

COMMONWEALTH OF PUERTO RICO
SUPREME COURT OF PUERTO RICO
BOARD OF BAR EXAMINERS

RULES FOR THE ADMISSION OF APPLICANTS TO THE PRACTICE OF LAW AND THE NOTARIAL PROFESSION



*June 1998
As Amended
(up to November 2019)*

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RULES FOR THE ADMISSION OF APPLICANTS TO THE PRACTICE OF LAW AND THE NOTARIAL PROFESSION

CHAPTER 1 - BASIC PRINCIPLES

Rule 1.1 - Legal Basis

Rule 1.1.1 These Rules are adopted by virtue of the inherent power of the Supreme Court of Puerto Rico to regulate the practice of law and to establish the requirements for admission to practice this profession and, by virtue of the authority conferred by Act No. 17 of June 10, 1939, as amended.

Rule 1.1.2 These Rules govern the Board of Bar Examiners and, unless otherwise indicated, its provisions apply to the General Bar Examination and the Notarial Law Examination.

Rule 1.2 - Terminology

Rule 1.2.1 The terminology used in these Rules has the meaning indicated below:

Applicants . . . Persons who have graduated from a duly accredited Law School and who seek admission to the practice of law or to the notarial profession, as the case may be.

Board . . . Board of Bar Examiners.

Chairperson . . . Justice of the Supreme Court of Puerto Rico appointed as presiding judge of the Board of Bar Examiners.

Committee on Character . . . Committee on Character of Applicants for Admission to the Bar.

Court . . . Supreme Court of Puerto Rico.

Executive Director . . . Executive Director of the Board of Bar Examiners.

Members . . . Attorneys who compose the Board of Bar Examiners.

Vice-Chairperson . . . Member of the Board appointed as such, who shall perform the functions of the Chairperson of the Board in his or her absence.

CHAPTER 2 - COMPOSITION OF THE BOARD

Rule 2.1 - Members of the Board

Rule 2.1.1 The Board shall be composed of a certain number of attorneys to be determined from time to time by the Court, and it shall be chaired by one of the Justices of the Court. The Chairperson of the Board shall appoint a member of the Board to the position of Vice-Chairperson. The Vice-Chairperson shall perform the functions of the Chairperson in his or her absence.

Rule 2.2 - Requirements and Appointments

Rule 2.2.1 The members of the Board shall meet the following requirements: (a) they must have been admitted to practice law and the notarial profession in Puerto Rico; (b) they must have at least five (5) years of professional experience; (c) they must have a good reputation in the community at large; and (d) they must have shown an interest in the teaching of law or in the professional advancement of lawyers.

Rule 2.2.2 The members of the Board shall be appointed by resolution of the Court and, whenever possible, the composition of the Board shall represent all sectors of the legal profession. The Court may ask institutions or entities involved in the teaching of law and the administration of justice to recommend candidates to the Board.

Rule 2.2.3 During their term of office, and for a period of five (5) years following the conclusion of their appointment, Board members shall not:

- (a) directly or indirectly participate in courses to prepare applicants for the General Bar Examination or the Notarial Law Examination;
- (b) participate in an applicant's examination application process, either preparing or representing said applicant in any reconsideration or review proceeding.

During their term of office, Board members shall not:

- (a) participate in an applicant's examination application process, either attesting to the applicant's good reputation or acting as notary in said application;
- (b) participate in the preparation, discussion, and reconsideration processes of the General Bar Examination and/or the Notarial Law Examination when:
 - 1. any of the applicants is related to him or her within the second degree of consanguinity or affinity; or

2. the professional, kinship, friendship, or any other kind of relationship between the Board member and an applicant places the Board member in a situation involving a conflict of interests; or
3. the Board member deems that his or her participation in such processes may give rise to a problem of appearance of conflict of interests.

Rule 2.2.4 By accepting their nomination, Board members recognize and pledge to keep the strictest confidentiality and to abstain from divulging confidential information, secrets, deliberation processes, and any other information or matters that could be or could have been under the consideration of the Board.

