

SOUTH DAKOTA
BAR APPLICATION KIT
APPLICATION FOR ADMISSION TO PRACTICE
LAW WITHOUT EXAMINATION

NOTICE: All application materials must be sent to the following address:

South Dakota Board of Bar Examiners
500 E. Capitol
Pierre, South Dakota 57501
(605) 773-4898

Below you will find:

- A. Click [http://ujs.sd.gov/Board of Bar Examiners/](http://ujs.sd.gov/Board_of_Bar_Examiners/) to find the Rules and Regulations for Admission to Practice Law in South Dakota. Read them before proceeding to fill out the required applications and forms;
- B. The South Dakota Application for Admission to Practice Law Without Examination;
- C. The Dean's Certificate of Study;
- D. Instructions for completing the National Conference of Bar Examiners (NCBE) Character Report; and
- E. You must request DCI and FBI fingerprint cards from the Board of Bar Examiners. Instructions on how to fill them out and have fingerprints rolled are below. **PLEASE NOTE: THESE MUST BE RE-INSERTED IN THE ENVELOPE PROVIDED AND ATTACHED TO YOUR ORIGINAL BAR APPLICATION. THEY MUST THEN BE RETURNED TO THE BOARD OF BAR EXAMINERS AS PART OF YOUR APPLICATION FOR ADMISSION TO PRACTICE LAW WITHOUT EXAMINATION.**

SOUTH DAKOTA APPLICATION FOR ADMISSION
TO PRACTICE LAW WITHOUT EXAMINATION

BOARD OF BAR EXAMINERS
OF THE STATE OF SOUTH DAKOTA
500 E. CAPITOL
PIERRE, SOUTH DAKOTA 57501
605-773-4898

IN RE APPLICATION OF



NAME as you wish it to appear on your
certificate of admission

*
*
*
*
*
*

FOR ADMISSION TO
PRACTICE LAW
WITHOUT EXAMINATION

TRUTHFUL AND CANDID DISCLOSURE

Your application, including the National Conference of Bar Examiners' Character Report Application, is a sworn statement filed with the South Dakota Board of Bar Examiners, and the South Dakota Supreme Court. In completing your application absolute and complete candor and truth is required. The failure to be completely candid and truthful may result in the denial of admission to practice law. The failure to disclose an act or event can be more significant, and may lead to more serious consequences, than the act or event itself. The failure to provide truthful answers, or the failure to inform the Board of any changes to your answers, may result in the denial of admission to practice law. If there is concern as to whether your situation falls within the scope of a particular question, assume that it does.

Once you submit this application, and the NCBE application, you are under a continuing obligation to inform the Board, in writing, of any changes to your answers. This obligation will continue until you are admitted to practice law in South Dakota, or until you withdraw your application, or until the South Dakota Supreme Court denies your application.

To the South Dakota Board of Bar Examiners:

I hereby apply for admission to practice law without examination and to be examined as to my qualifications and eligibility for recommendation to the Supreme Court for admission to practice law in the State of South Dakota.

Date

Signature of Applicant
(in black ink)

PART ONE - IDENTIFICATION

- 1. State full name: _____
- 2. Current address: _____
(Number & Street)

(City) (State) (Zip Code)

NOTE: The address you supply here will be for all official communications. It must be one at which mail will reach you promptly. You are responsible for providing timely written notice of any change in your address or telephone number to the Board of Bar Examiners.

- 3. Email address: _____
- 4. Home Telephone Number: _____
Cell Phone Number: _____
Work Telephone Number: _____
(Area Code) (Number)
- 5. Last four digits of Social Security Number: _____
- 6. Date of Birth: _____ Age: _____
(Month, day, year)
- 7. State your birthplace: _____
(City or town) (State or Country)
- 8. Are you a citizen of the United States? _____
(Yes or No)
- 9. If not a citizen, what type of Visa has been issued to you? _____

Attach a copy of this Visa to the application.

PART TWO - LEGAL EDUCATION

1. My legal education was received as follows (include all law study even though you do not claim credit for it):

(a) Law School:

(1) _____ From _____
(Name of School)

_____ To _____
(City and State)

(2) _____ From _____
(Name of School)

_____ To _____
(City and State)

(3) Date Degree received or scheduled to receive:

(4) Is your law school accredited by the ABA? _____

2. Attach a copy of your law school application(s) as well as any amendments or corrections made to the application during law school.

