Ohio bar examination.

(B) Subject to the Court's approval, the Board shall determine and publish the score necessary to pass the Ohio Law Component.

(C) An applicant shall pay any fee associated with the Ohio Law Component.

Section 8. Application for Reexamination.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) The reexamination application shall be on forms furnished by the Office of Bar Admissions and shall include all of the following:

- (1) An affidavit that the applicant has not engaged in the unauthorized practice of law;
- (2) A typed and completed supplemental reexamination character questionnaire, in duplicate, in the form prescribed by the Board of Commissioners on Character and Fitness, updating the previously furnished information on the applicant's character, fitness, and moral qualifications;
- (3) A fee in the amount charged by the ~~National Conference of Bar Examiners~~ NCBE for the ~~Multistate Performance Test items~~ UBE components;

[Existing language unaffected by the amendments is omitted to conserve space]

(C) The Office of Bar Admissions shall refer the reexamination application to the regional or local bar association admissions committee in accordance with Section ~~44~~ 13 of this rule. The admissions committee shall review the reexamination application, conduct further investigation and interviews under Section ~~44~~ 13 of this rule if appropriate or necessary, and report its recommendation regarding the applicant's character, fitness, and moral qualifications to the Board on a form prescribed by the Board.

[Existing language unaffected by the amendments is omitted to conserve space]

Section ~~8~~ 9. Induction to the Bar.

[Existing language unaffected by the amendments is omitted to conserve space]

(D) The oath for successful bar examination applicants shall be administered by a state or federal judge. In no event shall the oath of office of an applicant occur prior to the bar admissions ceremony that the applicant qualified to attend. If the applicant does not attend the bar admissions ceremony, an affidavit for administration of the oath, in a form prepared by the Office of Bar Admissions, shall be executed and returned to the Office of Bar Admissions.

Section ~~9~~ 10. Admission Without Examination.

(A) An applicant may apply for admission to the practice of law in Ohio without examination if all of the following apply:

[Existing language unaffected by the amendments is omitted to conserve space]

(3) The applicant has not taken and failed an Ohio bar examination within the past five years of applying for admission without examination;

[Existing language unaffected by the amendments is omitted to conserve space]

(C) An applicant for admission to the practice of law in Ohio without examination shall file with the Office of Bar Admissions an Application for Admission to the Practice of Law Without Examination. The application shall include all of the following:

[Existing language unaffected by the amendments is omitted to conserve space]

~~(2) A certificate from the admissions authority in the jurisdiction from which the applicant seeks admission, demonstrating that the applicant has taken and passed a bar examination and has been admitted to the practice of law in that jurisdiction;~~

~~(3)~~ (3) A certificate of good standing from each jurisdiction in which the applicant is admitted to practice law, dated no earlier than sixty days prior to the submission of the application;

~~(4)~~(3) An affidavit that demonstrates that the applicant has complied with division (A)(2) of this section and that includes a description of the applicant's practice of law, the dates of such practice, and, if applicable, a description of the applicant's employment subsequent to ceasing such practice;

~~(5)~~(4) To confirm that the applicant has engaged in the full-time active practice of law for at least five full years out of the last ten years prior to the applicant's submission of the application, an affidavit from the applicant's employer or employers verifying the applicant's full-time practice of law or, if the applicant has been self-employed, an affidavit from an attorney who is a member of the bar in the jurisdiction in which the applicant practiced and who knows the applicant, verifying the applicant's full-time practice of law. ~~As used in division (C)(5) of this section, "full-time practice of law" means practice in which the applicant was actively and substantially engaged as a principal business or occupation;~~ For purposes of this section, judicial law clerks, provided they are admitted to practice law in another jurisdiction and are working full-time, are engaged in the active practice of law.

~~(6)~~(5) To confirm that the applicant's practice was performed in a jurisdiction that affirmatively permitted such practice by a lawyer not admitted to practice in that jurisdiction, if applicable, a rule, statute, or other authority verifying that the applicant's practice was lawful at the time the practice occurred;

~~(7)~~(6) Such other evidence, as may be reasonably requested by the Court, demonstrating that the applicant has met the requirements of division (A) of this section;

~~(8)~~(7) A certificate by an attorney admitted to the practice of law in Ohio and duly registered pursuant to Gov. Bar R. VI, who may present the applicant to the Court pursuant to division (G) of this section, stating that the applicant is of good moral character and recommending the applicant for admission to the practice of law in Ohio without examination;

~~(9)~~(8) Fingerprint identification taken by a sheriff, deputy sheriff, municipal police officer, or state highway patrol officer;

~~(10)~~(9) A questionnaire, typed and in duplicate, for use by the ~~National Conference of Bar Examiners~~ NCBE, the Board of Commissioners on Character and Fitness, and the regional or local bar association admissions committee in conducting a character investigation of the applicant;

~~(11)~~(10) A fee of one thousand five hundred dollars;

~~(12)~~(11) A fee in the amount charged by the ~~National Conference of Bar Examiners~~ NCBE for its character investigation and report;

~~(13)~~(12) Certificates or official transcripts evidencing compliance with Section 1(B) and (C) of this rule. If the applicant's undergraduate or legal education was not received in the United States, a one hundred fifty dollar fee shall accompany the application for evaluation of the applicant's legal education. If the applicant's legal education was not received in the United States, the application shall not be processed until the applicant's legal education is approved by the Court.

