

**BOARD OF BAR EXAMINERS
OF THE DELAWARE SUPREME COURT**
405 N. King Street, Suite 420
Wilmington, DE 19801

**INFORMATION SHEET AND INSTRUCTIONS FOR
THE APPLICATION FOR A CERTIFICATE OF
LIMITED PRACTICE AS A MILITARY SPOUSE**

Filing Fees

Your application must be accompanied by a check in the amount of \$150 made out to the Delaware Board of Bar Examiners.

COMPLETING YOUR APPLICATION

General Instructions

This application is a PDF fillable form, and can be completed with any free, modern PDF reader program (including, but not limited to, Adobe Reader and Apple Preview).

Once you have completed your application, you must mail the hard copy, including all required attachments and supplemental documents, along with your filing fee of \$150 to:

Delaware Board of Bar Examiners
405 N. King Street
Suite 420
Wilmington, DE 19801

The Application has two parts: the application itself, and blank forms associated with specific questions in the application. Answer every question, and complete every form you are required to submit because of your answer to a specific question. Do not download and complete a form until after you have answered the question that relates to that form. When completing the Application, click the radio button next to 'Yes' or 'No' to indicate your answer to a question. Your responses to such questions are not complete unless and until you choose one of the available responses. When completing forms and other documents, type your answers or print legibly. Do not use abbreviations unless they are self-explanatory or you provide a clear explanation of their meaning wherever they are used.

E-Mail Address

The Board will communicate with you primarily via e-mail therefore it is imperative that you ensure that you provide an e-mail address in your application that will be valid for the duration of the application process and that the e-mail address that you provide is for an account that you check daily.

Addresses

Addresses are essential for a thorough and timely evaluation of your Application. Where addresses are requested, you must provide complete and accurate numbers, street names, cities, states, and ZIP codes. When identifying a state, use the two-letter postal designation for the state. If you need additional space please attach as many additional pages as your response requires.

Dates

Dates must be provided in numerical format in month/day/year format, such as 10/05/2009 to indicate October 5, 2009, or in month/year format, such as 10/2009 to indicate October 2009.

Reasonable Efforts

The information you provide in the Application must be as full, accurate, and complete as is reasonably possible. If you have any uncertainty as to your response to any question or any information you may have to provide (such as names, dates, and locations), you must make reasonable efforts to consult with all persons or entities (such as family members, courts, agencies, and schools) you reasonably conclude might be able to resolve any uncertainty or provide additional information needed to make your responses full, accurate, and complete.

Special Instructions For Questions 26-28

Questions 26-28 in the Application inquire about circumstances that may affect an applicant's ability to meet the professional responsibilities of a lawyer. This information is treated confidentially by the Board. The purpose of such inquiries is to determine the current fitness of an applicant to practice law. Treatment, monitoring, or participation in a support group are not, by themselves, bases on which the Board will decline to issue a Certificate of Limited Practice as a Military Spouse. The Board encourages applicants who may benefit from assistance to seek it.

The Board may deny applications for a Certificate of Limited Practice as a Military Spouse to applicants whose ability to function is impaired in a manner relevant to the practice of law at the time that the Board's decision is made, or to applicants who demonstrate a lack of candor by their responses. This is consistent with the public purpose that underlies the licensing responsibilities assigned to the Board, and the applicant's responsibility for demonstrating qualification to practice law.

The Board does not seek information that is fairly characterized as situational counseling. Examples of situational counseling include stress counseling, domestic counseling, grief counseling, and counseling for eating or sleeping disorders.

In order to protect the confidentiality and limit the disclosure of information disclosed to the Board in connection with Questions 26-28, applicants should not disclose to their preceptors (or employers) their responses to Questions 26-28, regardless of whether an

applicant answered 'Yes' or 'No' to any of the questions. The requirement that a preceptor certify having reviewed and discussed the application with the applicant does not extend to or include Questions 26-28.

Providing Your Social Security Number

Providing your Social Security number to the Board is a voluntary decision under the Federal Privacy Act of 1974. The Board requests your Social Security number to assist the Board in expediting its investigation of your character and fitness, and to help avoid errors of identification which could lead to delays in completing the certification and licensure process.

Satisfactory Ethics Standards

In order to receive a Certificate of Limited Practice as a Military Spouse, you must satisfy Rule 55.4(a)(6), the purpose of which is to ensure that you have demonstrated knowledge and understanding of established standards related to the professional conduct of lawyers. The primary method by which most applicants will do this is by certifying that they took the Multistate Professional Responsibility Examination in connection with getting admitted to practice in another jurisdiction, and obtained at least the minimum passing score required by that jurisdiction when they did so. For applicants admitted in a jurisdiction which accepts a passing grade on an approved course on professional ethics given by an American Bar Association-accredited law school in lieu of a passing score on the MPRE, they need only certify to obtaining a passing grade. Applicants admitted only in a jurisdiction which has no ethics requirement for admission may similarly rely upon obtaining a passing grade on an approved course on professional ethics given by an American Bar Association-accredited law school in lieu of a passing score on the MPRE in order to satisfy this requirement. Applicants admitted only in a jurisdiction which has no ethics requirement for admission, and who did not obtain a passing grade on an approved course on professional ethics given by an American Bar Association-accredited law school will need to take and achieve a passing score on the MPRE before they are eligible to receive a Certificate of Limited Practice as a Military Spouse.