PART THREE - ADMISSION IN OTHER JURISDICTIONS

1. List every jurisdiction in which you have been admitted to practice law.

a) Jurisdiction

1) _____ Date of admission _____

2) _____ Date of admission _____

3) _____ Date of admission _____

PART FOUR – CONDUCT

1. Within the past five years, have you engaged in any conduct that:

a. resulted in an arrest, discipline, sanction or warning;

b. resulted in termination or suspension from school or employment;

c. resulted in loss or suspension of any license;

d. resulted in any inquiry, any investigation, or any administrative or judicial proceeding by an employer, educational institution, government agency, professional organization, or licensing authority, or in connection with an employment disciplinary or termination procedure; or

- e. endangered the safety of others, breached fiduciary obligations, or constituted a violation of workplace or academic conduct rules?

_____ Yes _____ No

If so, provide a complete explanation and include all defenses or claims that you offered in mitigation or as an explanation for your conduct. In addition, furnish the following information:

Name of entity before which the issue was raised (i.e., court, agency, etc.)

Address_____

City_____ State_____ Zip _____

Telephone(_____)_____

Country_____ Province_____

Nature of the proceeding_____

Relevant dates(s)_____

Disposition, if any_____

Explanation_____

PART FIVE - PRACTICE OF LAW

1. For the last five (5) years immediately preceding this application, describe how you, as principal occupation, have been actively, continuously, and lawfully engaged in the practice of law.

THE PERSON NAMED AS THE APPLICANT IN THE FOREGOING APPLICATION AND QUESTIONNAIRE SAYS:

I am the applicant for admission to practice referred to; I have carefully read the questions in the foregoing questionnaire and have answered them truthfully, fully, and completely, without mental reservations of any kind. I fully understand that failure to make a full disclosure of any fact or information called for may result in the denial of my application.

I hereby authorize educational or other institutions, my references, employers (past and present), business and professional associates (past and present) and all governmental agencies and instrumentalities (local, state, federal or foreign) to release to the South Dakota Board of Bar Examiners any information, files or records requested by the Board in connection with the processing of this application.

I hereby waive confidentiality and privacy rights and authorize inquiry into state, federal, police, court, and security records concerning me.

I understand that the contents of my character report are privileged and confidential and will not be released to nor made available to me.

I further authorize the South Dakota Board of Bar Examiners to release to the organizations, individuals, and groups listed above any information furnished by me or received by the Board and material to my application.

I understand that the application fees are nonrefundable.

I understand that this is a continuing application and that I will keep the secretary of the Board informed of any changes set forth in the questionnaire.

I hereby declare under penalty of perjury that the foregoing answers and statements are true and correct.

(Signature of Declarant)

Executed on _____
(Date)

At _____
(Number and Street)

(City, State, and Zip Code)

**THIS FORM MUST BE COMPLETED
AND SUBMITTED WITH YOUR APPLICATION**

The following items must be submitted in order for your application to be accepted and processed. They must be sent to:

**South Dakota Board of Bar Examiners
500 E. Capitol
Pierre, South Dakota 57501**

Please check to indicate materials are enclosed:

_____ South Dakota Application for Admission to Practice Law. Include:

- A. Original application signed in black ink.
- B. One copy of the application.
- C. A photograph of applicant, taken within the past 6 months, **no larger than 3x3**.
- D. Law school application(s) with amendments and corrections.

_____ Dean's Certificate of Study. Include:

- A. The completed certificate (must be the Board's form, attached), or
- B. A statement that the dean will send it to the Board of Bar Examiners.

_____ NCBE Request for Preparation of a Character Report Application. Include:

- A. Original application with signatures in black ink.
- B. One copy of the application.
- C. 3 notarized original pages required in application

_____ South Dakota DCI fingerprint card in envelope provided.

- A. Personal Identification information is complete.
- B. Authorization and release on back of card is completely filled out and signed.
- C. Fully rolled set of fingerprints printed by local law enforcement agency.

