

NOTICE

On June 21, 2010, the judges of the Superior Court adopted revisions to the Practice Book, including those found below. These revisions were published in the Connecticut Law Journal on July 13, 2010 and **become effective on January 1, 2011**. Additions are signified by underlining; deletions are signified by brackets.

Sec. 2-5. EXAMINATION OF CANDIDATES FOR ADMISSION

The committee shall further have the duty, power and authority to provide for the examination of candidates for admission to the bar; to determine whether such candidates are qualified as to prelaw education, legal education, [morals and fitness] good moral character and fitness to practice law; and to recommend to the court for admission to the bar qualified candidates.

Sec. 2-5A. FITNESS TO PRACTICE LAW

Fitness to practice law shall be construed to include the following:

(1) The cognitive capacity to undertake fundamental lawyering skills such as problem solving, legal analysis and reasoning, legal research, factual investigation, organization and management of legal work, making appropriate reasoned legal judgments, and recognizing and solving ethical dilemmas;

(2) The ability to communicate legal judgments and legal information to clients, other attorneys, judicial and regulatory authorities, with or without the use of aids or devices; and

(3) The capability to perform legal tasks in a timely manner.

Sec. 2-8. QUALIFICATIONS FOR ADMISSION

To entitle an applicant to admission to the bar, except under Sections 2 -13 through 2 -15 of these rules, the applicant must satisfy the committee that:

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(3) The applicant is a person of good moral character, is fit to practice law, and has either passed an examination in professional responsibility administered under the auspices of the bar examining committee or has completed a course in professional responsibility in accordance with the regulations of the bar examining committee. Any inquiries or procedures used by the bar examining committee that relate to physical or mental disability must be narrowly tailored and necessary to a determination of the applicant's current fitness to practice law, in accordance with the Americans with Disabilities Act and amendment twenty-one of the Connecticut constitution, and conducted in a manner consistent with privacy rights afforded under the federal and state constitutions or other applicable law.

Sec. 2-9. CERTIFICATION OF APPLICANTS RECOMMENDED FOR ADMISSION; CONDITIONS OF ADMISSION

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(b) The committee may, in light of the physical or mental disability of a candidate that has caused conduct or behavior that would otherwise have rendered the candidate currently unfit to practice law, determine that it will only recommend an applicant for admission to the bar conditional upon the applicant's compliance with conditions prescribed by the committee relevant to the disability and the fitness of the applicant. Such determination shall be made after a hearing on the record is conducted by the committee or a panel thereof consisting of at least three members appointed by the chair, unless such hearing is waived by the applicant. Such conditions shall be tailored to detect recurrence of the conduct or behavior which could render an applicant unfit to practice law or pose a risk to clients or the public and to encourage continued treatment, abstinence, or other support. The conditional admission period shall not exceed five years, unless the conditionally-admitted attorney fails to comply with the conditions of admission, and the bar examining committee or the court determines, in accordance with the procedures set forth in section 2-11, that a further period of conditional admission is necessary. The committee shall notify the applicant by mail of its decision and that the applicant must sign an agreement with the bar examining committee under oath affirming acceptance of such conditions and that the applicant will comply with them. Upon receipt of this agreement from the applicant, duly executed, the committee shall recommend the applicant for admission to the bar as provided herein. The committee shall forward a copy of the agreement to the statewide bar counsel, who shall be considered a party for purposes of defending an appeal under Section 2-11A.

Sec. 2-12. COUNTY COMMITTEES ON RECOMMENDATIONS FOR ADMISSION

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(b) Any application for admission to the bar may be referred to the committee for the county through which the applicant seeks admission, which shall investigate the [general fitness of the applicant] applicant's moral character and fitness to practice law and report to the bar of the county whether the applicant has complied with the rules relating to admission to the bar, is a person of good moral character, is fit to practice law and should be admitted.

Sec. 2-13. ATTORNEYS OF OTHER JURISDICTIONS; QUALIFICATIONS AND REQUIREMENTS FOR ADMISSION

(a) Any member of the bar of another state or territory of the United States or the District of Columbia, who, after satisfying the state bar examining committee that his or her educational qualifications are such as would entitle him or her to take the examination in Connecticut or would have entitled him or her to take the

