

1 27 NCAC 03 .0402 is adopted without notice pursuant to G.S. 84-21 and G.S. 84-24 as follows:

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3 **27 NCAC 03 .0402 APPLICATION FORM**

4 (a) The Application for Admission to Take the North Carolina Bar Examination requires an applicant to supply full  
5 and complete information relating to the applicant's background, including family history, past and current residences,  
6 education, military service, past and present employment, credit status, involvement in disciplinary, civil, or criminal  
7 proceedings, substance abuse, current mental and emotional impairment, and bar admission and discipline history.

8 Applicants must list references and submit as part of the application:

9 (1) Certificates of Moral Character from four individuals who know the applicant;

10 (2) A recent photograph;

11 (3) Two sets of clear fingerprints;

12 (4) Two executed informational Authorization and Release forms;

13 (5) A birth certificate;

14 (6) Transcripts from the applicant's undergraduate and graduate schools;

15 (7) A copy of all applications for admission to the practice of law that the applicant has filed with any  
16 state, territory, or the District of Columbia;

17 (8) A certificate from the proper court or agency of every jurisdiction in which the applicant is or has  
18 been licensed, that the applicant is in good standing, or the applicant must otherwise satisfy the  
19 Board that the applicant falls within the exception provided in Rule .0501(7)(b), and is not under  
20 pending charge of misconduct;

21 (9) Copies of any legal proceedings in which the applicant has been a party.

22 (10) The application must be filed in duplicate. The duplicate may be a photocopy of the original.

23 (b) An applicant who aptly filed a complete Application for the North Carolina Bar Examination for the February or  
24 July bar examination may, after failing or withdrawing from that particular examination, file a Supplemental  
25 Application, with the applicable fee, for the next subsequent bar examination, on forms supplied by the Board, and  
26 may continue to file a Supplemental Application, with the applicable fee, for each subsequent examination until  
27 successful. Each Supplemental Application must update any information previously submitted to the Board by the  
28 applicant. Each Supplemental Application must be filed by the deadline set out in Rule .0403 of this Chapter. An  
29 applicant who withdraws from or fails any particular administration of the bar examination and does not file a  
30 Supplemental Application for the next bar examination will be required to file a new general application before taking  
31 the written examination again.

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33 History Note: Authority G.S. 84-21; 84-24;

34 Approved by the Supreme Court and re-entered into the Supreme Court's minutes December 11,  
35 2024.

1 27 NCAC 03 .0403 is adopted without notice pursuant to G.S. 84-21 and G.S. 84-24 as follows:

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3 **27 NCAC 03 .0403 FILING DEADLINES**

4 (a) Applications shall be filed with the Executive Director at the offices of the Board on or before the first Tuesday  
5 in January immediately preceding the date of the July written bar examination and on or before the first Tuesday in  
6 October immediately preceding the date of the February written bar examination.

7 (b) Upon payment of a late filing fee of two hundred and fifty dollars (\$250.00) (in addition to all other fees required  
8 by these rules), an applicant may file a late application with the Board on or before the first Tuesday in March  
9 immediately preceding the July written bar examination and on or before the first Tuesday in November immediately  
10 preceding the February written bar examination.

11 (c) Applicants who fail to timely file their application will not be allowed to take the Bar Examination designated on  
12 the application.

13 (d) General Applicants may file a Supplemental Application with the Executive Director at the offices of the Board  
14 on or before the following dates:

15 (1) If the applicant aptly filed a General Application, or a previous Supplemental Application, for the  
16 February bar examination, the Supplemental Application for the following July bar examination  
17 must be filed on or before the first Tuesday in May immediately preceding the July examination;

18 and

19 (2) If the applicant aptly filed a General Application, or a previous Supplemental Application, for the  
20 July bar examination, the Supplemental Application for the following February bar examination  
21 must be filed on or before the first Tuesday in October immediately preceding the February  
22 examination.