Rule 2.2.5 The provisions of Rules 2.2.3 and 2.2.4 of these Rules are equally, strictly applicable to all those persons who directly or indirectly intervene with or participate in the preparation, administration, and grading of the examinations.

Rule 2.3 - Term of Office

Rule 2.3.1 With the exception of the Chairperson, Board members shall be appointed by the Court for an initial term of one (1) year, and then for three (3) additional terms of two (2) years each.

Rule 2.3.2 The Court may extend the term of office of any Board member upon expiration of the same when the Court deems it necessary or convenient.

Rule 2.4 - Meetings

Rule 2.4.1 The Chairperson may call Board meetings whenever he or she deems it necessary. The Vice-Chairperson or the Executive Director may call Board meetings after consulting with the Chairperson. Meetings shall be held at the place indicated in the notice of meeting, and such notice may be given in writing or by telephone.

Rule 2.4.2 Consultations with Board members may be held by telephone in cases involving routine administrative matters or emergency situations.

Rule 2.4.3 One third of the Board members shall constitute a quorum at meetings. All Board decisions shall be approved by a majority of attending members.

Rule 2.4.4 Board members who are not regular employees of the Commonwealth of Puerto Rico, its agencies, departments, or public corporations, shall receive a seventy-five dollar (\$75) per diem allowance for each day of attendance at meetings and official activities of the Board.

Rule 2.4.5 Board members, and any person appointed by the Court to perform any official assignment for the Board, shall be entitled to receive mileage and toll fees in keeping with the regulations in force for Judicial Branch officials. Board members also shall—like Judicial Branch officials—be entitled to reimbursement for any other necessary expenses incurred in the performance of said task.

Rule 2.4.6 The graders will receive a total compensation of \$3.50 for each notebook graded, subject to the provisions of Rule 2.4.5 of these Rules.

Rule 2.5 - Functions and Duties

Rule 2.5.1 The main function of the Board is to collaborate with the Court in the exercise of its inherent power to determine who is qualified to practice the legal and notarial profession in the Commonwealth of Puerto Rico. To such ends, the Board shall have, among others, the following functions and duties:

- (a) accept or deny applications for admission to the General Bar Examination and the Notarial Law Examination in keeping with the requirements set by these Rules;
- (b) determine the administration dates of the General Bar Examination and the Notarial Law Examination, the application of scientific standards for said examinations, and the proportion, number, and weight to be given to the questions included in the examinations;
- (c) select from among the subjects included in Rule 5.4.1 of these Rules, as such rule may be amended from time to time, the subject combination that will be tested in each part of the General Bar Examination and the Notarial Law Examination;
- (d) consider and approve the questions of the General Bar Examination and the Notarial Law Examination, and administer said examinations;
- (e) recommend to the Court, by resolution, the minimum passing score for the General Bar Examination and the Notarial Law Examination;
- (f) appoint committees composed of Board members to handle any matter related to the implementation of these Rules;
- (g) prepare and publish a handbook containing all the pertinent information on the General Bar Examination and the Notarial Law Examination, (to be distributed to applicants and to those persons or institutions connected with the teaching of Law who so request);
- (h) approve internal manuals of the Board's administrative procedures, including, among others, the admission process for the examinations, the drafting of questions for the examinations, the administration and

grading of examinations, and the notification of the General Bar Examination and the Notarial Law Examination results;

- (i) adopt or recommend for the approval of the Court any measures it may deem necessary, appropriate, or convenient to facilitate the preparation, administration, grading, evaluation, and security of the examinations, and the general operation of the Board;
- (j) consider petitions for reconsideration of the answers to the essay questions of the General Bar Examination and the Notarial Law Examination, filed by failed applicants;
- (k) approve standards and procedures, and adopt any measure it may deem necessary to address the reasonable accommodation requests that may be filed by applicants under the provisions of any applicable legislation or regulation;
- (l) coordinate with the Committee on Character the evaluation of the applicants and submit to the Court the certificate of those applicants who have met all the requirements necessary to be admitted to the practice of the profession;
- (m) recommend attorneys for the Board's Item-Writing and Grading Committees, as well as for any other committee entrusted to it or which should be established, in keeping with the following criteria: have been admitted to the practice of law and of the notarial profession in Puerto Rico; have at least two (2) years of professional experience; and be of good moral character; and
- (n) perform all the functions and tasks that the Court may assign to it from time to time.

