



# CHART II: Character and Fitness Determinations

State or Jurisdiction	Does your jurisdiction have published character and fitness standards?		Will a felony conviction bar applicant from admission?		Does a separate agency evaluate character and fitness?		Do your rules provide for conditional admission, other than by waiver?		Indicate the categories of conditional admission your rules permit.						Does your jurisdiction have a structured program for deferring admission?	
	YES	NO	YES	NO	YES	NO	YES	NO	Substance Abuse	Mental Disability	Debt	Criminal History	Other	Yes	No	
North Dakota	X			X	X	X	X		X			X	X		X	
Ohio	X			X	X		X								X	
Oklahoma		X		X		X	X								X	
Oregon	X		X			X			X			X				
Pennsylvania		X		X	X	X	X								X	
Rhode Island	X			X	X		X								X	
South Carolina	X			X	X	X	X								X	
South Dakota	X			X		X									X	
Tennessee		X		X	X	X	X								X	
Texas	X		X			X			X		X	X			X	
Utah	X			X	X	X	X								X	
Vermont	X			X	X		X								X	
Virginia	X			X	X	X	X								X	
Washington		X		X		X	X								X	
West Virginia		X		X	X	X	X		X		X	X			X	
Wisconsin	X			X		X	X								X	
Wyoming	X			X	X	X	X								X	
Guam		X		X		X	X							X		
N. Mariana Islands		X	X			X	X								X	
Palau		X		X		X	X								X	
Puerto Rico		X		X	X	X	X	X							X	
Virgin Islands		X		X	X	X	X								X	

See supplemental remarks.

# CHART II: Character and Fitness Determinations

## Will a felony conviction bar applicant from admission?

**Alabama** Applicant must be granted a full pardon and civil rights restored before considering the bar applicant for admission.

**Arkansas** A felony conviction weighs heavily in admission decision.

**Connecticut** Rebuttable presumption of lack of good moral character.

**Delaware** Not an automatic bar, but felony conviction may affect finding of good moral character.

**Florida** Not an automatic bar, but restoration of civil rights is required.

**Georgia** Not an automatic bar, but a pardon or restoration of civil rights is necessary.

**Guam** Conviction of a felony or crime involving moral turpitude is not an automatic bar but may affect finding of good moral character.

**Idaho** Not an automatic bar, but felony conviction may affect finding of good moral character.

**Indiana** Conviction of felony is prima facie evidence of lack of requisite good moral character.

**Kentucky** Felony conviction does not prohibit admission, but may affect character and fitness recommendation.

**Maine** Conviction of a felony would not result in an automatic denial of admission, but applicant bears the burden of establishing good moral character.

**Maryland** Conviction of felony would not result in automatic denial of admission, but applicant would bear heavy burden of producing clear and convincing evidence of full and complete rehabilitation and present good moral character.

**Massachusetts** Not automatic bar, but applicant must establish present good moral character.

**Mississippi** Persons convicted of a felony except manslaughter or a violation of the Internal Revenue Code are ineligible.

**Missouri** Persons convicted of a felony are ineligible to apply for admission until five years after the date of successful completion of sentence or period of probation.

**Montana** An applicant found guilty of a felony is conclusively presumed not to have present good moral character and fitness. The presumption ceases upon completion of the sentence and/or period of probation.

**Nebraska** Conviction of felony would not result in an automatic denial of admission, but applicant would bear the heavy burden of producing clear and concise evidence of full and complete rehabilitation and present good moral character.

**North Dakota** If offense is determined to have a direct bearing on applicant's ability to serve the public as an attorney or if applicant is not sufficiently rehabilitated.

**Northern Marina Islands** Ineligible unless applicant has been granted full pardon.

**Ohio** Applicants convicted of a felony must meet specific conditions and undergo additional review before they can be approved.

**Oregon** An applicant shall not be eligible for admission after having been convicted of a crime, the commission of which would have led to disbarment in all the circumstances present, had the person been an Oregon attorney at the time of conviction.

**Palau** Applicant must have received a full pardon.

**Pennsylvania** A felony conviction is viewed as a serious impediment to qualification.

**Puerto Rico** Not an automatic bar, but felony conviction may affect finding of good moral character.

**Rhode Island** Conviction of a felony would not result in automatic denial, but applicant must establish good moral character.

**South Carolina** Although not an automatic bar, felony conviction may affect finding of good moral character.

**Texas** Felony conviction is an absolute bar to application and admission for five years after completion of sentence/probation; thereafter, the applicant must demonstrate present good moral character.

**Utah** Conviction of a felony is prima facie evidence of lack of good moral character.

**Virginia** Conviction of a felony or crime involving moral turpitude is not an automatic bar but may affect finding of good moral character.

**Wisconsin** Not an automatic bar, applicant must establish present good character and fitness.

---

### Does a separate agency evaluate character and fitness?

**Georgia** The Board to Determine Fitness of Bar Applicants is separate and distinct from the Board of Bar Examiners. The Fitness Board makes character and fitness determinations. The Office of Bar Admissions reports to both Boards, and both Boards must certify an applicant to the Supreme Court.

**New York** Character and fitness applications are processed by one of four appellate departments.

**Ohio** Local bar association admissions committees make recommendations to the Board of Commissioners on Character and Fitness, which makes final determinations. This Board is separate from the Board of Bar Examiners.

**West Virginia** District Character Committee conducts character and fitness investigation and interviews each applicant, then submits report and recommendation to the Board of Law Examiners.

### Do your rules provide for conditional admission, other than by waiver?

**Texas** Rule provides for probationary licensing for chemical dependency and other circumstances in which the Board determines that the protection of the public requires temporary monitoring.

### Does your jurisdiction have a structured program for deferring admission?

**Arkansas** Issuance of license may be deferred for up to two years pending further evaluation, drug tests, etc.

**California** California has an abeyance program where an applicant enters into an agreement with the Committee of Bar Examiners for a set period of time. If an applicant successfully completes the program, it is likely he or she will receive a positive moral character determination without further hearings.

**Minnesota** Applicants with alcohol, drug, or financial responsibility problems who cannot show rehabilitation, and who would otherwise be issued a letter of adverse determination based upon misconduct, may postpone Board's determination for a period of 12 to 24 months. The Board will reconsider the application after that period of time.