(D) The Office of Bar Admissions shall refer the application and the report of the ~~National Conference of Bar Examiners~~ NCBE to the regional or local bar association admissions committee in accordance with Section ~~44~~ 13 of this rule unless certain criteria are met, as established by the Board of Commissioners on Character and Fitness. The applicant shall be reviewed and approved as to character, fitness, and moral qualifications in accordance with the procedures provided in Sections ~~44~~ 13, if applicable and ~~42~~ 14 of this rule.

[Existing language unaffected by the amendments is omitted to conserve space]

Section ~~40~~ 11. Admission by Transferred UBE Score.

(A) An applicant may apply for admission to the practice of law in Ohio by filing an Application to Transfer UBE score if all of the following apply:

(1) The applicant earned an UBE score that meets or exceeds the minimum score required by the Board of Bar Examiners, subject to approval by the Court;

(2) The qualifying UBE score was earned in an administration of the UBE that occurred within five years of the date of the applicant's submission of an application pursuant to division (B) of this section, but no earlier than the date of the February 2016 administration of the UBE.

(3) The applicant has taken the MPRE prepared and administered by the NCBE and earned the scaled score required by the Board, subject to approval by the Court;

(4) The applicant has met all requirements of Section 1 of this rule, including successful completion of the Ohio Law Component.

(B) An applicant under this section shall file with the Office of Bar Admissions an Application for Admission to the Practice of Law by Transferred UBE Score. The application shall include all of the following:

(1) An affidavit stating both of the following:

(a) That the applicant has not engaged in the unauthorized practice of law;

(b) That the applicant has studied the Rules for the Government of the Bar of Ohio, the Ohio Rules of Professional Conduct, and the Code of Judicial Conduct.

(2) A certificate of good standing from each jurisdiction, if any, in which the applicant is admitted to practice law, dated no earlier than sixty days prior to the submission of the application;

(3) Fingerprint identification taken by a sheriff, deputy sheriff, municipal police officer, or state highway patrol officer;

(4) A questionnaire provided for use by the NCBE, the Board of Commissioners on Character and Fitness, and the regional or local bar association admissions committee in accordance with NCBE and the Office of Bar Admissions' policies in conducting a character investigation of the applicant;

(5) A seven hundred and fifty dollar fee;

(6) A fee in the amount charged by the NCBE for its character investigation and report;

(7) Certificates or official transcripts evidencing compliance with Section 1(B) and (C) of this rule. If the applicant's undergraduate or legal education was not received in the United States, a one hundred and fifty dollar fee shall accompany the application for evaluation of the applicant's foreign education. If the applicant's legal education was not received in the United States, the application shall not be processed until the applicant's legal education is approved by the Court.

(C) The Office of Bar Admissions shall refer the application and the report of the NCBE to the regional or local bar association admissions committee in accordance with Sections 12 and 13 of this rule. The applicant shall be reviewed and approved as to character, fitness, and moral qualifications in accordance with the procedures provided in Sections 12 and 13 of this rule.

(D) An applicant under this section shall be under a continuing duty to update the information contained in the application, including the character questionnaire, and to report promptly to the Office of Bar Admissions all changes or additions to information in the application that occur prior to the applicant's admission to practice.

(E) An applicant under this section shall successfully complete the Ohio Law Component within the timeframe required by the Board.

(F) An applicant under this section who has been approved for admission under this section shall be administered the oath of office pursuant to Section 9 of this rule.

(G) An applicant under this section shall be considered withdrawn if the applicant does not take the oath of office within twelve months after being approved for admission to the practice of law in Ohio.

(H) An applicant under this section shall not engage in the practice of law in Ohio prior to approval by the Court and administration of the oath pursuant to Section 9 of this rule. This division does not apply to applicants whose practice is affirmatively permitted by Ohio law, including those who have been approved for practice pending admission pursuant to Section 19 of this rule.

Section 12. Board of Commissioners on Character and Fitness.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) The Board shall do all of the following:

[Existing language unaffected by the amendments is omitted to conserve space]

(5) Submit recommendations to the Court as to the disapproval of applicants by the Board in accordance with Section ~~12~~ 14 of this rule, or the approval of applicants who must be reviewed by the Court under Section ~~11(D)(5)(e)~~ 13(D)(5)(b) of this rule.

(6) Investigate any matter brought to the attention of the Board after an applicant has been admitted to the practice of law and alleging that the applicant made a materially false statement in, or deliberately failed to disclose any material fact in connection with, the applicant's application for admission to the practice of law.

