

# Supreme Court of Kentucky

2020-37

ORDER

## IN RE: TEMPORARY RULE PERMITTING SUPERVISED PRACTICE OF LAW PENDING ADMISSION

Under Section 116 of the Kentucky Constitution and Section II of the Rules of the Supreme Court, Admissions of Persons to Practice Law, the Supreme Court hereby ORDERS that the following temporary rule permitting the supervised practice of law pending admission shall be effective from June 1, 2020, through December 31, 2020.

### **Supervised Practice Pending Admission**

1. An eligible individual who has submitted a timely application for admission by examination for the July or September 2020 Kentucky bar examination is eligible for temporary admission to the Kentucky Bar Association, provided the following conditions are met:
  - a. The applicant has been awarded a juris doctor degree from a law school accredited by the American Bar Association and has not sat for a bar examination in Kentucky or any other jurisdiction prior to July 2020;
  - b. The applicant has taken the Kentucky bar examination;
  - c. The dean of the student's law school has filed written approval of such applicant with the Clerk of the Supreme Court and the Kentucky Bar Association;
  - d. The Character and Fitness Committee determines the applicant possesses the requisite good moral character and fitness to practice law;
  - e. The applicant is not currently subject to an order of attorney discipline or the subject of a pending formal disciplinary or disability investigation in any jurisdiction;
  - f. The applicant has not been denied admission to practice law in Kentucky nor denied admission on character and fitness grounds in any jurisdiction;



- b. The applicant files a statement with the Office of Bar Admissions of his or her intention to seek admission to the Kentucky Bar Association under SCR 2.112 immediately upon the applicant's admission to practice in the highest Court of another state; and
  - c. The Commonwealth's or County Attorney, or a representative of the public defender program or legal services program, that desires to employ the applicant upon admission under SCR 2.112 files a statement with the Office of Bar Admissions of this intention.
3. Verification. Upon an applicant's satisfactory completion of the application process and provided that the applicant is certified to have the requisite good moral character and fitness to practice law and the applicant has met all of the requirements of this rule, the Board and the Committee shall certify their recommendations to the Supreme Court that the applicant is eligible for temporary admission pursuant to this rule.
4. Automatic Termination. The authority in this rule shall terminate immediately if the applicant:
  - a. Successfully passes the Kentucky bar exam and takes the oath of office required by Section 228 of the Kentucky Constitution;
  - b. Withdraws the application for admission by examination;
  - c. Fails to obtain a passing score on the first bar examination the applicant takes in Kentucky, or another state under section (2), following adoption of this rule. In the event the applicant applies, within ten days following receipt of his or her score, to take the next subsequent Kentucky bar exam, then temporary admission shall be extended to the date of announced exam results for said next subsequent bar exam. Temporary admission shall not be extended following two unsuccessful bar exams.
  - d. Fails to submit a timely passing score on the Multistate Professional Responsibility Examination; or
  - e. Is subject to a formal charge in a disciplinary proceeding.
5. The authority in this rule shall also terminate immediately if the supervising attorney ceases to be an active member in good standing of the Kentucky Bar association or withdraws the verification required by this rule.

6. Required Action After Termination of Authority. Upon termination of authority to practice law pursuant to this rule, the applicant must notify, in writing, the Clerk of the Supreme Court, the Kentucky Bar Association, and all clients in pending matters, and opposing counsel, co-counsel and court clerks in pending litigation, of the termination of authority, and immediately cease practicing law in Kentucky. Termination of authority is not the equivalent of disbarment or other disciplinary action.
7. This rule shall remain in effect until December 31, 2020 and will continue to apply to any applicants granted temporary admission pursuant to this rule prior to that date.
8. The Court, in its discretion, may extend the time limits set forth in this rule for good cause shown.

This Order shall be effective from June 1, 2020, through December 31, 2020, or until further Order of this Court.

Entered this 13th day of May 2020.

  
CHIEF JUSTICE

All sitting; all concur.