Rule 2.5.2 The Board may devise mechanisms to periodically request the Law School Deans and/or the professors designated by them to comment on the results of the examinations, on the statistical reports prepared by the Board, and to give their recommendations for improving the examination process.

Rule 2.5.3 The Board may devise mechanisms to provide Law Schools with reports on the scores obtained by their respective students in the various subjects tested in the General Bar Examination and the Notarial Law Examination.

Rule 2.5.4 The Board shall observe the following rules when, in the performance of its functions and duties, it approves manuals on the writing and approval of questions, as well as manuals on the administration and grading of the examinations.

Rule 2.5.4.1 Writing and Approving Questions

The Chairperson, by previous recommendation of the Executive Director, shall organize an Item-Writing Committee that will be composed of Board members, private-practice or public-service attorneys, and Law School professors. All the members of this committee shall be appointed by resolution of the Court. These attorneys shall draft multiple-choice and essay questions, on the subjects to be tested. These questions shall be accompanied by grading guidelines basically containing: a list of legal problems that must be identified by the applicants; a brief explanation of the possible approaches and solutions to each problem; and the score or relative value of each question and its subdivisions. When the question allows for one or more alternate answers, the score or relative value to be assigned to each alternate answer shall be stated. Grading guidelines may be modified during the grading process as provided below. When evaluating the examination as a whole, the Board shall make sure that the same relative value is assigned to questions of similar difficulty, in keeping with current scientifico-pedagogical rules.

The questions prepared by the Item-Writing Committee members shall be submitted to the Executive Director or to the Board's legal advisors for review. Once reviewed, the questions shall be typed and reproduced, to be submitted for the consideration of the members of the Board or of the committees composed of Board members and created by the Board's Chairperson or Executive Director for such purpose. The questions finally used in the General Bar Examination and in the Notarial Law Examination shall have the Board's approval.

Rule 2.5.4.2 Administration of the Examinations

Each applicant shall be assigned an identification number that shall be notified to him or her before the date of the examination. Before the beginning of each examination period, the applicant shall occupy the seat assigned to him or her in the examination area and marked with his or her identification number. Each applicant shall be given one notebook for each question, to be used in each essay-question period and returned at the end of each period. Each notebook shall be marked on the cover with the applicant's identification number written in Arabic characters. The notebooks shall also be marked on the cover with a Roman numeral corresponding to the period of the examination.

At the end of the examinations, the Chairperson, with the assistance of the Executive Director and of the personnel appointed by them, shall remove from the cover of each answer notebook the part containing the identification number, and shall mark each one with another number that shall be known as the key number. The Chairperson shall prepare a list with the key numbers, which shall be under the control and custody of the Chairperson. No examiner will know the applicant's identity when grading the notebooks. Nobody except the Chairperson of the Board and the Executive Director, shall know to whom each key number belongs. The Chairperson may delegate the above process to the Executive Director or to his or her employees.

Rule 2.5.4.3 Grading the Examinations

The Chairperson, by previous recommendation of the Executive Director, shall organize an examination Grading Committee composed of private-practice or public-service attorneys, and local Law School professors, who are specialists in the subjects tested in the examinations. All the members of this committee shall be appointed by resolution of the Court to grade the answers to the essay questions of the examinations. The Grading Committee shall meet on the dates and at the place set by the Executive Director to begin grading the examinations.