Section ~~11~~ 13. Character Investigation by Admissions Committees.

[Existing language unaffected by the amendments is omitted to conserve space]

(C)(1) Upon receipt of an applicant's complete Application to Register as a Candidate for Admission to the Practice of Law filed under Section 2 of this rule, Application for Admission by Transferred UBE Score pursuant to Section 11 of this rule, or, if applicable, Application for Admission to the Practice of Law Without Examination filed under Section ~~9~~ 10 of this rule, the Office of Bar Admissions shall forward one copy of the applicant's character questionnaire to the ~~National Conference of Bar Examiners~~ NCBE for a character investigation and report. Upon receipt of this report, the Office of Bar Admissions shall forward the report and the applicant's character questionnaire to one of the following admissions committees:

(a) An admissions committee of the county in which the applicant claims permanent residence, if the applicant is a resident of Ohio;

- (b) An admissions committee in the county in which the applicant is enrolled in law school;
- (c) An admissions committee in the county in which the applicant intends to practice law;
- (d) Such other admissions committee as the Office of Bar Admissions deems appropriate.

(2) Within thirty-five days after the admissions committee's receipt of the applicant's character questionnaire and the report of the ~~National Conference of Bar Examiners~~ NCBE, the admissions committee shall review the character questionnaire and the report, schedule an interview, and notify the applicant, in writing, of the date and place of the interview. The notice shall inform the applicant that the applicant's failure to cooperate in completing the interview may be grounds for disapproval of the application.

[Existing language unaffected by the amendments is omitted to conserve space]

(4) The admissions committee shall ascertain, from the character questionnaire, the report of the ~~National Conference of Bar Examiners~~ NCBE, and the interview, whether the applicant possesses the requisite character, fitness, and moral qualifications for admission to the practice of law. If the admissions committee deems it necessary or appropriate under the circumstances, it shall conduct further investigation of the applicant before ascertaining the applicant's character, fitness, and moral qualifications.

(D)(1) The applicant has the burden to prove by clear and convincing evidence that the applicant possesses the requisite character, fitness, and moral qualifications for admission to the practice of law. An applicant's failure to provide requested information, including information regarding expungements and juvenile court proceedings, or otherwise to cooperate in proceedings before the admissions committee may be grounds for a recommendation of disapproval.

(2) The admissions committee shall determine an applicant's character, fitness, and moral qualifications in accordance with all of the following:

- (a) The provisions of this rule;
- (b) The applicable decisions of the Supreme Court of the United States;
- (c) The applicable decisions of the Supreme Court of Ohio;
- (d) Any standards of conduct promulgated by the Board and approved by the Court under Section ~~10(B)(2)(b)~~ 12(B)(2)(b) of this rule.

[Existing language unaffected by the amendments is omitted to conserve space]

(5)(a) If an applicant has been convicted of a felony under the laws of this state, the laws of the United States, or the laws of another state or territory of the United States, or adjudicated a delinquent child for conduct that, if committed by an adult, would be such a felony, the applicant shall undergo a review by the Board of Commissioners on Character and Fitness in accordance with Section ~~12~~ 14 of this rule. In addition to considering the factors listed in (D)(3) of this ~~Section~~ section, the Board shall consider the following:

[Existing language unaffected by the amendments is omitted to conserve space]

(b) If the applicant's conviction or delinquency adjudication was for aggravated murder, murder, or any first or second degree felony under Ohio law, and the Board votes to approve the applicant in accordance with this section and Section ~~12~~ 14 of this rule, the Board shall make a final report, with its findings of fact and recommendation of approval, for the Supreme Court's review. The Board shall file the report and the record with the Clerk of the Supreme Court. Consistent with the procedures established in Section ~~12~~(~~F~~) 14(F) and (G) of this rule, the Court will review the applicant and make the final determination on whether the applicant shall be approved for admission.

[Existing language unaffected by the amendments is omitted to conserve space]

(E) After reviewing the character questionnaire and the report of the ~~National Conference of Bar Examiners~~ NCBE, interviewing the applicant, and conducting any further investigation, the admissions committee shall file with the Office of Bar Admissions a written report with its recommendations on a form prescribed by the Board.

(F)(1) An admissions committee recommendation other than an unqualified approval shall be deemed a recommendation that the applicant not be admitted to the practice of law, in which case the written report shall enumerate the specific reasons for such recommendation with relation to the standards set forth in divisions (D)(3) and (4) of this section, and the matter shall proceed as provided in Section ~~12~~ 14 of this rule.

[Existing language unaffected by the amendments is omitted to conserve space]

Section ~~12~~ 14. Appeal to Board of Commissioners on Character and Fitness.

