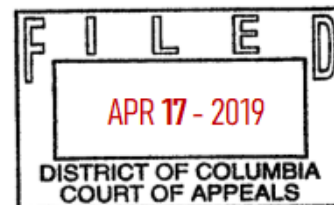


**District of Columbia
Court of Appeals**



No. M-264-19

BEFORE: Blackburne-Rigsby, Chief Judge; Glickman, Fisher, Thompson,
Beckwith, Easterly, and McLeese, Associate Judges.

NOTICE
(FILED – April 17, 2019)

This court is considering whether to make technical revisions to D.C. App. R. 46(c)(2), to (1) waive the late fee for people who apply late to retake the D.C. Bar exam because they do not learn that they did not pass until after the deadline to apply to retake the exam has passed; and (2) clarify that the Committee on Admissions can provide Bar application information to Disciplinary Counsel and the Committee On Unauthorized Practice of Law if good cause to do so exists. Some minor stylistic changes are also under consideration. Clean and red-line versions of the proposed amendments are attached.

This notice is published to provide interested parties an opportunity to submit written comments concerning the proposal under consideration. Comments must be submitted by June 17, 2019. Comments may be submitted electronically, to rules@dcappeals.gov, or submitted in writing to the Clerk, D.C. Court of Appeals, 430 E St., N.W., Washington, D.C. 20001. All comments submitted pursuant to this notice will be available to the public.

PER CURIAM

Rule 46. Admission to the Bar.

(c) Admission based on examination in this jurisdiction.

(2) Application to Take the Bar Examination: Format, Time for Filing to Apply, Confidentiality, and Fees.

(A) Format. An application to take the bar examination ~~shall~~must be submitted in a format approved by the Committee.

(B) Time for Filing. An applicant ~~and must file~~ the application with the Director of Admissions (Director) not later than December 15 for the February examination and May 3 for the July examination unless:-

(i) for exceptional cause shown, the time is extended by the Committee for exceptional cause shown;- or

(ii) the applicant files the application within 15 days after the deadline and, unless waived under Rule 46 (c)(2)(E), pays an additional, non-refundable late fee to the Clerk of the D.C. Court of Appeals in an amount and form approved by the Committee.

(C) Confidentiality. The contents of the application ~~to take the examination shall be~~ confidential, except but the Committee may disclose the contents of the application:

(i) to the Office of Disciplinary Counsel for good cause;

(ii) to the Committee on Unauthorized Practice of Law for good cause; or

(iii) upon order of the court.

(D) Fees. The application ~~shall~~must be accompanied by:

(i) a payment to the Clerk, of the D.C. Court of Appeals (Clerk), in an amount and form approved by the Committee and specified by the Director;- and

(ii) payment to NCBE, or proof of payment to NCBE, in an amount and form specified on the application form.

(E) Waiver of Late Fee. The late fee required by Rule 46 (c)(2)(B)(ii) is waived for an applicant who applies within 15 days after the deadline if the applicant sat for and was unsuccessful on the immediately prior examination and the results of that examination were not released to the applicant by the deadline.

~~(C) Late applications may be filed within 15 days from the closing dates specified in subparagraph (i) and must be accompanied by an additional, non-refundable payment to the Clerk, D.C. Court of Appeals, in an amount and form approved by the Committee.~~

Rule 46. Admission to the Bar.

(c) Admission based on examination in this jurisdiction.

(2) *Application to Take the Bar Examination: Format, Time for Filing, Confidentiality, and Fees.*

(A) *Format.* An application to take the bar examination must be submitted in a format approved by the Committee.

(B) *Time for Filing.* An applicant must file the application with the Director of Admissions (Director) no later than December 15 for the February examination and May 3 for the July examination unless:

(i) the time is extended by the Committee for exceptional cause shown; or

(ii) the applicant files the application within 15 days after the deadline and, unless waived under Rule 46 (c)(2)(E), pays an additional, non-refundable late fee to the Clerk of the D.C. Court of Appeals in an amount and form approved by the Committee.

(C) *Confidentiality.* The contents of the application are confidential, but the Committee may disclose the contents of the application:

(i) to the Office of Disciplinary Counsel for good cause;

(ii) to the Committee on Unauthorized Practice of Law for good cause; or

(iii) on order of the court.

(D) *Fees.* The application must be accompanied by:

(i) a payment to the Clerk of the D.C. Court of Appeals in an amount and form approved by the Committee; and

(ii) payment or proof of payment to NCBE in an amount and form specified on the application.

(E) *Waiver of Late Fee.* The late fee required by Rule 46 (c)(2)(B)(ii) is waived for an applicant who applies within 15 days after the deadline if the applicant sat for and was unsuccessful on the immediately prior examination and the results of that examination were not released to the applicant by the deadline.