

# Admission on Motion without Examination

On December 12, 2002, the Supreme Court of Georgia entered an order adopting "Admission on Motion without Examination" effective January 1, 2003. Part C, Section 1 of the **Rules Governing Admission to the Practice of Law** in Georgia states, "The Board of Bar Examiners may admit on motion without examination any attorney licensed in a United States jurisdiction other than Georgia if that attorney satisfies the criteria set out in Section 2 of this Part. The attorney must also be certified for fitness, pursuant to Part A of these **Rules** . . . ."

Effective October 15, 2008, the Supreme Court of Georgia amended part C, Section 2(b) of the **Rules** to require that if the former (sending) jurisdiction of an applicant for admission on motion permits the admission of Georgia judges and lawyers upon motion but that jurisdiction's rules are more restrictive or the fees required to be paid are higher, the admission of the applicant from that jurisdiction shall be governed by the same rules and the applicant shall pay the same fees (if higher than the fees under the Georgia **Rules**) which would apply to an applicant from Georgia seeking admission to the Bar in the applicant's former jurisdiction.

Depending on the rules and fees of the applicant's former (sending) jurisdiction, the applicant may be subject to more stringent requirements than are set forth in the Georgia Rules and will be so informed by the Georgia Board of Bar Examiners. **Prior to completing the Petition for Admission on Motion without Examination, the applicant should carefully review the Admission on Motion without Examination requirements in your home (sending) jurisdiction. The website of the National Conference of Bar Examiners, [www.ncbex.org](http://www.ncbex.org), contains a link to the Bar Admission offices in each U.S. jurisdiction.**

## **Admission on Motion without Examination in Georgia requires the submission of two forms:**

### 1. PETITION FOR ADMISSION ON MOTION WITHOUT EXAMINATION

**Prior to completing the Petition for Admission on Motion without Examination, the applicant should carefully review the Admission on Motion without Examination requirements in your home (sending) jurisdiction. The website of the National Conference of Bar Examiners, [www.ncbex.org](http://www.ncbex.org), contains a link to the Bar Admission Offices in each U.S. jurisdiction.**

### 2. APPLICATION FOR CERTIFICATION OF FITNESS TO PRACTICE LAW

## **BOTH FORMS MUST BE FILED SIMULTANEOUSLY**

[Eligibility Requirements](#)

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## ELIGIBILITY REQUIREMENTS

In order to petition the Board of Bar Examiners to be admitted without examination, an attorney licensed in a state other than Georgia must meet the following eligibility criteria. The attorney:

1. Must have been awarded an undergraduate degree (BA, BS, BBA or their equivalent) by an institution of higher learning which has been accredited by an accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation (CORPA).

(An applicant who has been awarded an undergraduate degree (BA, BS, BBA or their equivalent) by an institution of higher learning which has not been recognized by CORPA should read Part B, Section 4(a)(2) of the Rules Governing Admission.)

2. Must have been awarded the first professional degree in law (JD or LLB) by a law school approved by the American Bar Association.

(An applicant who has graduated from a law school which was approved by the Georgia Board of Bar Examiners but not by the American Bar Association should read Part B, Section 4(b)(2) of the Rules Governing Admission.)

3. Must have been admitted by examination to membership in the bar of the highest court of another United States jurisdiction which has reciprocity for bar admissions purposes with the State of Georgia; provided, however, that if the former jurisdiction of the applicant permits the admission of Georgia judges and lawyers upon motion but that jurisdiction's rules are more stringent and exacting and contain other limitations, restrictions and conditions or the fees required to be paid are higher, the admission of the applicant from that jurisdiction shall be governed by the same rules and the applicant shall pay the same fees (if higher than the fees under the Rules Governing Admission to the Practice of Law in Georgia) which would apply to an applicant from Georgia seeking admission to the Bar in the applicant's former jurisdiction.
4. Must have never been denied certification of fitness to practice law in Georgia or any other state.
5. Must have never taken and failed the Georgia Bar Examination or the Georgia Attorneys' Examination.
6. Must have been primarily engaged in the active practice of law for five of the seven years immediately preceding the date upon which the application is filed.
7. Is currently or resigned while in good professional standing in every jurisdiction in which he or she has been licensed to practice law.
8. Must receive Certification of Fitness to Practice Law in Georgia from the Board to Determine Fitness of Bar Applicants.
9. Must state that he or she intends to engage in the practice of law in Georgia.
10. Must state that he or she has not engaged in the unauthorized practice of law in Georgia.