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24 History Note: Authority G.S. 84-21; 84-24;

25 Approved by the Supreme Court and re-entered into the Supreme Court's minutes December 11,  
26 2024.

1 27 NCAC 03 .0404 is adopted without notice pursuant to G.S. 84-21 and G.S. 84-24 as follows:

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3 **27 NCAC 03 .0404 FEES FOR GENERAL APPLICANTS**

4 (a) The application specified in .0402 (a) shall be accompanied by a fee of eight hundred and fifty dollars (\$850.00),  
5 if the applicant is not, and has not been, a licensed attorney in any other jurisdiction, or by a fee of one thousand six  
6 hundred fifty dollars (\$1,650), if the applicant is or has been a licensed attorney in any other jurisdiction; provided  
7 that if the applicant is filing after the deadline set out in Rule .0403(a), but before the deadline set forth in Rule  
8 .0403(b), the application shall also be accompanied by a late fee of two hundred and fifty dollars (\$250.00).

9 (b) A Supplemental Application shall be accompanied by a fee of four hundred dollars (\$400.00).

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11 History Note: Authority G.S. 84-21; 84-24;

12 Approved by the Supreme Court and re-entered into the Supreme Court's minutes December 11,

13 2024.

1 27 NCAC 03 .0502 is adopted without notice pursuant to G.S. 84-21 and G.S. 84-24 as follows:  
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3 **27 NCAC 03 .0502 REQUIREMENTS FOR COMITY APPLICANTS**

4 The Board in its discretion shall determine whether an attorney duly licensed to practice law in any state, or territory  
5 of the United States, or the District of Columbia, may be licensed to practice law in the State of North Carolina without  
6 written examination, other than the Multistate Professional Responsibility Examination; provided that such attorney's  
7 jurisdiction of licensure qualifies as a jurisdiction in comity with North Carolina, in that the conditions required by  
8 such state, or territory of the United States or the District of Columbia, for North Carolina attorneys to be licensed to  
9 practice law in that jurisdiction without written examination are not considered by the Board to be unduly or materially  
10 greater than the conditions required by the State of North Carolina for licensure to practice law without written  
11 examination in this State. A list of "approved jurisdictions", as determined by the Board pursuant to this rule, shall be  
12 available upon request. Any attorney at law duly admitted to practice in another state, or territory of the United States,  
13 or the District of Columbia, upon written application may, in the discretion of the Board, be licensed to practice law  
14 in the State of North Carolina without written examination provided each such applicant shall:

15 (1) File with the Executive Director, upon such forms as may be supplied by the Board, a typed  
16 application. Such application shall require:

17 (a) That an applicant supplies full and complete information in regard to his background,  
18 including family, past residences, education, military, employment, credit status, whether  
19 he has been a party to any disciplinary or legal proceedings, whether currently mentally or  
20 emotionally impaired, references, and the nature of the applicant's practice of law.

21 (b) That the applicant furnishes the following documentation:

22 (i) Certificates of Moral Character from four individuals who know the applicant;

23 (ii) A recent photograph;

24 (iii) Two sets of clear fingerprints;

25 (iv) A certification of the Court of Last Resort from the jurisdiction from which the  
26 applicant is applying that: the applicant is currently licensed in the jurisdiction;  
27 the date of the applicant's licensure in the jurisdiction; the applicant was of good  
28 moral character when licensed by the jurisdiction; and the jurisdiction allows  
29 North Carolina attorneys to be admitted without examination;

30 (v) Transcripts from the applicant's undergraduate and graduate schools;

31 (vi) A copy of all applications for admission to the practice of law that the applicant  
32 has filed with any state, territory, or the District of Columbia;

33 (vii) A certificate of admission to the bar of any state, territory, or the District of  
34 Columbia;

35 (viii) A certificate from the proper court or body of every jurisdiction in which the  
36 applicant is licensed that he is in good standing, or that the applicant otherwise  
37 satisfies the Board that the applicant falls within the exception provided in Rule  
38 .0501(7)(b), and not under pending charges of misconduct;