(A) If an admissions committee makes a recommendation other than an unqualified approval, or if the Board of Commissioners on Character and Fitness is required to review the applicant pursuant to Section ~~11~~(~~D~~)(~~5~~)(~~a~~) 13(D)(5)(a) of this rule, the Office of Bar Admissions shall forward a copy of the report required under Section ~~11~~(~~E~~) 13(E) of this rule by certified mail to the applicant, and the applicant may file a written notice of appeal with the secretary of the Board. The report shall be sent by certified mail to the address listed on the application or as supplemented by the applicant. If the certified mail is returned as unclaimed, refused, or otherwise undeliverable, the Office of Bar Admissions shall send the report to the applicant by regular mail.

[Existing language unaffected by the amendments is omitted to conserve space]

(C)(1) Upon receipt of a notice of appeal that has been timely filed, the secretary shall, by entry, appoint a panel consisting of three commissioners and designate one of them chair of the panel. No commissioner appointed to the panel shall be from the appellate district in which the admissions committee that made the recommendation is located. Except with the consent of the applicant, a commissioner shall not sit as a member of a hearing panel or otherwise participate in the Board's investigation or recommendation of an applicant if it is reasonable to expect that the commissioner's judgment will be, or could be, affected by such commissioner's financial, business, property, or personal interest. The secretary shall serve a copy of the entry appointing the panel on the applicant, the admissions committee, and all counsel of record.

[Existing language unaffected by the amendments is omitted to conserve space]

(4) The chair of the Board, the chair of the panel, and the secretary of the Board shall have authority to issue subpoenas, which shall be issued in the name and under the Seal of the Supreme Court and signed by the chair of the Board, the chair of the panel, or the secretary of the Board. In order to preserve confidentiality consistent with Section ~~43~~ 15 of this rule, subpoenas shall bear the case number but not the name of the applicant. The party calling or subpoenaing a witness shall inform the witness of the purpose of the hearing and of the confidentiality provisions of this rule. All witnesses, whether or not subpoenaed, are bound by the confidentiality provisions of this rule. The refusal or neglect of the person subpoenaed or called as a witness to obey a subpoena, attend the hearing, be sworn or affirm, answer any proper question, or abide by the confidentiality provisions of this rule shall be deemed to be contempt of the Supreme Court and may be punished accordingly.

[Existing language unaffected by the amendments is omitted to conserve space]

Section ~~13~~ 15. Confidentiality of Character and Fitness Matters.

(A) All information, proceedings, or documents relating to the character and fitness investigation of an applicant for admission, including all character questionnaires submitted pursuant to this rule, shall be confidential, and no person shall disclose any information, proceedings and documents except for any of the following purposes:

- (1) To further any character and fitness investigation of the applicant under this rule;
- (2) In connection with investigations of the applicant under Gov. Bar R. V;
- (3) Pursuant to a written release of the applicant in connection with the applicant's application for admission to the practice of law in another jurisdiction;
- (4) To file a final report with the Court pursuant to Sections ~~11(D)(5)(e)~~ 13(E) or ~~12(E)~~ 14(E) of this rule;

[Existing language unaffected by the amendments is omitted to conserve space]

Section ~~14~~ 16. Admissions Fees.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) Parties shall bear their own costs in proceedings brought under Section ~~12~~ 14 of this rule before the Board of Commissioners on Character and Fitness and the Court.

Section ~~15~~ 17. Publication of List of Applicants for Admission.

At least twice yearly, the Court shall publish in the *Ohio Official Reports Advance Sheets* a list of the names, cities, and counties or states of residence of those persons who have applied for admission to the practice of law ~~in~~ by Ohio Bar Examination since the list was last published. The Court shall distribute copies of the list to all regional and local bar association admissions committees.

Section ~~16~~ 18. Military Spouse Attorneys Admission.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) An applicant for temporary admission to the practice of law in Ohio as a military spouse attorney shall file an application with the Office of Bar Admissions. The application shall be on a form furnished by the office and include all of the following:

[Existing language unaffected by the amendments is omitted to conserve space]

(6) A questionnaire, typed and in duplicate, for use by the ~~National Conference of Bar Examiners~~ NCBE and the Board of Commissioners on Character and Fitness in conducting a character investigation and report of the applicant;

(7) A fee in the amount charged by the ~~National Conference of Bar Examiners~~ NCBE for conducting a character investigation and report of the applicant;

[Existing language unaffected by the amendments is omitted to conserve space]

(D) Upon receipt of the character report of the applicant by the ~~National Conference of Bar Examiners~~ NCBE, the Office of Bar Admissions shall submit the report and the application to the Board of Commissioners on Character and Fitness, which shall review the report and the application. The Board may request additional information or materials from the applicant and may conduct a personal interview to determine the applicant's character, fitness, and moral qualifications to practice law. The Board may recommend that the applicant be approved as possessing the requisite character, fitness, and moral qualifications for admission or may submit a recommendation to the Court as to the disapproval of the applicant in accordance with Section ~~12~~ 14 of this rule.

[Existing language unaffected by the amendments is omitted to conserve space]

~~Section 17. RESERVED~~

~~Section 18. RESERVED~~

Section 19. Practice Pending Admission during the Admission ~~without Examination to the Practice of Law~~ Process.