_____ FBI fingerprint card in envelope with DCI fingerprint card.

- A. Personal Identification information is complete.
- B. Fully rolled set of fingerprints printed by local law enforcement agency.

_____ Documentary evidence showing active, continuous practice of law for last five (5) years preceding application. Original and one copy of:

- A. A certified copy of the application for admission to the bar in each jurisdiction in which the applicant has previously been admitted to practice law.

- B. A certification of admission to practice by the admitting authority in each jurisdiction that the applicant identified in Part Three as having admitted the applicant to the bar.
- C. A certification from the proper authority in each jurisdiction where the applicant has been admitted, stating the applicant is in good standing.
- D. A certification by the attorney disciplinary authority in each jurisdiction where the applicant has been admitted to the bar of the applicant's disciplinary history and indicating whether the applicant is the subject of a pending complaint or charge of misconduct.
- E. A copy of the rule in the state in which the applicant has been practicing law which allows South Dakota attorneys substantially similar admission without examination.

_____ \$450 South Dakota Bar Application fee.

- A. **Certified check or money order** made payable to: South Dakota Board of Bar Examiners. (No personal or firm checks accepted)

_____ \$500 (attorney) National Conference of Bar Examiners character report fee.

- A. **Certified check or money order** made payable to: National Conference of Bar Examiners. (No personal or firm checks accepted)
- B. **Credit Card Payment:** NCBE allows for online payment by credit card. Include proof of payment with your South Dakota bar application.

_____ \$43.25 fingerprint processing fee.

- A. **Certified check or money order** made payable to: South Dakota Division of Criminal Investigation. (No personal or firm checks accepted)

(Date)

(Signature of Applicant)
(in black ink)

**BEFORE FILING THIS APPLICATION, PLEASE CHECK
TO SEE THAT ALL QUESTIONS HAVE BEEN FULLY
ANSWERED, ALL REQUESTED INFORMATION FURNISHED
AND THE FIRST PAGE OF THE APPLICATION IS SIGNED.**

DEAN'S CERTIFICATE OF STUDY

This certifies that the above-named applicant _____

regularly and attentively studied law in _____
(Name of Law School)

during the following named period, to wit:

From _____, _____, to _____, _____

From _____, _____, to _____, _____

From _____, _____, to _____, _____

that such study was under the personal direction and supervision of myself and the other preceptors and teachers of said law school; that said law school at the time of said study was one having a three-year course of study of law required before graduation, and that said law school was duly accredited by the American Bar Association at the time of the applicant's graduation; and I further certify that the said time of study by said applicant in said law school is equivalent to _____ full years in said law school, and that said applicant has received a total of _____ law school credit hours.

I further certify that the said applicant was admitted to such regular class standing in said school and remained in such standing during the time of his study aforesaid; that the applicant's law school records reveal no information that would affect the presumption of good moral character except as is noted at the bottom of this certificate; that applicant was a candidate for graduation from such school with the class which graduated on _____.

WITNESS my hand and seal of said law school this ____ day of _____, _____.

(Dean of said law school)

(S E A L)

NOTICE

1. Send the enclosed certificate of study to the Dean of your law school.
 - a. Have the Dean of your law school complete the certificate and return it to you for inclusion with your application.

Board of Bar Examiners
500 E. Capitol
Pierre, South Dakota 57501

Application for Admission to the Bar of South Dakota National Conference of Bar Examiners (NCBE) Character Report Instructions

There are 2 options for completing the application, **Standard Request for Preparation of a Character Report.**

OPTION 1-Complete On-Line – PREFERRED –

Download the electronic version from the NCBE web site at www.ncbex.org by clicking on The Character and Fitness tab then, click on Standard Electronic Application.

Review the additional instructions included on the first few pages of the application. Send a certified check or money order, payable to National Conference of Bar Examiners with your ORIGINAL hard copy of the Standard Request for Preparation of a Character Report. NCBE also allows for online payment by credit card.

Complete the **entire** application by navigating thru each screen. The final screen is labeled "creating a printable PDF file" where you will print a hard copy of your data.

Sign and notarize,

The final page of the application; and
Three ORIGINAL authorization and release forms included in the application.