DOCUMENTS

There are a variety of documents you must file with your application in order for the application to be considered complete and ready for review. The documents break down into three categories:

- Documents **all** applicants must submit when they file their applications;
- Documents **some** applicants must submit when they file their applications, depending on their answers to certain questions; and
- Documents **all** applicants must submit in order for their application to be considered, but which do not have to be filed at the time they file their applications.

Documents You Must Submit With Your Application

You must submit all of the following documents when you file your application in order for it to be considered complete:

- One high quality digital Passport Photograph (taken in the last 30 days). Photographs older than 30 days, selfies, and pictures of physical photographs are not acceptable.
- Official College Transcripts
- Law School Application
- Official Law School Transcripts (interim transcript if you have not yet graduated)
- Bar Applications for Other Jurisdictions
- Official Certificates of Good Standing for all jurisdictions in which you are admitted to practice
- Credit History Reports
- A copy of your spouse's military orders to a military installation in Delaware
- An official military document, which can include the military orders referenced in the preceding bullet point, identifying you as the spouse of the service member and stating that you are authorized to accompany the service member to Delaware
- Preceptor's Certificate
- Supervising Attorney's Certificate
- Military Spouse Applicant Certification
- Executed Authorization and Release Form
- Affidavit of Completeness (including all supplemental Reasonable Explanations as warranted)

Other Documents You May Be Required To Submit

Depending on how you answer certain questions on the application, you may also need to submit the following documents (and any additional information or documents they may require) when you file your application in order for it to be considered:

- Legal Decree or Confirmation for Name Change
- Prior Applications for Admission to the Delaware Bar
- Form 11A (United States Military Service)
- Form 11B (Foreign Military Service)
- Form 16 (Bonding Companies)
- Form 17 (Record of Civil, Administrative, Other Proceedings)
- Form 19 (Record of Bankruptcy or Insolvency)
- Form 20A (Record of Criminal Cases and Traffic Violations Involving Alcohol or Drugs)
- Form 20B (Description of Evaluation, Treatment, or Counseling Relating to Matter Disclosed on Form 20A)
- Form 20C (Authorization to Release Medical Information Relating to Matter Disclosed on Form 20A)

- Form 21 (Record of Criminal Cases Not Involving Alcohol or Drugs)
- Form 22 (Record of Moving Traffic Violations Not Involving Alcohol or Drugs)
- Form 24 (Debt Defaults, Past Due Status, Account Revocations)
- Form 27A (Description of Condition, Disability, or Impairment)
- Form 27B (Authorization to Release Medical Information)
- Form 28 (Record of Impairment Raised as Issue)
- Supplemental Affidavit of Completeness

Other Documents You Must Submit For Your Application To Be Considered

You must also submit the following documents in order for your application to be considered complete:

- FBI Criminal History Report
- Delaware State Bureau of Identification Criminal History Report
- Law Clerk Schedule of Legal Assignments and Preceptor's Law Clerk Schedule Certificate (due prior to admission, by the date determined by the Board's Executive Director for each admission ceremony). Once you have executed your Law Clerk Schedule of Legal Assignments and your Preceptor's Law Clerk Schedule Certificate you must send the original, executed hard copies to the Executive Director.

Dealing With Signed Documents

You must physically sign all affidavits, forms, or other documents requiring your signature and obtain original notarizations when applicable.

Certified Copies Of Transcripts

You must obtain an original, certified transcript from each college or law school you attended.

Good Standing Certificates

You must obtain and submit to the Board an original, certified certificate of good standing from each jurisdiction in which you are currently admitted to practice.

Criminal History Reports

You are required to obtain criminal history reports (background checks) from the Federal Bureau of Investigation and the Delaware State Bureau of Identification. Detailed instructions for obtaining your criminal history reports are located in the Frequently Needed Forms section on the Board's main webpage.

Your criminal history reports must be issued within the year that you are applying. Keep in mind that it can take up to 16 weeks to receive an FBI criminal history report after you

submit your fingerprints therefore you are encouraged to make your appointments as soon as you decide to apply.

Affidavit of Completeness

The Affidavit of Completeness must be submitted when you file your Application, and it will require you to certify under oath or affirmation that you have, among other things, (1) accurately and completely answered all questions on your applications, (2) submitted true and correct copies of all documents you are required to submit with your application or provided a detailed explanation why not, (3) sent a request to complete a Certification of Employment to each employer identified in your application, and (4) included a check for full payment of your application fee with your application submission.