(A)(1) An applicant who has a completed ~~Application for Admission to the Practice of Law without Examination on file and filed~~ with the Office of Bar Admissions pursuant to ~~Section 9 of this rule~~ one of the following applications for the admission to the practice of law may apply to file with the Office of Bar Admissions to practice pending admission an Application to Practice Pending Admission during the admission ~~without examination~~ process pursuant to division (A)(4) of this section:

(a) An Application to Register as a Candidate for Admission pursuant to Section 2 of this rule;

(b) An Application for Admission to the Practice of Law without Examination pursuant to Section 10 of this rule;

(c) An Application to Transfer UBE Score pursuant to Section 11 of this rule.

(2) Upon acceptance of the Application to Practice Pending Admission, the applicant may provide legal services in Ohio for no more than three hundred sixty-five days from the acceptance of the Application to Practice Pending Admission, unless that time period is extended by the Office of Bar Admissions, provided that the applicant meets all the following requirements:

(1)(a) Is not disbarred or suspended from the practice of law or has not resigned from the practice of law with disciplinary action pending in any jurisdiction and is not subject to a pending formal disciplinary proceeding in any jurisdiction;

(2)(b) Is admitted as an attorney at law in the highest court of another state or in the District of Columbia, is on active attorney status in at least one jurisdiction, and is in good standing in each jurisdiction in which the applicant is admitted to practice law;

(3)(c) Has not previously been denied admission to practice in Ohio or failed the Ohio bar examination in the past five years;

(4)(d) Submits within ninety days of providing legal services in Ohio a complete ~~Application~~ application for ~~Admission without Examination~~ admission to practice law in accordance with ~~Section 9~~ of this rule and on forms furnished by the Office of Bar Admissions. An applicant who submits a completed application after the ninety days may petition the Office of Bar Admissions to waive this provision for good cause;

(5)(e) Reasonably expects to fulfill all of the requirements for admission ~~without examination to the practice of law~~ pursuant to ~~Section 9~~ of this rule;

~~(6)~~(f) Associates with an active Ohio lawyer who is admitted to practice in Ohio, is in good standing, and has agreed to associate with the applicant, unless the applicant files an affidavit on a form furnished by the Office of Bar Admissions affirming that during the application process the applicant will only practice the law of the jurisdiction in which the applicant is already admitted;

~~(7)~~(g) Submits to the Office of Bar Admissions an affidavit attesting that the applicant has read and agrees to be bound by the Ohio Rules of Professional Conduct.

(B) Upon accepting an Application for Practice Pending Admission, the Office of Bar Admissions shall forward the application to the Office of Attorney Services, which shall issue the applicant an Ohio attorney registration number and designate the applicant as “Practice Pending Admission.” The Office of Attorney Services shall notify the Office of Disciplinary Counsel that the applicant has been granted the status of “Practice Pending Admission.”

(C) The applicant shall immediately notify the Office of Disciplinary Counsel and the Office of Bar Admissions if the applicant becomes subject to criminal charges or becomes subject to a disciplinary investigation or disciplinary sanction in any jurisdiction at any time during the practice authorized by this rule. ~~The Supreme Court shall consider this~~ This information shall be considered when determining whether to approve the applicant’s ~~Application~~ application for ~~Admission~~ admission to the ~~Practice~~ practice of ~~Law without Examination~~ law.

(D) The authority of an applicant to practice law pursuant to this section shall terminate immediately upon the occurrence of any of the following:

(1) The time period authorized by division (A)~~(2)~~ of this section has expired and no extension has been granted;

(2) The applicant withdraws the applicant’s ~~Application~~ application for ~~Admission~~ admission to the ~~Practice~~ practice of ~~Law without Examination~~ law;

(3) The Application for Admission to the Practice of Law without Examination is disapproved, the Application to Transfer UBE Score is denied, or the applicant fails the Ohio bar examination;

(4) If required pursuant to division ~~(A)(6)~~ (A)~~(2)~~(f) of this section, the applicant fails to remain associated with an active Ohio attorney in good standing;

[Existing language unaffected by the amendments is omitted to conserve space]

[Effective: February 28, 1972; amended effective October 30, 1972; November 27, 1972; March 19, 1973; November 12, 1973; March 1, 1974; July 8, 1974; April 26, 1976; January 24, 1977; March 9, 1977; August 1, 1977; January 1, 1982; March 9, 1983; July 1, 1983; May 7, 1984; May 28, 1984; December 31, 1984; April 1, 1987; May 6, 1987; January 1, 1989; July 1, 1989; January 1, 1991; February 1, 1991; October 1, 1991; February 1, 1992; May 1, 1992; July 1, 1992; August

1, 1992; January 1, 1993; September 15, 1993; January 1, 1995; May 1, 1997; August 3, 1998; June 1, 2000; October 1, 2000; February 1, 2003; October 1, 2003; February 1, 2007; May 1, 2007; October 1, 2007; January 1, 2008; February 1, 2009; August 1, 2010; January 1, 2013; January 1, 2014, July 1, 2014; January 1, 2015; January 1, 2017; July 1, 2017; September 2, 2019; June 1, 2020.]