Rule 2.5.4.4 Grading Standards

When grading the answers given by the applicants, the following shall be taken into consideration:

- (a) if the applicant has adequately identified the legal problems involved in the question;
- (b) if the applicant has correctly stated the Law applicable to the problem in question;
- (c) if the applicant understands the problem raised and makes an adequate analysis in light of the applicable legal principles;
- (d) if the applicant can correctly formulate legally acceptable solutions; and
- (e) if the applicant makes correct use of the written language and expresses his or her ideas in an adequate manner.

Rule 2.5.4.5 Grading Procedure

The examination shall be graded in accordance with the following procedure: a) the Executive Director, or the officers of the Board, shall organize the answer notebooks according to the questions; b) all answer notebooks shall be moved to the place chosen for the grading procedure, where they shall be available to the Grading Committee; c) the Grading Committee shall be divided into two-member teams per question; d) each grader shall individually grade all answer notebooks for the question assigned according to a point scale to be determined by them; e) during the grading process, every grader shall write on a paper furnished by the Board the points scored by each applicant in each question. The graders shall not mark or write notes on the applicants' notebooks.

After the individual grading process has been completed, the two (2) members of each team shall meet to compare the scores assigned to each answer. If there is a difference of more than one point in the scores assigned to each answer by each grader, a consensus session shall be held in which the

graders shall discuss the grounds for their discrepancies and agree on a score that adequately represents the quality of said answer. Once a consensus has been reached, the graders shall hand in the score sheets to the Executive Director or to the designated personnel.

This procedure may be changed to adjust it to any other accepted procedure that may guarantee maximum uniformity and the strictest objectivity of the process.

CHAPTER 3 - EXECUTIVE DIRECTOR OF THE BOARD

Rule 3.1 - Appointment

Rule 3.1.1 The Board shall be directed by a full-time Executive Director appointed by the Court for an indefinite term. This position shall be confidential and shall be subject to the will of the Court and until it is otherwise provided.

Rule 3.1.2 The Executive Director shall be an *ex officio* member of the Board, and shall act as its Secretary and preside over the Board in the absence of the Chairperson and the Vice-Chairperson. In those cases in which the Executive Director acts as Chairperson, or in cases in which the Executive Director, for any reason, is absent, the Board shall designate a Secretary.

Rule 3.2 - Functions and Duties

Rule 3.2.1 The Executive Director shall have ample powers in the discharge of his or her duties, which shall include, among others, the following:

- (a) keep all Board documents in his or her control and custody, including the records, registries, and files;
- (b) direct, coordinate, and supervise the Board's administrative personnel, and establish standards governing conflicts of interest and other ethical aspects applicable to the Board's personnel;
- (c) take the minutes of the sessions held by the Board, and perform any other function related to said position, as provided in Rule 3.1 of these Rules;
- (d) certify the attendance to each session of Board members, administrative officers, consultants, personnel, and members of the various committees that may be appointed by the Court or by the Board from time to time;
- (e) coordinate for the preparation of manuals on the administrative procedures that are necessary for the adequate operation of the Board and for the implementation of these Rules;

- (f) recommend attorneys for the Board's Item-Writing and Grading Committees, as well as for any other committee entrusted to him or her or the establishment of which may be deemed convenient, based on the following criteria: have been admitted to the practice of law and of the notarial profession in Puerto Rico; have at least two (2) years of professional experience; and be of good moral character;
- (g) submit recommendations on any other matter related to the performance of his or her functions, the efficient administration of the bar examinations, and the implementation of these Rules;
- (h) notify the Court about the results of the bar examinations, issue result certifications to each applicant, and issue, upon request of interested parties, and upon payment of the pertinent fees, certifications concerning information and/or documents on file at the Board;
- (i) coordinate the preparation of the statistical reports on the results of each examination, as provided in Chapter 14 of these Rules;
- (j) coordinate the publication of the notices required in Chapter 7 of these Rules;
- (k) coordinate with the Committee on Character the evaluation of applicants, and submit to said Committee on Character a certification of all applicants who passed the examination, a copy of the notice published pursuant to Rule 8.1 of these Rules, and any other communications or complaints received about the applicant's conduct and reputation;
- (l) represent, and appear on behalf of the Board before any entity, and perform those official functions and activities that may be required by the Court from time to time; and
- (m) coordinate the performance of all the functions and duties assigned to the Board under Rule 2.5 of these Rules, and perform any other functions and tasks that the Court may assign to him or her from time to time.