examination in Connecticut at the time of his or her admission to the bar of which he or she is a member, and that at least one jurisdiction in which he or she is a member of the bar is reciprocal to Connecticut in that it would admit a member of the bar of Connecticut to its bar without examination under provisions similar to those set out in this section, shall satisfy the appropriate standing committee on recommendations for admission that he or she (1) is of good moral character, is fit to practice law, and has either passed an examination in professional responsibility administered under the auspices of the bar examining committee or has completed a course in professional responsibility in accordance with the regulations of the bar examining committee; (2) has been duly licensed to practice law before the highest court of a reciprocal state or territory of the United States or in the District of Columbia if reciprocal to Connecticut and (A) has law fully engaged in the practice of law as the applicant's principal means of livelihood in such reciprocal jurisdiction for at least five of the seven years immediately preceding the date of the application and is in good standing, or (B) if the applicant has taken the bar examinations of Connecticut and failed to pass them, the applicant has law fully engaged in the practice of law as his or her principal means of livelihood in such reciprocal jurisdiction for at least five of the seven years immediately preceding the date of the application and is in good standing, provided that such five years of practice shall have occurred subsequent to the applicant's last failed Connecticut examination; (3) is a citizen of the United States or an alien law fully residing in the United States; (4) intends, upon a continuing basis, to practice law actively in Connecticut and to devote the major portion of his or her working time to the practice of law in Connecticut, and/or to supervise law students within a clinical law program at an accredited Connecticut law school while a member of the faculty of such school may be admitted by the court as an attorney without examination upon written application and the payment of such fee as the examining committee shall from time to time determine, upon compliance with the following requirements: Such application, duly verified, shall be filed with the administrative director of the bar examining committee and shall set forth his or her qualifications as hereinbefore provided. There shall be filed with such application the following certificates or affidavits: Affidavits from two attorneys who personally know the applicant certifying to his or her good moral character and fitness to practice law and supporting, to the satisfaction of the standing committee on recommendations for admission to the bar, his or her practice of law as defined under (2) of this section; where applicable, an affidavit from the dean of the accredited Connecticut law school at which the applicant has accepted employment attesting to the employment relationship and term; affidavits from two members of the bar of Connecticut of at least five years. standing certifying that the applicant is of good moral character and is fit to practice law, and a certificate from the state bar examining committee that his or her educational qualifications are such as would entitle the applicant to take the examination in Connecticut or would have entitled the applicant to take the examination in Connecticut at the time of his or her admission to the bar of which the applicant is a member; and an affidavit from the applicant certifying whether such applicant has a grievance pending against him or her, has ever been reprimanded, suspended, placed on inactive

status, disbarred, or has ever resigned from the practice of law, and, if so, setting forth the circumstances concerning such action. Such an affidavit is not required if it has been furnished as part of the application form prescribed by the state bar examining committee.

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Sec. 2-15. PERMANENT LICENSE

(a) Not less than thirty nor more than sixty days before the expiration of such temporary license the applicant may file a motion that such license be made permanent with the clerk, who shall forthwith give notice thereof to the standing committee on recommendations for admission. Said committee shall claim the motion for the short calendar as soon as it is prepared to make recommendations thereon to the court. If it shall appear to the court at a hearing thereon that said applicant has, since admission, devoted the major portion of his or her working time to the practice of the law in the state of Connecticut and intends to continue so to practice, and that the applicant's [moral qualifications] good moral character and fitness to practice law remain satisfactory, such license shall be made permanent; but if the applicant shall fail to make such motion or if the court shall upon the hearing thereon refuse to make such finding, then said temporary license shall terminate upon its expiration, but the court may for good cause shown continue said hearing and extend said license for a period of not more than three months from the original date of its expiration.

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Sec. 2-17. FOREIGN LEGAL CONSULTANTS; LICENSING REQUIREMENTS

Upon recommendation of the bar examining committee, the court may license to practice as a foreign legal consultant, without examination, an applicant who: (1) has been admitted to practice (or has obtained the equivalent of admission) in a foreign country, and has engaged in the practice of law in that country, and has been in good standing as an attorney or counselor at law (or the equivalent of either) in that country, for a period of not less than five of the seven years immediately preceding the date of application; (2) possesses the good moral character and [general] fitness to practice law requisite for a member of the bar of this court; and (3) is at least twenty-six years of age.

Sec. 2-18. FILINGS TO BECOME FOREIGN LEGAL CONSULTANT

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(c) The committee shall investigate the qualifications, moral character, and [general] fitness of any applicant for a license to practice as a foreign legal consultant and may in any case require the applicant to submit any additional proof or information as the committee may deem appropriate. The committee may also require the applicant to submit a report from the National Conference

of Bar Examiners, and to pay the prescribed fee therefor, with respect to the applicant's character and fitness.