

**Policy Statement of the Board to Determine Fitness of Bar Applicants  
Regarding DUI and Other Alcohol-Related Offenses**

(Adopted March 12, 2007)  
(revised September 11, 2008)

Any applicant who received a Driving Under the Influence (DUI) conviction or the equivalent in any jurisdiction is ineligible for fitness certification for a period of twelve months from the date of conviction, as if the applicant had been sentenced under the mandatory twelve-month sentence required by the Georgia DUI statute (Ga. Code Ann. Section § 40-6-391), whether or not the sentence was probated.

In the case of an applicant who was charged with DUI in Georgia (or its equivalent in any jurisdiction) but for whom the charge was reduced, resulting in a sentence for reckless driving, failure to maintain proper lane, and/or lesser offense(s), the Board is concerned about disregard for the law as well as possible patterns of problems related to abuse of alcohol and/or other substances and of the impact of these problems on the applicant's fitness to practice law. Therefore, any applicant who receives a conviction for an offense reduced from an original charge of DUI, regardless of the terms of probation, is ineligible for fitness certification for the period extending from the date of conviction to the completion of the sentence, including any probation, or for a period of six months from the conviction, whichever is longer. Following the expiration of the period during which the applicant is ineligible for certification, the applicant may be eligible to take the succeeding examination or for the release of grades from a previous examination. Such eligibility will be decided by the Board on a case-by-case basis following its standard policies.

It should be understood that this is a procedural bar only. Following the expiration of the period during which the applicant is ineligible for certification, the Board will review the applicant's file on the merits for a determination of whether to certify the applicant for fitness. The Board may have substantive concerns about the applicant's conduct that may lead the Board to make further investigation, to require that the applicant be evaluated for drug or alcohol dependency, and/or to require that the applicant appear before the Board for an informal conference, prior to the Board's acting upon certification of the applicant.