RULE VI. REGISTRATION OF ATTORNEYS

[Existing language unaffected by the amendments is omitted to conserve space]

Section 8. Emeritus Pro Bono Attorney Registration.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) Eligibility

An attorney who satisfies all of the following requirements may register for emeritus pro bono attorney status pursuant to Section 8(C) of this rule:

- (1) Is admitted to the practice of law in Ohio;
- (2) Has been engaged in the practice of law, as defined in Gov. Bar R. I, Section ~~9(B)~~ 10(B), for a minimum of fifteen years;

[Existing language unaffected by the amendments is omitted to conserve space]

Section 14. Attorney Services Fund.

(A) Collection and use of fees

Except as otherwise provided in these rules, all fees collected pursuant to these rules shall be deposited in the Attorney Services Fund. Moneys in the fund shall be used for the following purposes:

- (1) The investigation of complaints of alleged misconduct pursuant to Gov. Bar R. V or Gov. Jud.R. II and the investigation of the alleged unauthorized practice of law pursuant to Gov. Bar R. VII;
- (2) To support the activities of the Lawyers' Fund for Client Protection established under Gov. Bar R. VIII;
- (3) To support the activities of the Commission on Continuing Legal Education pursuant to Gov. Bar R. X;

(4) For matters approved by the Court and relating to the admission of applicants to the practice of law or relating to the certification of Foreign Legal Consultants and for the administration and operation of all of the following:

- (a) The Board of Bar Examiners;
- (b) The Board of Commissioners on Character and Fitness, including the fees and expenses of special investigators appointed by the Board under Gov. Bar R. I, Sec. ~~40(B)(2)(f)~~ 12(B)(2)(f);
- (c) The admissions committees, provided, however, that such use of the funds shall be limited to reimbursing admissions committees for costs incurred in conducting investigations under Gov. Bar R. I, Sec. ~~44~~ 13.

[Existing language unaffected by the amendments is omitted to conserve space]

[Not analogous to former Rule VI, effective February 28, 1972; amended effective January 1, 1981; November 17, 1982; July 1, 1983; May 13, 1985, July 1, 1986; January 1, 1989; July 1, 1991; September 1, 1991; January 1, 1992; July 1, 1992; July 1, 1993; January 1, 1995; July 1, 1995; November 1, 1995; July 1, 1997; July 1, 1999; November 28, 2000; June 1, 2002; August 19, 2002; November 1, 2002; July 1, 2003; July 1, 2005, September 1, 2005; July 1, 2007; September 1, 2007; January 1, 2008; May 1, 2009; September 1, 2010; January 1, 2012; January 1, 2013; November 1, 2013; January 1, 2015; April 1, 2015; December 1, 2015; July 1, 2016; September 15, 2016; November 1, 2017; November 1, 2018; July 1, 2019; February 1, 2020; June 1, 2020.]

RULE IX. TEMPORARY CERTIFICATION FOR PRACTICE IN LEGAL SERVICES, PUBLIC DEFENDER, AND LAW SCHOOL PROGRAMS

[Existing language unaffected by the amendments is omitted to conserve space]

Section 4. Review by the Board of Commissioners on Character and Fitness.

The Office of Bar Admissions shall forward the applicant's questionnaire to the National Conference of Bar Examiners. Upon receipt of a report from the National Conference of Bar Examiners, the Office of Bar Admissions shall submit the report and the application to the Board of Commissioners on Character and Fitness, which shall review the report and the application. The Board may request additional information or materials from the applicant and may conduct a personal interview to determine the applicant's character, fitness, and moral qualifications to practice law. The Board shall recommend that the applicant's temporary certificate either be approved or revoked. If the Board recommends revocation of the certificate, it shall file a report of its recommendation and the basis for its recommendation with the Office of Bar Admissions, who immediately shall revoke the certificate and send a copy of the report and recommendation to the applicant. An applicant whose certificate is revoked shall be entitled to review by the Supreme Court pursuant to Gov. Bar R. I, Section ~~44(F)~~ 13(F).

[Existing language unaffected by the amendments is omitted to conserve space]

[Not analogous to former Rule IX, effective January 1, 1981; amended effective July 2, 1990; July 2, 1991; October 1, 2000; October 1, 2003; February 1, 2007; May 1, 2007; January 1, 2008; June 1, 2020.]

[Existing language unaffected by the amendments is omitted to conserve space]

RULE X. CONTINUING LEGAL EDUCATION

[Existing language unaffected by the amendments is omitted to conserve space]

Section 9. Newly-Admitted and Corporate Registered Attorneys.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) *Exemption from New Lawyers Training.* The following newly admitted attorneys shall be exempt from the New Lawyers Training instruction requirements of Section 14 of this rule, but shall otherwise comply with the applicable requirements of this rule:

- (1) An attorney registered as inactive pursuant to Gov. Bar R. VI, Section 5;
- (2) An attorney admitted to the practice of law in Ohio pursuant to Gov. Bar R. I, Section 9 10;
- (3) An attorney temporarily admitted to the practice of law in Ohio pursuant to Gov. Bar R. I, Section ~~46~~ 18.