1           (2) Pay to the Board with each application, a fee of two thousand dollars (\$2,000), no part of which  
2           may be refunded to (a) an applicant whose application is denied; or (b) an applicant who withdraws,  
3           unless the applicant has filed with the Board a written request to withdraw, in which event, the Board  
4           in its discretion may refund no more than one-half of the fee to the withdrawing applicant. However,  
5           when an application for admission by comity is received from an applicant who, in the opinion of  
6           the Executive Director after consideration with the Board Chair, is not eligible for consideration  
7           under the Rules, the applicant shall be so advised by written notice. Upon receipt of such notice, the  
8           applicant may elect in writing to withdraw the application, and provided the written election is  
9           received by the Board within 20 days from the date of the Board's written notice to the applicant,  
10           receive a refund of all fees paid.

11           (3) Prove to the satisfaction of the Board that the applicant is duly licensed to practice law in one or  
12           more jurisdictions which are on the list of "approved jurisdictions," or should be on such list, as a  
13           comity jurisdiction within the language of the first paragraph of this Rule .0502; that the applicant  
14           has been, for at least four out of the six years immediately preceding the filing of this application  
15           with the Executive Director, actively and substantially engaged in the practice of law pursuant to  
16           the license to practice law from one or more jurisdictions relied upon by the applicant; and that the  
17           applicant has read the Rules of Professional Conduct promulgated by the North Carolina State Bar.  
18           Practice of law for the purposes of this rule when conducted pursuant to a license granted by another  
19           jurisdiction shall include the following activities, if performed in a jurisdiction in which the  
20           applicant is admitted to practice law, or if performed in a jurisdiction that permits such activity by  
21           a licensed attorney not admitted to practice in that jurisdiction:

22           (a) The practice of law as defined by G.S. 84-2.1; or

23           (b) Activities which would constitute the practice of law if done for the general public; or

24           (c) Legal service as house counsel for a person or other entity engaged in business; or

25           (d) Judicial service, service as a judicial law clerk, or other legal service in a court of record  
26           or other legal service with any local or state government or with the federal government;

27           or

28           (e) Legal service with the United States, a state or federal territory, or any local governmental  
29           bodies or agencies, including military service; or

30           (f) A full-time faculty member in a law school approved by the Council of the North Carolina  
31           State Bar.

32           (g) For purposes of this rule, the active practice of law shall not include (a) work that, as  
33           undertaken, constituted the unauthorized practice of law in the jurisdiction in which it was  
34           performed or in the jurisdiction in which any person receiving the unauthorized service  
35           was located, or (b) the practice of law in any additional jurisdiction, pursuant to a license  
36           to practice law in that additional jurisdiction, and that additional jurisdiction is not an  
37           "approved jurisdiction" as determined by the Board pursuant to this rule.

1 (4) Be in good standing in each State, territory of the United States, or the District of Columbia in which  
2 the applicant is or has been licensed to practice law and not under any charges of misconduct while  
3 the application is pending before the Board.

4 (a) For purposes of this rule, an applicant is "in good standing" in a jurisdiction if:

5 (i) the applicant is an active member of the bar of the jurisdiction and the jurisdiction  
6 issues a certificate attesting to the applicant's good standing therein; or

7 (ii) the applicant was formerly a member of the bar of the jurisdiction and the  
8 jurisdiction certifies the applicant was in good standing at the time that the  
9 applicant ceased to be a member; and

10 (b) if the jurisdiction in which the applicant is inactive or was formerly a member will not  
11 certify the applicant's good standing solely because of the non-payment of dues, the Board,  
12 in its discretion, may waive such certification from that jurisdiction; however, the applicant  
13 must not only be in good standing, but also must be an active member of each jurisdiction  
14 upon which the applicant relies for admission by comity.

