

1 **Rule 4-701. Definitions.**

2 As used in this article:

3 (a) "ABA" means the American Bar Association;

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

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

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

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

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

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

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

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

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

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

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

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

37 (e) "Approved Law School" means a law school which is fully or provisionally approved
38 by the ABA pursuant to its Standards and Rules of Procedure for Approval of Law
39 Schools. To qualify as approved, the law school must have been fully or provisionally
40 approved at the time of the Applicant's graduation, or at the time of the Applicant's
41 enrollment, provided the Applicant graduated within a typical and reasonable time.

42 (f) "Attorney Applicant" means any person who satisfies the requirements of [Rule 14-](#)
43 [704](#).

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

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

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

48 (j) "Board" means the Board of Bar Commissioners.

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

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

57 (m) “Confidential Information” is defined in [Rule 14-720\(a\)](#).

58 (n) “Deputy General Counsel for Admissions” or “Deputy General Counsel” are terms
59 used interchangeably to mean the Bar’s attorney in charge of admissions or that person’s
60 designee.

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

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

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

71 (r) “Foreign Law School” means any school located outside of the United States and its
72 protectorates, that is accredited by that jurisdiction’s legal accreditation body, if one
73 exists, where principles of English Common Law form the predominant basis for that
74 country’s system of jurisprudence, and whose graduates are otherwise permitted by that
75 jurisdiction’s highest court to practice law.

76 (s) “Foreign Legal Consultant Applicant” means any Applicant who satisfies the
77 requirements of [Rule 14-718](#).

78 (t) "Formerly-Admitted Applicant" means a person previously licensed to practice law
79 in Utah who is no longer licensed to practice law because of resignation without
80 discipline pending, failure to pay licensing fees for three or more years under [Rule 14-](#)
81 [107\(b\)\(4\)](#), or failure to comply with MCLE requirements for three or more years under
82 Rule 11-615 and who satisfies the requirements of [Rule 14-717](#).

83 (u) "Full-time Practice" means the Active and lawful Practice of Law for no fewer than
84 80 hours per month. Time spent on administrative or managerial duties, continuing legal
85 education, or client development and marketing does not qualify as part of the required
86 80 hours of legal work.

87 (v) "General Counsel" means the General Counsel of the Utah State Bar or that person's
88 designee.

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

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

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

94 (z) "MBE" means the Multistate Bar Examination prepared by the NCBE.

95 (aa) "MEE" means the Multistate Essay Examination prepared by the NCBE.

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

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

100 (dd) "Motion Applicant" means any person who satisfies the requirements of [Rule 14-](#)
101 [705](#).

102 (ee) “MPRE” means the Multistate Professional Responsibility Examination prepared by
103 the NCBE.

104 (ff) “MPT” means the Multistate Performance Test prepared by the NCBE.

105 (gg) “NCBE” means the National Conference of Bar Examiners, an organization that
106 develops, maintains, and applies reasonable and uniform standards of bar examination
107 education and testing.

108 (hh) “OPC” means the Office of Professional Conduct.

109 (ii) “Person” includes the plural as well as the singular and legal entities as well as natural
110 persons.

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

117 (kk) “Privileged Information” in this article includes: information subject to the attorney-
118 client privilege, attorney work product, test materials, investigative reports from the
119 NCBE, and applications of examinees; correspondence and written decisions of the
120 Board, Admissions Committee, Bar Examiner Committee, Character and Fitness
121 Committee, and Test Accommodations Committee; and the identity of individuals
122 participating in the grading and scoring of the Bar Examination.

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

126 (mm) “Student Applicant” means any person who satisfies the requirements of [Rule 14-](#)
127 [703](#) who has never been admitted as an attorney in any jurisdiction.

128 (nn) “Supreme Court” means the Utah Supreme Court.

129 (oo) “Test Accommodations Committee” means those Bar licensees or others appointed
130 by the Board or president of the Bar who are charged to review and determine requests
131 from Applicants seeking to take the Bar Examination with test accommodations.

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

138 (qq) “UBE” means the Uniform Bar Examination as prepared by the NCBE.

139 (1) Legacy UBE is the exam prepared by the NCBE consisting of the MEE, MPT,
140 and MBE, which will not be administered after February 2028.

141 ~~(1)~~(2) NextGen UBE is the exam prepared by the NCBE to test foundational
142 lawyering skills, which will be administered starting in July 2026.

143 (rr) “UBE Transfer Applicant” means any person who satisfies the requirements of [Rule](#)
144 [14-712](#).

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

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

150 ~~Effective May 1, 2025~~[Effective May 1, 2026](#)