CHAPTER 4 - REQUIREMENTS FOR ADMISSION TO THE PRACTICE OF LAW AND OF THE NOTARIAL PROFESSION

Rule 4.1 - Requirements for the Practice of Law

Rule 4.1.1 Any person seeking admission to the practice of law in the Commonwealth of Puerto Rico shall comply with the following requirements:

- (a) be over 21 years of age;

- (b) have studied Law and obtained the corresponding law degree from a Law School accredited by the American Bar Association or by the Court;
- (c) be of good moral character;
- (d) pass a General Bar Examination prepared, administered, and evaluated by the Board; and
- (e) have obtained, before being admitted to a Law School, a baccalaureate degree, if the applicant has graduated from an institution in the United States or Puerto Rico. In all other cases, the applicant must have completed an equivalent university curriculum that meets the standards set by the Council on Higher Education or that has been approved by the Court regarding the minimum academic background required for admission to a Law School in Puerto Rico.

Rule 4.2 - Requirements for Applicants who Pursued Studies in Foreign Universities

Rule 4.2.1 Applicants who have pursued studies in foreign countries must comply with subsections (a), (c), (d), and (e) of Rule 4.1.1, validate his or her studies, and obtain a law degree from a Law School approved by the American Bar Association and by the Court. After validating his or her studies and obtaining a law degree from a Law School that meets accreditation requirements, the applicant who has pursued studies in a foreign university must present evidence of such studies to the Board along with his or her application for admission to the examination.

Rule 4.3 - Requirements for the Practice of the Notarial Profession

Rule 4.3.1 Any person seeking admission to the practice of the notarial profession in the Commonwealth of Puerto Rico shall comply with the following requirements:

- (a) meet the requirements established in Rule 4.1 of these Rules; and
- (b) pass a Notarial Law Examination prepared, administered, and evaluated by the Board. This rule shall not apply to persons admitted to the practice of law in Puerto Rico prior to April 1, 1983.

CHAPTER 5 - GENERAL BAR EXAMINATION AND NOTARIAL LAW EXAMINATION

Rule 5.1 - Purpose

Rule 5.1.1 The main purposes of the General Bar Examination and of the Notarial Law Examination are to evaluate the ability of the applicant to analyze legal problems and to measure the minimum skills and knowledge needed to practice law and the notarial profession, applying rules and principles essential to the legal and notarial professions in the different areas of Law tested in the examination.

Rule 5.2 - Language and Frequency of the Examinations

Rule 5.2.1 The examinations shall be written in the Spanish language, and may be answered in Spanish or in English.

Rule 5.2.2 The examinations shall be administered twice a year, no less than six (6) months apart from each other within the same calendar year.

Rule 5.3 - Format and Technique of the Questions

Rule 5.3.1 The examinations may consist of essay, multiple-choice, and performance questions. The Board shall determine, according to scientific rules, the proportion, number, and weight of the examination questions. The Board shall also determine the number of periods required to answer each part of the examinations.

Rule 5.3.2 The questions shall consist of factual situations that raise issues requiring the applicant to determine the applicable law and to offer legally acceptable solutions in light of the main purposes of the General Bar Examination and the Notarial Law Examination established in Rule 5.1.1 of these Rules.

Rule 5.4 - Subjects Included in Examinations

Rule 5.4.1 The General Bar Examination may contain a combination of the following subjects:

- (a) Administrative Law
- (b) Constitutional Law
- (c) Family Law
- (d) Successions
- (e) Mortgage and Registry Law
- (f) Criminal Law
- (g) Evidence

- (h) Property Law
- (i) Ethics and Professional Responsibility
- (j) Obligations and Contracts (Special Contracts)
- (k) Civil Procedure
- (l) Criminal Procedure
- (m) Torts

Rule 5.4.2 The Notarial Law Examination may contain any of the general subjects listed in Rule 5.4.1 of these Rules for the General Bar Examination.