[Existing language unaffected by the amendments is omitted to conserve space]

Section 20. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(Z) The amendments to Section 9 of this rule, adopted by the Supreme Court of Ohio on April 7, 2020, shall be effective June 1, 2020.

[Effective: July 1, 1988 and January 1, 1989; amended effective January 1, 1989; July 1, 1989; December 15, 1989; May 28, 1990; September 1, 1990; January 1, 1991; February 18, 1991; September 1, 1991; January 1, 1992; July 1, 1992; January 1, 1994; January 1, 1995; January 1, 1996; January 1, 1998; November 1, 1998; January 1, 2000; May 8, 2000; July 1, 2001; January 21, 2002; July 1, 2002, September 1, 2004, November 7, 2005; November 1, 2007; November 1, 2008; December 1, 2011; January 1, 2014; January 1, 2015; July 1, 2017; November 1, 2017; January 1, 2019; July 1, 2019; February 1, 2020; June 1, 2020.]

[Existing language unaffected by the amendments is omitted to conserve space]

RULE XI. LIMITED PRACTICE OF LAW BY FOREIGN LEGAL CONSULTANTS

[Existing language unaffected by the amendments is omitted to conserve space]

Section 2. Application Procedure.

[Existing language unaffected by the amendments is omitted to conserve space]

(B) When the applicant has filed the documents required by division (A) of this ~~Section~~ section, the Office of Bar Admissions shall forward a copy of the documents to the admissions committee in the county where the applicant resides or intends to practice as a Foreign Legal Consultant, or to such other admissions committee as the Office of Bar Admissions deems appropriate, in accordance with Gov. Bar R. I, Section ~~40~~ 12. The admissions committee shall conduct an investigation of the applicant's character, fitness, and moral qualifications for registration as a Foreign Legal Consultant. In conducting its investigation, the admissions committee shall follow the standards and procedures required by Gov. Bar R. I, Section ~~40~~ 12, except that a personal interview of the applicant shall not be required. The admissions committee shall report its recommendation in writing to the Office of Bar Admissions on a form prescribed by the Office. Any recommendation other than an unqualified approval shall be deemed a recommendation that the applicant not be issued a Certificate of Registration. An appeal from such recommendation may be taken as provided in Gov. Bar R. I, Section ~~44~~ 13.

[Existing language unaffected by the amendments is omitted to conserve space]

[Effective: January 1, 1989; amended effective October 1, 2000; October 1, 2003; February 1, 2007; May 1, 2007; June 1, 2020.]

[Existing language unaffected by the amendments is omitted to conserve space]

RULE XX. TITLE AND EFFECTIVE DATES

[Existing language unaffected by the amendments is omitted to conserve space]

Section 2. Effective Dates.

[Existing language unaffected by the amendments is omitted to conserve space]

(SSSSS) The amendments to Gov. Bar R. I, Sections 1 through 19; Gov. Bar R. VI, Sections 8 and 14; Gov. Bar R. IX, Section 4; Gov. Bar R. X, Section 9; Gov. Bar R. XI, Section 2; and Appendix III, adopted by the Supreme Court on April 4, 2020, shall be effective June 1, 2020.

APPENDIX III: RULES OF THE OHIO BOARD OF BAR EXAMINERS

RULE I. GRADING OF OHIO BAR EXAMINATION

Section 1. Grading by and Calibration of Bar Examiners and Readers

(A) With the assistance of readers selected by the Court pursuant to Gov. Bar R. I, Sec. 4(D), the Board of Bar Examiners shall grade applicant answers from the written portion of the Ohio bar examination, which shall consist of both the essay Multistate Essay Examination (MEE) questions and the Multistate Performance Test (MPT) items. Before answers are graded, each bar examiner shall participate in a training and calibration session with those readers who will be assisting the bar examiner in grading answers to the same essay MEE question or MPT item.

(B) Scores assigned to individual answers on the written portion of the examination may range from zero to six points.

Section 2. ~~Raw and Scaled~~ Calculation of Scores

(A) ~~Scores assigned to individual answers~~ Raw scores on the written portion of the examination ~~may shall be scaled to the MBE range from 0 to 7 points of scores for that examination using the mean and standard deviation method.~~

(B) ~~Scores assigned to~~ In calculating UBE total scores, the MEE is weighted thirty percent, the MPT answers shall be is weighted by multiplying them by 1.5 twenty percent, and the MBE is weighted fifty percent.

(C) ~~An applicant's raw score on the written portion of the examination shall be the total of the applicant's 12 essay scores plus the applicant's two weighted MPT scores~~ UBE total scores are reported on a four hundred point scale and are calculated by the National Conference of Bar Examiners.