OPTION 2

Download and print a blank application from the NCBE web site at www.ncbex.org by clicking on The Character and Fitness tab then, click on The Character Report Service and blank forms. click on Click here to Download the Standard Application.

Send a certified check or money order, payable to National Conference of Bar Examiners with your ORIGINAL hard copy of the Standard Request for Preparation of a Character Report. NCBE also allows for online payment by credit card.

Type the **entire** Standard Request for Preparation of a Character Report.

Sign and notarize,

At approximately page 16 of the application (dependant upon printer used); and three ORIGINAL authorization and release forms, included directly after above page in the application.

Make TWO complete copies of your character application. Retain one copy for your records; one copy must accompany your original application.

Send a certified check or money order, payable to National Conference of Bar Examiners with your ORIGINAL hard copy of the Standard Request for Preparation of a Character Report.

Mail the **Request for Preparation of a Character Report** application, one copy, AND payment to:

South Dakota Board of Bar Examiners
500 East Capitol
Pierre, SD 57501

After processing of your application is complete, NCBE will return your entire Request for Preparation of a Character Report to South Dakota Board of Bar Examiners.

TO WHOM IT MAY CONCERN:

FROM: SD Division of Criminal Investigation (DCI)

SUBJECT: Procedures for Record Checks in Compliance with HB 1054/SDCL: 16-16-2.6

South Dakota Requirements for Background Checks:

1. The Board must obtain state applicant fingerprint cards from the DCI. All necessary supplies are available through the DCI Identification Section.
2. This fingerprint card must be completed to include the applicant's name, date of birth, gender and social security number as the minimum requirements for demographic information.
3. The authorization and release form printed on the back of the card must be completely filled out and signed. Be sure to include the correct address of the South Dakota Board of Bar Examiners, where the search results response should be sent.
4. The fingerprint card must also include a fully rolled set of fingerprints per SDCL 23-5-12, which requires "fingerprint identification."
5. The individual must take the fingerprint card to his/her local law enforcement agency (Police Department or Sheriff's Office) to be printed. There may be an additional charge by these agencies to cover the cost of fingerprinting.
6. The DCI requires a \$24 fee for each request to cover the cost of processing the background check. (The FBI charges a separate fee for the federal search.) The two fees should be combined into one payment of \$43.25 to the DCI in the form of a certified check or money order.
7. Upon receipt of all necessary information, fingerprints and fee, DCI will conduct a state search and supply a copy of any criminal history that is found or a letter stating that there is no criminal history. These results do not include federal charges, juvenile offenses, sealed records, minor traffic violations or out of state information. Fingerprint cards will be destroyed and will not be returned with the responses.

Federal Bureau of Investigation (FBI) Background Checks:

1. A special FBI applicant fingerprint card (provided by the Board) must be obtained. This fingerprint card will have the preprinted ORI of South Dakota, which has been assigned by the FBI and will be found in the contributor block on the card. The reason for fingerprinting which indicates that the search is for a South Dakota Board of Bar Examiners applicant per SDCL 16-16-2.6 will be pre-stamped on the card as well.
2. This fingerprint card must be taken to the individual's local law enforcement agency to be printed. The FBI requires fingerprint-based searches for all applicants.

3. All necessary information including name, date of birth, gender and social security number must be provided on the fingerprint card as minimum requirements. Incomplete requests will be returned without processing.
4. The FBI charges a fee for this search. Payment and submission of information must be channeled through the South Dakota DCI as the central repository and single source to the FBI. Total payment of \$43.25 to cover the costs of both the state and federal background checks should be included with each request. All will be returned if incorrect payment is sent with the card(s).
5. Upon receipt of all necessary information, fingerprints and the required fee, the DCI will forward the request to the FBI. If no record is found based on the fingerprint search, a response sheet will be returned. If the search reveals a match with an arrest record in the FBI files, a computer record print out will be returned. Fingerprint cards will be destroyed. If the FBI rejects due to the fingerprint image quality, the card and rejection notice will be returned to the Board for re-submittal. In order for you to not be re-charged for the second attempt, the original card and paper work must be returned to DCI along with the new fingerprint card.