

## Chapter Bar 1

### EXAMINATION OF APPLICANTS FOR ADMISSION TO THE BAR

(Adopted by the Supreme Court)

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**Bar 1.01 Definitions.** In these rules, unless the context otherwise requires, the following words and terms shall have the following meanings:

- (1) "BOARD" means the board of State Bar Commissioners.
- (2) "COLLEGE" means one of the state colleges of this state, or a university or college approved by the North Central Association of Colleges, or accredited by the American Council of Education.
- (3) "COLLEGE COURSE" means the completion of courses given by a college which meet the requirements of the college for a bachelor's degree.
- (4) "DAY LAW SCHOOL" means a full time day law school approved by the Council of Legal Education and Admissions to the Bar of the American Bar Association, and requiring for a degree the equivalent of at least three years of full time work in residence.
- (5) "NIGHT LAW SCHOOL" means a law school operating on a part-time or night class basis, and approved by the Council of Legal Education and Admissions to the Bar of the American Bar Association.
- (6) "LAW COURSE" means the completion of courses, taken in residence in a day or night law school, which meet the requirements of the law school for an earned degree in law.
- (7) The pronoun "he" refers both to male and female applicants.

**History:** 1-2-56; am. (2), Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.02 State bar commissioners.** (1) All examinations of applicants for admission to the bar of the state of Wisconsin by examination shall be conducted by the board.

(2) In addition to the ex officio secretary, the officers of the board shall be a president and a vice-president, who shall be elected annually.

(3) It shall be the duty of the president to preside at all meetings of the board, to sign all certificates and other papers required by law and by the rules of the board, and to perform such other duties as may, from time to time, be prescribed by the board. It shall be the

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duty of the vice-president to perform the duties of the president in his absence. It shall be the duty of the secretary to receive and file all applications for examination, to keep a record of the proceedings of all meetings of the board, to sign all certificates and other papers required by law or by the board, and to perform such other duties as may from time to time be prescribed by the board.

(4) The meetings of the board for the examination of applicants for admission to the bar shall be held at such times and places as may be fixed by the board.

(5) The burden of proof shall be on the applicant to establish his fitness and qualifications. Refusal of an applicant to furnish information available to him or to answer questions relating to his fitness and qualifications, without good cause, shall be deemed a sufficient basis for denial of the application or of the certificate for admission.

(6) Proof of compliance with the requirements of these rules offered by the applicant shall not be conclusive upon the board; but it may in any case make such further investigation and may require such other and further proofs as it may deem advisable or expedient.

(7) The board is authorized from time to time to make such rules and regulations as it shall deem necessary or expedient in order to carry out the intent and purpose of these rules.

**History:** 1-2-56; r. and rec. (5). Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.03 General qualifications of applicants.** Every applicant must possess all of the following qualifications:

(1) He shall have attained the age of 21 years prior to the examination which he seeks to take.

(2) He shall be a citizen of the United States.

(3) He shall be a resident of Wisconsin.

(4) He shall be of good moral character.

**Bar 1.04 General educational qualifications of applicants.** Every applicant, prior to commencing the study of the law, shall have met one of the following requirements:

(1) He shall have received a bachelor's degree from a college.

(2) He shall have received credit from a college for courses representing the completion of the requirements of the first 3 years in that college.

(3) He shall have received credit from a college offering an integrated 6 year pre-law and law course, for courses representing the completion of the requirements of the first 2 years in that college. Applicants under this paragraph must meet the requirements of subsection (3) of section Bar 1.06.

(4) He shall have received a bachelor's degree from a college of a foreign country, the standards of which shall have been determined by the law school from which he shall have received his regular or advanced law degree as provided in subsection Bar 1.06 (4) to have been equal to those required for approval or accrediting under subsection Bar 1.01 (2).

**History:** 1-2-56; am. (3) and r. and rec. (4). Register, November, 1960, No. 59, eff. 12-1-60.

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**Bar 1.05 Certificate of college.** The applicant shall cause to be furnished a certificate of the college specifying the courses taken, hours of credit, grades received and the requirements of the college for a bachelor's degree.

**History:** 1-2-56; am. Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.06 Requirements as to the study of the law.** Every applicant shall have met one of the following requirements:

(1) He shall have received a degree in law from a day law school, or from a night law school.

