

## ELIGIBILITY TO TAKE MICHIGAN BAR EXAM FOR ATTORNEY LICENSED IN ANOTHER STATE

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4312 as introduced**  
**Sponsor: Rep. Beau Matthew LaFave**  
**Committee: Judiciary**  
**Complete to 3-14-17**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4312 would amend the Revised Judicature Act by adding Section 945 to provide an exemption from certain educational requirements so that an individual licensed to practice law in another state can apply to take Michigan Bar Exam in order to practice law in Michigan. The bill also makes numerous non-substantive editorial changes.

Specifically, the bill would allow an individual, who is properly licensed to practice law in in the court of last resort of any other state or territory of the United States or the District of Columbia, to apply for the Michigan Bar Exam without meeting certain Michigan educational requirements (described later), if he or she proves ***all*** of the following five requirements to the satisfaction of the Board of Law Examiners:

- Has not been suspended or discharged from the bar of another state or territory of the United States or the District of Columbia or from the bar of any federal court of the United States.
- Is a person of good moral character, defined in the Occupational License for Former Offenders Act as "the propensity on the part of the person to serve the public in the licensed area in a fair, honest, and open manner."
- Is 18 years of age or older.
- Has sufficient general education and learning in the law to be able to practice law in this state. In determining whether an individual has met this requirement, the Board of Law Examiners must apply a rebuttable presumption that an individual who has successfully passed the bar examination in another state or territory of the United States or the District of Columbia has sufficient general education and learning in the law to be able to practice law in this state.
- Has the current fitness and ability to be able to practice law in this state.

### ***Educational requirements being waived***

Currently Section 937 of the RJA says an applicant for admission to the Michigan Bar must complete at least two years of study (60 semester hours, or 90 quarter hours) before beginning legal education. These hours can be completed at a four-year college authorized or at a junior college or other school from which students can transfer to a four-year school. Additionally, Section 940 states, generally speaking, that an applicant is required to be a graduate from a "reputable and qualified" law school. (However, an applicant who is entering the Armed Forces to take the exam, but withhold certification until graduation, could be permitted to take the exam if the applicant has successfully completed two-and-one-half years of full-time study or three-and-one-half years as a part-time student.)

**FISCAL IMPACT:**

Depending on the number of individuals who meet all specified criteria in the bill and apply for admission to the bar in Michigan, there could be an increase in examination fee revenue received in the Law Exam Fee Fund.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.