15 (5) Be of good moral character and have satisfied the requirements of Section .0600 of this Chapter;

16 (6) Meet the educational requirements of Section .0700 of this Chapter as hereinafter set out if first  
17 licensed to practice law after August 1971;

18 (7) Not have taken and failed the written North Carolina Bar Examination within five years prior to the  
19 date of filing the applicant's comity application;

20 (8) Have passed the Multistate Professional Responsibility Examination.

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22 History Note: Authority G.S. 84-21; 84-24;

23 Approved by the Supreme Court and re-entered into the Supreme Court's minutes December 11,  
24 2024.

1 27 NCAC 03 .0504 is adopted without notice pursuant to G.S. 84-21 and G.S. 84-24 as follows:

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3 **27 NCAC 03 .0504 REQUIREMENTS FOR TRANSFER APPLICANTS**

4 As a prerequisite to being licensed by the Board to practice law in the State of North Carolina, a transfer applicant  
5 shall:

- 6 (1) possess the qualifications of character and general fitness requisite for an attorney and counselor-  
7 at-law, and be of good moral character and entitled to the high regard and confidence of the public  
8 and have satisfied the requirements of Section .0600 of this Chapter;
- 9 (2) possess the legal educational qualifications as prescribed in Section .0700 of this Chapter;
- 10 (3) be at least 18 years of age;
- 11 (4) have filed with the Executive Director, upon such forms as may be supplied by the Board, a typed  
12 application in duplicate, containing the same information and documentation required of general  
13 applicants under Rule .0402(a);
- 14 (5) have paid with the application an application fee of one thousand five hundred dollars (\$1,500), if  
15 the applicant is licensed in any other jurisdiction, or one thousand two hundred seventy-five dollars  
16 (\$1,275) if the applicant is not licensed in any other jurisdiction, no part of which may be refunded  
17 to an applicant whose application is denied or to an applicant who withdraws, unless the  
18 withdrawing applicant filed with the Board a written request to withdraw, in which event, the Board  
19 in its discretion may refund no more than one-half of the fee to the withdrawing applicant. However,  
20 when an application for admission by transfer is received from an applicant who, in the opinion of  
21 the Executive Director, after consultation with the Board Chair, is not eligible for consideration  
22 under the Rules, the applicant shall be so advised by written notice. Upon receipt of such notice, the  
23 applicant may elect in writing to withdraw the application, and provided the written election is  
24 received by the Board within 20 days from the date of the Board's written notice to the applicant,  
25 receive a refund of all fees paid.
- 26 (6) have, within the three-year period preceding the filing date of the application, taken the Uniform  
27 Bar Examination and achieved a scaled score on such exam that is equal to or greater than the  
28 passing score established by the Board for the UBE as of the administration of the exam immediately  
29 preceding the filing date;
- 30 (7) have passed the Multistate Professional Responsibility Examination.
- 31 (8) if the applicant is or has been a licensed attorney, be in good standing in each state, territory of the  
32 United States, or the District of Columbia, in which the applicant is or has been licensed to practice  
33 law and not under any charges of misconduct while the application is pending before the Board.
- 34 (a) For purposes of this rule, an applicant is "in good standing" in a jurisdiction if:
- 35 (i) the applicant is an active member of the bar of the jurisdiction and the jurisdiction  
36 issues a certificate attesting to the applicant's good standing therein; or

1                   (ii) the applicant was formerly a member of the jurisdiction, and the jurisdiction  
2                   certifies the applicant was in good standing at the time that the applicant ceased  
3                   to be a member; and

4                   (b) if the jurisdiction in which the applicant is inactive or was formerly a member will not  
5                   certify the applicant's good standing solely because of the non-payment of dues, the Board,  
6                   in its discretion, may waive such certification from that jurisdiction.

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8 History Note: Authority G.S. 84-21; 84-24;

9 Approved by the Supreme Court and re-entered into the Supreme Court's minutes December 11,  
10 2024.