(2) He shall have attended in residence a night law school, and shall have received credits equal to those required for a degree and shall have been scholastically eligible to take such work for credit, though failing scholastically to receive such degree; and such work shall have been taken during a period of not less than 4 years of 32 weeks each.

(3) He shall have attended in residence a day law school offering a 4 year course leading to a degree in law, and shall either have received such degree or have received credits equal to those required for a degree in such course, and shall have been scholastically eligible to take such work for credit although failing scholastically to receive such a degree.

(4) He shall have received a degree in law from a college of a foreign country, the entrance requirements and standards of which shall be found and certified by the dean of the law school as defined in section Bar 1.01 at which he shall have obtained a regular or advanced law degree to have been equal to those of such law school and shall have attended regularly in residence such law school for a period of not less than 32 weeks and shall have obtained a regular or advanced law degree from such law school.

**History:** 1-2-56; r. (2), renum. (3) to be (2), (4) to be (3); cr. (4), r. (5), Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.07 Certificate of law school.** (1) The applicant shall cause to be furnished a certificate of the day or night law school which he has attended as to his moral character.

(2) In every case the certificate of the day or night law school must show the credits and grades of the applicant, and the requirements of the school for a degree.

(3) The certificate of the day or night law school shall further show the date the applicant completed the required legal study. Application to take the bar examination must be made within 5 years immediately following such date, exclusive of time spent in the armed forces, unless the board after hearing the applicant and considering the circumstances attendant upon the delay in making application shall waive such five year limitation for a specified examination, with or without the completion of a program of study which the board may prescribe.

**History:** 1-2-56; r. and recr. (3), Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.08 Examination of applicants.** (1) Examinations of applicants by the board shall include written questions and may include optional or alternative questions upon the following subjects:

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- Constitutional law
- Contracts
- Corporations
- Criminal law
- Equity
- Evidence
- Legal ethics
- Negotiable instruments
- Personal property
- Pleading and practice, including jurisdiction of courts
- Probate law, including wills, administration and descent and distribution
- Real property, including conveyancing, mortgages and other liens and servitudes
- Taxation
- Torts
- Trusts

(2) The board may in its discretion give questions, including optional or alternative questions, upon other subjects commonly taught in law schools, and may supplement the written examination by an oral examination.

(3) The board is authorized by rule to prescribe the particular fields of Wisconsin statutory law with which applicants are expected to be familiar.

(4) The examination shall be calculated to test the knowledge of the applicant, giving proper weight to the relative importance of the subjects included.

**History:** 1-2-56; am. (1), Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.09 Grading of examination.** (1) Examination papers shall be marked on the basis of 100 for perfect answers, and the passing mark shall be 75.

(2) Each applicant who possesses the qualifications required by these rules, and who has passed the examination shall receive a certificate so showing.

**Bar 1.10 Admission to practice.** Upon the presentation of said certificate to the supreme court or to one of the justices thereof, at such time or times as the court may designate, the applicant shall be admitted to practice as an attorney in all of the courts of this state.

**Bar 1.11 Relating to successive failure.** An applicant who has twice failed in the examination shall not thereafter be eligible to write another examination unless special permission is given by the board conditioned on making such further study and preparation as the board may require.

**History:** 1-2-56; am. Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.12 Relating to exemption from these rules.** The following persons are exempted from the additional requirements of section Bar 1.06; their qualifications in respect to general education and study of the law shall meet the requirements of the rules adopted June 3, 1940, as amended:

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(1) Applicants who were registered and in attendance at a day law school or night law school on or before July 1, 1959; provided that such applicants complete a law course within 5 years from the effective date of these rules as now amended (1960).

(2) Applicants who at the effective date of these rules have fully discharged the requirements of the former rules.

(3) Applicants who at the effective date of these rules as now amended (1960) have satisfactorily passed examinations as provided in former Rule IV (4), and who shall complete compliance with former Rule VI (5) within six (6) years from said effective date.

**History:** 1-2-56; am. intro. par., and (1); r. and recr. (3); Register, November, 1960, No. 59, eff. 12-1-60.

**Bar 1.13 History:** 1-2-56; r. Register, November, 1960, No. 59, eff. 12-1-60.