## PETITION FOR ADMISSION ON MOTION WITHOUT EXAMINATION

Your Motion Petition allows the Board of Bar Examiners to ascertain whether or not you are eligible for Admission on Motion. The Petition for Admission on Motion without Examination must be accompanied by the following:

### **\$600.00 non-refundable fee**

Fee must be in the form of a cashier's check or money order payable to: OFFICE OF BAR ADMISSIONS

### **AFFIDAVIT (Attachment #1)**

Must be completed, signed and notarized

### **CERTIFICATE OF PRACTICE (Attachment #2)**

The Board of Bar Examiners requires a statement from you, verifying that you have been "primarily engaged in the active practice of law for five of the seven years immediately preceding the date upon which the application is filed." This statement should include time frames about the nature of your practice and where and for whom you have been practicing. **You must provide the name of your Employer, Firm or Agency and complete mailing addresses.**

**There should be no discrepancies between the information provided on your Certification of Practice (Motion Petition) and your answer to Question 14 (Employment) of your Application for Certification of Fitness to Practice Law.**

### **UNDERGRADUATE TRANSCRIPT**

This must be an "official transcript" obtained from your degree granting undergraduate school indicating the degree and the date conferred.

### **LAW SCHOOL TRANSCRIPT**

This must be an "official transcript" obtained from your JD degree granting law school indicating the degree and the date conferred.

### **A LETTER OF GOOD STANDING FROM EACH STATE OR JURISDICTION IN WHICH YOU ARE ADMITTED TO PRACTICE.**

### **A LETTER OF GOOD STANDING FROM EACH STATE OR JURISDICTION IN WHICH YOU WERE ADMITTED BUT ARE NO LONGER ACTIVE, CONFIRMING THAT YOU WERE IN GOOD STANDING AT THE TIME YOU RESIGNED OR OTHERWISE BECAME INACTIVE.**

The Board of Bar Examiners requires a letter of good standing from each jurisdiction in which you have been admitted to practice law (even if you are currently inactive in that jurisdiction). If you are unsure which agency issues letters of good standing, you should contact the jurisdiction(s) in which you are/were admitted. The letter(s) must be Current (dated no earlier than 60 days prior to the filing of your Motion Petition) and Original.

**A RECORD OF YOUR DISCIPLINARY HISTORY FROM EACH STATE OR JURISDICTION IN WHICH YOU HAVE EVER BEEN ADMITTED TO PRACTICE.**

The Board of Bar Examiners requires a record of your disciplinary history from each jurisdiction in which you have ever been admitted to practice law. Your disciplinary record(s) must be **Current** (dated no earlier than 60 days prior to the filing of your Motion Petition) and **Original**. Information regarding U.S. disciplinary boards are available on the American Bar Association's website at <http://www.abanet.org/cpr/regulation/directory.pdf>.

NOTE: When a determination of your eligibility for admission on motion has been made, you will be notified, in writing, by the Office of Bar Admissions. If your Certification of Fitness is pending, your application will be processed in order of date received.

[Click here to obtain a printable Adobe formatted copy of the Petition for Admission on Motion without Examination](#)

**APPLICATION FOR CERTIFICATION OF FITNESS TO PRACTICE LAW**

Your Application for Certification of Fitness to Practice Law allows the Board to Determine Fitness of Bar Applicants to determine your fitness to practice law in Georgia. A \$1000 filing fee must accompany this application. (Fee(s) must be paid in the form of a bank cashier's check or money order, payable to the Office of Bar Admissions).

Your Fitness Application will be placed in line for processing, **in order of the date it was received** in the Office of Bar Admissions.

**Initial Review** – Upon an initial review of your Fitness Application, a letter will be mailed to you, indicating whether or not additional information is required for completion. When complete, your Fitness Application is placed in line for distribution to an Application Analyst.

**Application Analyst** – Once an Analyst receives a Fitness Application for processing, a letter is mailed to you, providing the name and direct telephone number of the Analyst. This will be the individual who actually processes your application and who should be contacted with any specific questions regarding the processing.

**FEE(S)**

All fee(s) must be paid in the form of bank cashier's checks or money orders made payable to the **Office of Bar Admissions**.

**FEE(S) MAY BE COMBINED IN ONE MONEY ORDER**

Petition for Admission on Motion without Examination - \$600  
Application for Certification of Fitness - \$1000

**PROCESSING OF THE FITNESS APPLICATION**

From the time a Fitness Application is assigned to an Analyst, the processing **generally** takes from eight to twelve weeks.

Part A, Section 6(a) of the **Rules Governing Admission to the Practice of Law** states "Prior to certifying an applicant as having the integrity and character requisite to be a member of the Bar of Georgia, the [Fitness] Board shall make such investigation as it deems necessary into his or her character, reputation and background."

**NOTE: Of particular interest to the Fitness Board is whether applicants have dealt honestly and responsibly with their creditors. The Board has issued a policy statement which addresses financial responsibility as well as other significant fitness issues.** This Policy Statement is available for review by [clicking here](#).

**Amendments to your Fitness Application** – Please keep in mind that your Fitness Application must be amended within **thirty (30) days** of any occurrence which would change your answer to any question on your application. All amendments must be submitted **in writing** to the Office of Bar Admissions, 244 Washington Street, SW, Suite 440, Atlanta, GA 30334, and must include your social security number and original signature. **The Fitness Board should be notified immediately of a new mailing address and/or telephone number.**

If, at any time during the investigation process, the Fitness Board needs additional information or documentation, you will be notified by letter and informed what, specifically, is required.

Click here to obtain information on filing the  
[Application for Certification of Fitness to Practice Law](#)

## **CERTIFICATE OF ELIGIBILITY**

When the investigation process is completed, your file will be presented to the Board to Determine Fitness of Bar Applicants at one of its monthly Fitness Board Meetings. The Board will consider the information gathered during the investigation and you will be notified, by letter, of its decision.

If you subsequently receive certification of fitness **and** are approved for admission on motion, notification will be issued in the form of a letter which will be accompanied by a **Certificate of Eligibility for Admission on Motion without Examination**. This certificate allows you to be sworn in and join the State Bar of Georgia.

**Keep in mind that**, if the fitness investigation takes a great deal of time or, if certification of fitness was previously issued and is currently valid, submission of current letter(s) of good standing and disciplinary letter(s) may be required. Current means that the letter is dated not earlier than 60 days prior to the date of its submission to the Office of Bar Admissions.

## **STATES THAT HAVE RECIPROCITY WITH GEORGIA**

In order to determine which United States jurisdictions have reciprocity for bar admissions purposes with the State of Georgia, you should review the “Admission on Motion” chart on the National Conference of Bar Examiners’ website as follows:

- Go to – [www.ncbex.org](http://www.ncbex.org)
- Click on – Comprehensive Guide Bar Admission Requirements
- Review the “Admission on Motion” chart

If there is any question as to whether the rules of a particular jurisdiction provide for admission on motion or as to the admission on motion requirements of that jurisdiction, you should contact that jurisdiction. The NCBE website [www.ncbex.org](http://www.ncbex.org) contains a link to the Bar Admission Offices in each U.S. jurisdiction.