Rule 5.4.3 The Board shall periodically revise the list of subjects tested in the examinations and recommend to the Court any addition, modification or elimination of subjects.

Rule 5.5 - Value of the Examinations

Rule 5.5.1 The raw scores of the examinations shall be scientifically adjusted so that the questions included in each examination maintain a similar level of difficulty between themselves and with regard to previous examinations. To such ends, the Board shall use a scientifically recognized valuation and measurement method.

Rule 5.6 - Minimum Passing Score

Rule 5.6.1 The minimum passing scores for the General Bar Examination and for the Notarial Law Examination shall be established by the Court from time to time with the recommendation and advice of the Board, and shall be notified to the applicants in keeping with the provisions of Rule 8.1.1(c) of these Rules.

Rule 5.7 - Payment of Fees

Rule 5.7.1 The application for the General Bar Examination shall be accompanied by the payment of two hundred and fifty dollars (\$250), and the application for the Notarial Law Examination shall be accompanied by the payment of two hundred dollars (\$200). The payment shall be made in the manner established by the Board, either through electronic payment system or by way of Internal Revenue stamps.

Rule 5.7.2 If, after filing the application for admission to the examination, the applicant timely notifies that he or she will not attend the examination, his or her application will be dismissed without further proceedings in accordance with the procedure established therefore by the executive Director. To be admitted to a subsequent examination, the applicant must submit an application for

readmission and meet the applicable regulatory requirements, which include the payment of new admission fees.

Rule 5.8 - Failed Applicants

Rule 5.8.1 When an applicant has failed the General Bar Examination or the Notarial Law Examination on six (6) different occasions, after September 1983, said applicant will no longer be admitted to any of these examinations. An applicant who begins to take the examination but cannot finish the same shall be considered as having taken the examination, and shall be evaluated accordingly.

Rule 5.8.2 Once an applicant begins to take the examination, he or she shall be considered as having finished the same, and shall be evaluated accordingly. It shall be deemed that the applicant has begun to take the examination when he or she is given the materials corresponding to the first testing period. However, if the applicant cannot finish the examination because of a medical emergency, the Board may decide not to count the examination. The applicant shall submit to the Board a medical certificate within a period of forty-eight (48) hours following the date on which the medical emergency occurred.

CHAPTER 6 - ADMISSION REQUIREMENTS FOR THE GENERAL BAR EXAMINATION

Rule 6.1 - Application

Rule 6.1.1 Any applicant seeking admission to the General Bar Examination shall file with the Board an application to such effect, and it shall be his or her responsibility to provide true, correct, and complete information. The application shall be filed through the mechanism provided by the Board, whether electronically or by certified mail, return receipt requested, on the date set therefore by legal notice, which shall be at least forty-five (45) days prior to the date set for the commencement of the examination that the applicant wishes to take. The Executive Director may exempt an applicant from complying with the requirement to submit the application for admission through the means provided by the Board, and may accept that it be delivered in person when the applicant is unable to file it through the means provided by the Board or when the Executive Director deems that personal delivery does not adversely affect the administrative work of the Board of Bar Examiners.

Rule 6.2 - Documents to be filed with the Application

Rule 6.2.1 The application must be accompanied by the following documents except when, for good cause, the Board dispenses with this requirement:

- (a) a document handwritten and signed by the applicant stating under oath that he or she meets the requirements set forth in Chapter 4 of

these Rules. If an applicant has a condition that prevents him or her from complying with the handwritten document requirement, the Board shall design an alternate procedure;

- (b) two (2) recent 2" x 2" full-face photographs;
- (c) those stamped, self-addressed envelopes that the Board may require, bearing the applicant's name and mailing address, with stamps affixed (use of postage meter is not allowed);
- (d) a criminal record certificate issued by the Police of Puerto Rico within ninety (90) days prior to the filing date of the application for admission to the examination.