Preceptor's Certificate and Preceptor's Law Clerk Schedule Certificate

You must identify the member of the Delaware Bar who will be serving as your preceptor prior to filing your application. The duties and responsibilities of your preceptor are set forth in Board Rule 10. Among other things, your preceptor will be required to sign a Preceptor's Certificate and a Preceptor's Law Clerk Schedule Certificate, which you must then file with the Board.

The Preceptor's Certificate must be filed at the time that you file your application. In it, your preceptor must certify to (1) having personally reviewed and discussed with you your application and Affidavit of Completeness, (2) determining that you have either (i) provided all information and documents required to be submitted with the Application or (ii) provided a reasonable explanation why missing information and documents have not been submitted, what efforts you've taken to obtain the missing information and documents, and identified when you expect the Board will receive that information or documents, (3) determining that the information and documents in or submitted with your application are factually accurate, and (4) determining that your Affidavit of Completeness is factually accurate and contains no omission of any fact required to be disclosed. The Supreme Court and the Board expect that preceptors will play an active role in making sure that applicants submit accurate and complete applications that are ready for the Board's review.

The Preceptor's Law Clerk Schedule Certificate must be filed with your Law Clerk Schedule of Legal Assignments, which as previously noted must be filed before your application process can be considered complete and you can receive a Certificate of Limited Practice as a Military Spouse. In the Preceptor's Law Clerk Schedule Certificate, your preceptor must, among other things, certify that you have completed the items indicated on your Law Clerk Schedule of Legal Assignments.

Supervising Attorney Certification

You must identify the member of the Delaware Bar who will be serving as your supervising attorney prior to filing your application. The duties and responsibilities of your supervising attorney are set forth in Supreme Court Rule 55.4(e). Your supervising attorney will be

required to sign a Supervising Attorney's Certification, which you must file with the Board at the time that you submit your application.

Military Spouse Applicant Certification

You will be required to submit a Military Spouse Applicant Certification under oath attesting to, among other things, all of the requirements of Supreme Court Rule 55.4(b)(3)(A)-(D). The Military Spouse Applicant Certification must be filed at the time that you file your application.

EMPLOYMENT VERIFICATIONS

The Board requires a written verification of all employment. You must provide a Form 12 to each of your employers and request that they complete and submit their verification directly to the Board. Form 12 is available on the Board's main webpage in the Frequently Needed Forms section.

Your obligation to seek to obtain written verification of all employment does not end when you send the Form 12s to your employers. You must make reasonable efforts to follow up with employers to ensure that they have completed a Form 12 and submitted it to the Board, and be prepared to discuss those efforts during your character and fitness interview.

AUTHORIZATIONS AND RELEASES

The authorization and release at the end of the application must be completed, signed, dated, and notarized in order for your application to be considered complete and for the Board to perform its review of your application and conduct an investigation of your character and fitness.

The same is true with respect to any medical releases you may be required to complete as part of your application. The Board cannot disclose information in your application to consulting experts or professionals retained to assist the Board unless you have authorized and consented to the release of that information, nor can the Board discuss any condition you may disclose with your treating professional(s) unless you have authorized and consented to such discussions and to the release of information by your treating professional(s).

DUTY OF CANDOR

You have a duty of candor and an obligation to provide truthful, correct, and complete information with respect to the application and any information or documentation provided by you in connection with it. Falsifying or willfully omitting any information or documentation may result in your application being denied, or an already-issued Certificate of Limited Practice as a Military Spouse being revoked, in addition to subjecting you to penalties as may be provided by law.

DUTY TO UPDATE

The duty of candor and obligation to provide truthful, accurate, and complete information in connection with your application continues until such time as you may be issued a Certificate of Limited Practice as a Military Spouse. You have an obligation, therefore, to submit promptly any changes or updates to your application if at any time the information you provide in your application is no longer truthful, accurate, and complete. Board Rule 5(e) requires that you update your application within ten days of the occurrence of any event triggering a need to update. This duty continues until you are issued a Certificate of Limited Practice as a Military Spouse.

CHARACTER & FITNESS INVESTIGATION

The Board's investigation of your character and fitness includes a personal interview with a member of the Board. You will be contacted directly by the Board member performing your character and fitness investigation to schedule an interview to discuss your application.

The Board will not conduct your character and fitness investigation and interview if your application is not complete and your affidavit of completeness fails to (i) identify what required information or documents have not been submitted with the application, (ii) provide a reasonable explanation for why such information or documents have not yet been submitted, (iii) state when you first requested such information or documents from the appropriate source(s) and identify all efforts you have made to obtain such information or documents from the appropriate source(s), and (iv) state when you expect the Board will receive such information or documents (and why you expect that).

PRE-ADMISSION CONFERENCE

All applicants must attend the mandatory Pre-Admission Conference held at Delaware Law School by making an appointment with the Delaware State Bar Association to watch the video recording of the most recent Pre-Admission Conference and submitting a certificate of attendance issued by the DSBA to the Board.

INQUIRIES REGARDING YOUR APPLICATION

All inquiries relating to your application for a Certificate of Limited Practice as a Military Spouse, or any related matters, should be directed to the Board's Executive Director, whose contact information is available on the Board's website.