(D) ~~Raw scores on the written portion of an examination shall be scaled to the MBE range of scores for that examination using the mean and standard deviation method.~~

Section 3. Passing Examination Score

(A) ~~An applicant's total examination score shall be determined by the following formula:~~

~~Total score = (scaled score on written portion of examination x 2) + (MBE scaled score).~~

(B) ~~An applicant shall pass the examination if the applicant achieves a total two hundred and seventy UBE score of at least 405 points or higher.~~

Section 4. Automatic Regrade of Written Answers

(A) Applicants who achieve total scores ~~one point~~ two points or a fraction of one point less than the minimum passing score shall have their answers to the written portion of the examination regraded. Before the announcement of examination results, the ~~Clerk~~ Office of Bar Admissions shall submit the written answers of those applicants, along with a random sampling of answers written by passing applicants, to the bar examiners for regrading. The bar examiners shall not be given the original scores assigned to the answers they receive for regrading.

(B) After regrading, final total scores shall be calculated for those applicants who are entitled to have their written answers regraded. For each applicant entitled to have ~~his or her~~ the applicant's written answers regraded, the applicant's original written raw score shall be averaged with the written raw score assigned to the applicant during regrading. This average score shall be the applicant's final written raw score. The final written raw score shall be scaled and combined with the applicant's MBE scaled score, ~~in accordance with the formula in Section 3 of this rule,~~ to obtain the applicant's final total score.

RULE II. MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION

A scaled score of at least ~~85~~ eighty-five points shall be required to pass the Multistate Professional Responsibility Examination for UBE transfers and applicants who are admitted by Ohio Bar Examination.

RULE III. OHIO LAW COMPONENT

(A) The Ohio Law Component shall be an online, open-book, multiple choice test on outline material drafted by the Board of Bar Examiners. The subject matter of the outline material shall be relevant Ohio-specific topics attorneys licensed in Ohio are reasonably expected to know.

(B) A score of eighty percent shall be required to pass the Ohio Law Component. There shall be no limit on how many times an applicant may take the test to achieve a passing score, provided an applicant shall wait at least twenty-four hours before retaking the test.

(C) The Ohio Law Component outlines shall be made available to the public.

RULE IV. VIOLATION OF EXAMINATION RULES AND IRREGULARITIES

Section 1. Violations

An applicant may be subject to sanctions ranging from public reprimand to disqualification, if the applicant does any of the following:

(A) Gives or receives aid in answering examination questions;

- (B) Begins working on an examination segment before time to begin has been called;
- (C) Continues working on an examination segment for any period of time after time to stop has been called;
- (D) Brings prohibited materials into the examination hall;
- (E) Removes testing materials from the examination hall;
- (F) Otherwise violates any written or oral examination instructions.

Section 2. Investigation by Board

(A) Upon an allegation of a breach of examination rules or other examination irregularity by an applicant, the Board of Bar Examiners shall provide the applicant an opportunity to submit a written explanation. The Board shall review the allegations and the applicant's written response and take appropriate action, which may include referring the matter to the Board of Commissioners on Character and Fitness or an evidentiary hearing pursuant to Section 3 of this rule.

(B) Actions taken by the Board shall require agreement by a majority of its members and shall be final and not subject to appeal.

(C) The investigation by the Board shall be confidential and not subject to subpoena. Records of the investigation shall not be subject to public access pursuant to Sup.R. 44 through 47. However, a finding by the Board of irregularity or breach of examination rules shall be made public.

Section 3. Evidentiary hearing

(A) If the Board of Bar Examiners refers a matter to an evidentiary hearing pursuant to Section 2 of this rule, the Chair of the Board shall appoint a three-member panel consisting of Board members to conduct the hearing, and the Office of Bar Admissions shall appoint an active Ohio attorney to present the alleged violations or irregularities to the panel.

(B) The burden of proof in the evidentiary hearing shall be on the Office of Bar Admissions to establish by clear and convincing evidence the applicant breached the examination rules or engaged in other examination irregularity.

(C) An applicant's failure to provide requested information or to cooperate in the proceedings before the panel may be grounds for disqualification of the applicant's bar examination.

(D) A hearing before the panel may be waived upon agreement of the parties and the panel, and the panel may proceed with its own investigation of the allegations and base its recommendation on the results.

(E) Following the evidentiary hearing, the panel shall issue a report and recommendation to the full Board.

RULE V. EFFECTIVE DATES

The Rules of the Ohio Board of Bar Examiners approved by the Supreme Court November 2, 1994, shall become effective January 1, 1995. The amendments to the Rules of the Ohio Board of Bar Examiners approved by the Supreme Court June 4, 1996, shall become effective July 1, 1996. The amendments to the Rules of the Ohio Board of Bar Examiners approved by the Supreme Court March 30, 1999, shall become effective June 1, 2000. The amendments to the Rules of the Ohio Board of Bar Examiners approved by the Supreme Court on April 4, 2020, shall become effective June 1, 2020.