If the applicant has been domiciled, has resided, or has studied outside Puerto Rico for six (6) consecutive months or more during the last ten (10) years, he or she must also request a criminal record certificate, or its equivalent, from the Police Department of the place or places where the applicant has been domiciled, has resided, or has studied. The six-month period will not be deemed interrupted by occasional visits to Puerto Rico or to any other place while on vacation, for personal or family reasons, or under circumstances in which the applicant did not intend to remain in Puerto Rico or in any other jurisdiction he or she has visited. No application will be accepted without the mentioned certificate(s) or without proof of the steps taken to meet this requirement.

If the applicant has filed a criminal record certificate from a foreign country as prescribed in the above paragraph, he or she will not have to file it again as part of the petition for readmission unless he or she has again been domiciled, has resided, or has studied outside Puerto Rico for a period of six consecutive months or more.

Without prejudice to the above provision, the Board may accept, in lieu of this certificate, an affidavit in which the applicant states that he or she has committed no offense or fault in any foreign jurisdiction and acknowledges that there will be disciplinary consequences if such a statement proves to be false, in cases in which:

- a) unequivocal evidence is presented that the steps to request said document in the foreign jurisdiction cannot be taken for lack of an equivalent or similar procedure or because the procedure is hindered for political reasons.
- b) due diligence is shown in requesting the document, but the foreign authorities cannot or do not wish to state the date on which the document will be delivered or sent.

Applicants who must meet this requirement because they are members of the armed forces may submit a copy of the honorable discharge certificate or a certificate issued to such ends by the pertinent military unit.

- (e) if the applicant has been admitted to the practice of law in other jurisdictions, his or her application shall also be accompanied by official certificates of his or her accreditation as attorney in said jurisdictions, as well as a certificate of good standing and of any disciplinary proceeding instituted against him or her—which certificate shall be in effect on the filing date of the application—and the pertinent form provided by the Board to such ends, duly completed and signed by the applicant, and subscribed and sworn to before a notary public;
- (f) a detailed description of any kind of disability or condition requiring reasonable accommodation under the provisions of the applicable laws and of the rules approved by the Board to such effect;
- (g) a transcript of all university credits earned by the applicant towards the obtention of the law degree, certified by the competent university authority that conferred such degree and directly addressed to the Board;
- (h) a copy of the diploma attesting to the academic degree obtained by the applicant for the law studies pursued by him or her, and an original official certificate issued by the university from which said degree was obtained;
- (i) an authorization and a release in the pertinent form provided by the Board;
- (j) the payment of two hundred and fifty dollars (\$250);
- (k) an Internal Revenue stamp in the amount of fifteen dollars (\$15), which must be delivered by all applicants who pass the General Bar Examination within ten (10) days following the date of notice of the passing grade. This stamp will be affixed to the diploma that will be awarded to each applicant who is sworn in as an attorney by the Court. This stamp may be recovered by applicants whose good character was not certified by the Committee on Character and who, as a result, cannot be sworn in as attorneys by the Supreme Court.
- (l) any other document required by the Board.

Rule 6.2.2 Applicants who have passed the General Bar examination must file with the Board of Bar Examiners, within ten (10) days of the date of notice of the passing grade:

- (a) the applicant's informative statement form furnished by the Board, duly completed and signed by the applicant, and subscribed and

sworn to before a notary public or an authorized public official, including court officers authorized to that effect;

- (b) internal revenue stamps in the amount of fifteen dollars (\$15). These stamps will be affixed to the diploma that will be awarded to each applicant who is sworn in as attorney by the Court. Applicants who fail to be sworn in as attorneys by the Supreme Court because the Committee on Character did not certify their fitness and character may claim said stamps.

