

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Reps. Fink and Wozniak

ENROLLED HOUSE BILL No. 5541

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 931, 934, and 946 (MCL 600.931, 600.934, and 600.946), section 931 as amended by 2000 PA 86 and section 934 as amended by 2020 PA 369, and by adding section 935.

The People of the State of Michigan enact:

Sec. 931. (1) The fees required to be paid by each applicant for admission to the bar must be paid to the board of law examiners, and must be deposited in the general fund for the restricted purpose of expenditures of the supreme court related to the administration of the board of law examiners.

(2) Subject to subsection (3), the fees described in this section are as follows:

- (a) The fee for applying for examination is \$300.00.
- (b) The fee for applying for reexamination or recertification is \$200.00.
- (c) The fee for admission without examination is \$600.00.
- (d) The additional fee for late filing of an application or transfer of an application is \$100.00.
- (e) The fee for admission by uniform bar examination score transfer is \$400.00.

(3) The supreme court, by administrative order or rule, may increase the amounts prescribed in subsection (2)(a), (b), or (c) within the following limits:

- (a) The fee for applying for an examination may be increased to not more than \$400.00.
- (b) The fee for applying for a reexamination or recertification may be increased to not more than \$300.00.
- (c) The fee for admission without examination may be increased to not more than \$800.00.

(4) Each member of the board is entitled to receive compensation for his or her services as are authorized by the supreme court and appropriated by the legislature, and in addition the actual and necessary expenses incurred in the discharge of his or her duties as a member of the board. The expenses of the board must be paid upon certification by the supreme court pursuant to the procedures established by the supreme court.

(5) As used in this section:

(a) “Uniform bar examination” means the examination as defined and administered by the National Conference of Bar Examiners.

(b) “Uniform bar examination score transfer” means the transfer to this state of a uniform bar examination score achieved in another jurisdiction for purposes of admission to the state bar.

Sec. 934. (1) An individual is qualified for admission to the bar of this state if he or she proves to the satisfaction of the board of law examiners that he or she is an individual of good moral character, is 18 years of age or older, has the required general education, learning in the law, and fitness and ability to enable him or her to practice law in the courts of record of this state, and that he or she intends in good faith to practice or teach law in this state. Additional requirements concerning the qualifications for admission are contained in subsequent sections of this chapter. For purposes of this subsection, good moral character is determined by the board of law examiners and 1974 PA 381, MCL 338.41 to 338.47, does not apply to that determination.

(2) An individual may elect to use the multistate bar examination scaled score that he or she achieved on a multistate bar examination administered in another state or territory when applying for admission to the bar of this state, but only if all of the following are met:

(a) The score that the individual elects to use was achieved on a multistate examination administered within the 3 years immediately preceding the multistate bar examination in this state for which the individual would otherwise sit.

(b) The individual achieved a passing grade on the bar examination of which the multistate examination the score of which the individual elects to use was a part.

(c) The multistate examination the score of which the individual elects to use was administered in a state or territory that provides a reciprocal right to elect to use the score achieved on the multistate examination administered in this state to Michigan residents who are seeking admission to the bar of that state or territory.

(d) The individual earns a grade on the essay portion of the bar examination that when combined with the transferred multistate scaled score constitutes a passing grade for that bar examination.

(e) The individual otherwise meets all requirements for admission to the bar of this state.

(3) The state board of law examiners shall disclose to an individual who elects under subsection (2) to transfer the multistate bar examination scaled score achieved on an examination administered in another state or territory the score the individual achieved as soon as that score is received by the board regardless of whether the individual could have obtained that score in the jurisdiction in which the examination was administered. This subsection does not require disclosure by the board of the score achieved on a multistate bar examination administered in another state or territory until the scores achieved on that examination administered in Michigan are released.

(4) An individual who elects to use a multistate bar examination scaled score as described in subsection (2) shall not receive a portable uniform bar examination score.

(5) As used in this section:

(a) “Portable uniform bar examination score” means a uniform bar examination score achieved in another jurisdiction for purposes of admission to the bar that meets this state’s multistate bar examination minimum passing score as established by the board of law examiners.

(b) “Uniform bar examination” means the examination as defined and administered by the National Conference of Bar Examiners.

Sec. 935. (1) An individual may elect to use the uniform bar examination score that the individual achieved on a uniform bar examination administered in another state or territory when applying for admission to the bar of this state, if all of the following occur:

(a) The score that the individual elects to use was achieved on a uniform bar examination administered within the 3 years immediately preceding the uniform bar examination in this state for which the individual would otherwise sit.

(b) The score that the individual elects to use meets the passing uniform bar examination score for this state set by the board of law examiners.

(c) The individual otherwise meets all requirements for admission to the bar of this state.

(2) The board of law examiners, in its discretion, may administer in conjunction with the uniform bar examination a Michigan-law-specific component as part of the requirements for admission to the bar of this state.

(3) In the event of a national or state emergency, the board of law examiners, in its discretion, may administer an alternate examination consistent with the standards for entry into the bar of this state. If the alternate examination does not meet the portability requirements of the uniform bar examination, the board of law examiners may enter into reciprocal agreements with other uniform bar examination states to provide for agreed-upon score portability between those states and this state.

(4) The requirement that the board of law examiners accept a uniform bar examination score from another state is not effective until this state first administers the uniform bar examination.

(5) As used in this section, “uniform bar examination” means the examination as defined and administered by the National Conference of Bar Examiners.

Sec. 946. (1) Any individual who is duly licensed to practice law in the court of last resort of any other state or territory of the United States or the District of Columbia and who applies for admission to the bar of this state without examination is required to prove all of the following to the satisfaction of the board of law examiners:

(a) He or she is a member in good standing of the bar of that other state, territory, or district and has the qualifications as to moral character, citizenship, age, general education, fitness, and ability required for admission to the bar of this state.

(b) He or she intends in good faith to practice actively in this state or to engage in the teaching of law as a full-time instructor in a reputable and qualified law school located in this state.

(c) Subject to subsections (2) and (3), his or her principal business or occupation for at least 3 years of the 5 years immediately preceding his or her application was any of the following:

(i) The authorized active practice of law in that other state, territory, or district.

(ii) The teaching of law as a full-time instructor in a reputable and qualified law school located in this state, another state or territory of the United States, or the District of Columbia.

(iii) Active service, full-time as distinguished from active duty for training and reserve duty, in the Armed Forces of the United States, during which the applicant was assigned to and discharged the duties of a judge advocate, legal specialist, or legal officer by any other designation, if that assignment and the inclusive dates of that assignment are certified to by the judge advocate general or comparable officer of the Armed Forces of the United States concerned or by the principal assistant to whom this certification authority is delegated.

(iv) Any combination of time periods engaged in more than 1 of the principal businesses or occupations described in subparagraph (i), (ii), or (iii).

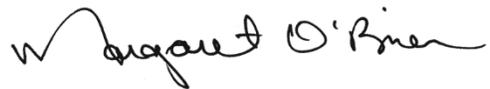
(2) The supreme court may, in its discretion, on special motion and for good cause shown, increase the 5-year period described in subsection (1)(c).

(3) Any period of active service in the Armed Forces of the United States that does not meet the requirements of duty in the Armed Forces of the United States described in subsection (1)(c) may be excluded from the 5-year period described in subsection (1)(c) and the period extended accordingly.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor