

Rule 14-701. Definitions.

As used in this article:

(a) “ABA” means the American Bar Association;

(b) “Active Practice” means work performed by an attorney holding an “active” status law license and having professional experience and responsibilities involving the Full-time Practice of Law as defined in paragraphs (y) and (nn). Active Practice includes any of the following activities provided that such activities are available only to licensed attorneys:

(1) sole practitioner, or partner, shareholder, associate, or of counsel in a law firm;

(2) an organization’s employee whose principal duties are to provide legal advice or service;

(3) government employee whose principal duties are to provide legal advice or service;

(4) service in the United States armed forces as a lawyer or judge;

(5) judge of a court of general or appellate jurisdiction provided that such employment requires admission to the bar for the appointment thereto and for the performance of the duties thereof;

(6) law clerk to a judge of a court of general or appellate jurisdiction; or

(7) pro bono work done under authorization of [Rule 14-803](#).

The Active Practice of law does not include work that, as undertaken, constitutes the unauthorized practice of law in the jurisdiction in which it was performed or in the jurisdiction in which the clients receiving the unauthorized services were located, nor does it include work completed in advance of any bar admission.

(c) “Admissions Committee” means those Utah State Bar licensees or others appointed by the Board or president of the Bar who are charged with recommending standards and

procedures for admission to the Bar and with implementation of this article. The Admissions Committee is responsible for supervising the work of the Bar Examiner Committee, the Test Accommodations Committee, and the Character and Fitness Committee, handling requests for review as provided herein and performing other work relating to Applicant admissions.

(d) "Alternate Path" means the demonstration of minimum competence required for licensure by means other than the Bar Examination.

(e) "Alternate Path Examination" means an exam administered by the Utah State Bar to each Applicant pursuing the Alternate Path to test the Applicant's skills in specific areas of minimum competence.- Specifically, the Alternate Path Examination requires the Applicant to demonstrate:

(1) an understanding of legal processes and sources of law;

(2) the ability to interpret legal materials;

(3) the ability to identify legal issues; and

(4) the ability to communicate as a lawyer.

~~(f)~~ "Applicant" means each person requesting admission to the Bar. For purposes of this article, an Applicant is classified as a Student Applicant, a Foreign Law School Applicant, an Attorney Applicant, a Motion Applicant, a UBE Transfer Applicant, a Delicensed Attorney Applicant, a Foreign Legal Consultant Applicant, a House Counsel Applicant, a Formerly-Admitted Applicant, a Military Lawyer Applicant, or a Military Spouse Attorney Applicant.

~~(g)~~ "Approved Law School" means a law school which is fully or provisionally approved by the ABA pursuant to its Standards and Rules of Procedure for Approval of Law Schools. To qualify as approved, the law school must have been fully or provisionally approved at the time of the Applicant's graduation, or at the time of the

Applicant's enrollment, provided the Applicant graduated within a typical and reasonable time.

(h) "Attorney Applicant" means any person who satisfies the requirements of [Rule 14-704](#).

(i) "Bar" means the Utah State Bar, including its employees, committees and the Board.

(j) "Bar Examination" means the Bar Examination as defined in [Rules 14-710](#) and [14-711](#).

(k) "Bar Examiner Committee" means those Bar licensees or others appointed by the Board or president of the Bar who are charged with grading the Bar Examination.

(l) "Board" means the Board of Bar Commissioners.

(m) "Character and Fitness Committee" means those Bar licensees or others appointed by the Board or president of the Bar who are charged with assessing and determining the character and fitness of Applicants.

(n) "Complete Application" means an application that includes all fees and necessary application forms, along with any required supporting documentation, a photo, an official certificate of law school graduation and if applicable, a test accommodation request with supporting medical documentation, a certificate of admission and/or good standing, and a certificate of discipline.

(o) "Confidential Information" is defined in [Rule 14-720\(a\)](#).

(p) "Deputy General Counsel for Admissions" or "Deputy General Counsel" are terms used interchangeably to mean the Bar's attorney in charge of admissions or that person's designee.

(q) "Delicensed Attorney Applicant" means a person previously licensed to practice law in Utah and who is no longer licensed to practice law because of delicensure or resignation with discipline pending or their equivalent and who satisfies the requirements of [Rules 14-708\(g\)](#) and [14-717](#).

(r) “Executive Director” means the executive director of the Utah State Bar or that person’s designee.

(s) “Experiential Learning” means simulation courses, law clinics, and field placements that are primarily experiential in nature and:

(1) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in ABA Standard 302;

(2) develop the concepts underlying the professional skills being taught;

(3) provide multiple opportunities for performance;

(4) provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor;

(5) provide a classroom instructional component; or, for a field placement, a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and

(6) provide direct supervision of the student’s performance by the faculty member; or, for a field placement, provide direct supervision of the student’s performance by a faculty member or a site supervisor.

(t) “Final semester” means the last semester in which the Applicant earns credits towards graduation; if the Applicant does not pass coursework and is required to complete coursework in a future semester, the starting date for supervised hours will be reset accordingly.

(u) “First Professional Degree” means a degree that prepares the holder for admission to the practice of law (e.g., juris doctorate) by emphasizing competency skills along with theory and analysis. An advanced, focused, or honorary degree in law is not recognized as a First Professional Degree (e.g., master of laws or doctor of laws).

(v) “Foreign Law School” means any school located outside of the United States and its protectorates, that is accredited by that jurisdiction’s legal accreditation body, if one

exists, where principles of English Common Law form the predominant basis for that country's system of jurisprudence, and whose graduates are otherwise permitted by that jurisdiction's highest court to practice law.

(~~ws~~) "Foreign Legal Consultant Applicant" means any Applicant who satisfies the requirements of [Rule 14-718](#).

(~~x~~) "Formerly-Admitted Applicant" means a person previously licensed to practice law in Utah who is no longer licensed to practice law because of resignation without discipline pending, failure to pay licensing fees for three or more years under [Rule 14-107\(b\)\(4\)](#), or failure to comply with MCLE requirements for three or more years under Rule 11-615 and who satisfies the requirements of [Rule 14-717](#).

(~~y~~) "Full-time Practice" means the Active and lawful Practice of Law for no fewer than 80 hours per month. Time spent on administrative or managerial duties, continuing legal education, or client development and marketing does not qualify as part of the required 80 hours of legal work.

(~~z~~) "General Counsel" means the General Counsel of the Utah State Bar or that person's designee.

(~~aa~~) "House Counsel Applicant" means any Applicant who satisfies the requirements of [Rule 14-719](#).

(~~bb~~) "House Counsel" means a person granted a license under [Rule 14-719](#).

(~~cc~~) "Inactive" means an attorney's law license is held in "inactive status" or an equivalent term.

(~~dd~~) "MBE" means the Multistate Bar Examination prepared by the NCBE.

(~~ee~~) "MEE" means the Multistate Essay Examination prepared by the NCBE.

(~~ff~~) "Military Lawyer Applicant" means any Applicant who satisfies the requirements of [Rule 14-804](#).

(ggee) "Military Spouse Attorney Applicant" means any Applicant who satisfies the requirements of Rule [14-805](#).

(hhdd) "Motion Applicant" means any person who satisfies the requirements of [Rule 14-705](#).

(iiee) "MPRE" means the Multistate Professional Responsibility Examination prepared by the NCBE.

(jjff) "MPT" means the Multistate Performance Test prepared by the NCBE.

(kkgg) "NCBE" means the National Conference of Bar Examiners, an organization that develops, maintains, and applies reasonable and uniform standards of bar examination education and testing.

(llhh) "OPC" means the Office of Professional Conduct.

(mmii) "Person" includes the plural as well as the singular and legal entities as well as natural persons.

(nnjj) "Practice of Law" means employment available only to licensed attorneys where the primary duty of the position is to represent the interests of another person by informing, counseling, advising, assisting, advocating for or drafting documents for that person through application of the law and associated legal principles to that person's facts and circumstances. The Practice of Law constitutes more than merely working with legally-related matters.

(oookk) "Privileged Information" in this article includes: information subject to the attorney-client privilege, attorney work product, test materials, investigative reports from the NCBE, and applications of examinees; correspondence and written decisions of the Board, Admissions Committee, Bar Examiner Committee, Character and Fitness Committee, and Test Accommodations Committee; and the identity of individuals participating in the grading and scoring of the Bar Examination [or Alternate Path Examination](#).

153 (pp) “Professional Responsibility” means one course of at least two credit hours in
154 professional responsibility that includes substantial instruction in rules of professional
155 conduct, and the values and responsibilities of the legal profession and its members.

156 (qq) “Qualified Supervising Attorney” means a person who is:

157 (1) An attorney who has:

158 (A) An active Utah Bar license;

159 (B) A minimum of 5 years as a licensed attorney in any U.S. state, U.S. territory,
160 or the District of Columbia;

161 (C) A minimum of 2 years as a licensed attorney in the State of Utah; and

162 (D) No record of public discipline in any jurisdiction in the United States; or

163 (2) A state court or federal court judge; or

164 (3) Approved by the Admissions Office to serve as a Qualified Supervisor Attorney.
165 Approval is granted on a case-by-case basis for Applicants such as federal employees
166 or military employees who are working in capacities where identifying a Qualified
167 Supervising Attorney who satisfies the first or second conditions of this paragraph
168 may prove overly burdensome and where the Applicant can demonstrate a
169 reasonable basis for desiring admission to the Utah State Bar.

170 ~~(4)~~ The burden is on the Applicant to petition for such approval, and the Bar
171 Admissions Office has sole discretion to grant or deny such petitions.

172 ~~(rr)~~ “Reapplication for Admission” means that for two years after the filing of an original
173 application, an Applicant may reapply by completing a Reapplication for Admission
174 form updating any information that has changed since the prior application was filed.

175 (ss) “Successfully complete” means earning a passing grade for which academic credit is
176 awarded.

(~~ttmm~~) “Student Applicant” means any person who satisfies the requirements of [Rule 14-703](#) who has never been admitted as an attorney in any jurisdiction.

(~~uuuu~~) “Supreme Court” means the Utah Supreme Court.

(~~vvvv~~) “Test Accommodations Committee” means those Bar licensees or others appointed by the Board or president of the Bar who are charged to review and determine requests from Applicants seeking to take the Bar Examination [or Alternate Path Examination](#) with test accommodations.

(~~wwpp~~) “Unapproved Law School” means a law school that is not fully or provisionally approved by the ABA. For an Unapproved Law School’s graduates to be eligible for admission, the law school must be accredited in the jurisdiction where it exists and provide legal education that is the substantial equivalent of the legal education provided by an Approved Law School. The burden is on the Applicant to demonstrate the Unapproved Law School meets this definition.

(~~xxqq~~) “UBE” means the Uniform Bar Examination as prepared by the NCBE.

(~~yyrr~~) “UBE Transfer Applicant” means any person who satisfies the requirements of [Rule 14-712](#).

(~~zzss~~) “Updated Application” means that an Applicant is required to amend and update their application on an ongoing basis and correct any information that has changed since the application was filed.

(~~aaa~~~~tt~~) “Written Component” means that portion of the Bar Examination that consists of MEE and MPT questions.

~~Effective May 1, 2025~~[Effective October 1, 2025](#)