Rule 6.3 - Continued Obligation to Inform

Rule 6.3.1 It shall be the obligation and responsibility of every applicant who files with the Board an application for admission to the General Bar Examination or the Notarial Law Examination to complete it subsequently with true, correct, and complete information should there arise any relevant fact, circumstance, or information that substantially alters or renders inaccurate the originally stated fact, circumstance, or information. This obligation continues until the date on which the applicant is sworn in as attorney, should he or she pass the bar examination.

CHAPTER 7 - ADMISSION REQUIREMENTS FOR THE NOTARIAL LAW EXAMINATION

Rule 7.1 - Requirements

Rule 7.1.1 Any person seeking admission to the Notarial Law Examination shall meet the following requirements:

- (a) meet the requirements set forth in Rule 4.1.1; and
- (b) have passed with an acceptable grade a Notarial Law course at any Law School in Puerto Rico accredited by the American Bar Association or by the Court. A grade of "A," "B" or "C," or their equivalent grades, will be deemed acceptable grades.

Rule 7.2 - Application

Rule 7.2.1 Any applicant seeking admission to the notarial practice shall submit an application for admission to the Notarial Law Examination in a manner similar to that established in Chapter 6 of these Rules, certifying, among other things, that he or she meets the requirements set forth in Rule 6.2.1 of these Rules.

CHAPTER 8 - NOTICES

Rule 8.1 - Publication of Notices

Rule 8.1.1 The Board shall arrange for the publication of the following notices in one daily newspaper of general circulation in Puerto Rico, to be charged to the budget of the Court:

- (a) a notice to be published at least sixty (60) days before the date set for the beginning of each examination, indicating the place and dates of the examination, the deadline for filing applications, and a description of the subjects covered by the examination;
- (b) a notice to be published after the examination results are known, listing, in alphabetical order, the names and places of residence of the applicants who passed the examination, and giving any person who may have objections to the admission of any applicant to the practice of law a period of time, counting from the date of publication of the notice, to inform such objections to the Board; and
- (c) a notice on the minimum passing score for each examination, to be published before the date of administration of each examination.

CHAPTER 9 - VIOLATION OF RULES

Rule 9.1 - Conduct Barred

Rule 9.1.1 Any person who commits or attempts to commit acts that injure or that may adversely affect the examination process may be disqualified as an applicant for admission to the practice of law, may be suspended from the practice of law if already admitted thereto, or may be subject to any other adequate sanction at the discretion of the Court. The Board may also invalidate an answer or an entire examination. Conduct that injures or attempts to affect the examination process includes, among other things, the acts indicated in Rule 9.2.1 to 9.5.1, as well as any violation of the provisions of these Rules.

Rule 9.2 - Violation of the Security of the Examination

Rule 9.2.1 Engaging in conduct that violates the security of the examination material, including, but not limited to:

- (a) removing any examination material from the examination room without authorization;
- (b) reproducing or reconstructing, before or during the administration of the examination, any part of the examination to be administered or being administered; or reproducing or reconstructing, once the

administration of the examination has concluded, any part of said examination that the Board has not authorized the applicant to keep after the examination;

- (c) aiding in any way to reproduce or reconstruct any part of the bar examination, in contravention of subsection (b) above;
- (d) buying, selling, distributing, receiving, possessing, or handling in any manner, without authorization, any part of a bar examination that has already been administered, that is being administered, or that will be administered.

Rule 9.3 - Violation of the Rules of Administration

Rule 9.3.1 The following acts, among others, shall constitute conduct that violates the rules of administration of the examinations, and shall be subject to penalties:

- (a) communicating with any other applicant during the administration of the examinations;
- (b) copying the answers of another applicant, or allowing another applicant to copy his or her answers during the examination;
- (c) having, during the examinations, books, notes, written or printed material, or data of any kind other than that distributed or authorized by the Board for the examination;
- (d) having, during the examinations, any type of electronic or communication equipment, or any other article prohibited by the Board.

Rule 9.4 - Violation of the Accreditation Process

Rule 9.4.1 The following acts, among others, shall constitute conduct that violates the rules of administration of the examinations, and shall be subject to penalties:

- (a) forging or distorting academic credentials or any other information required for gaining admission to the bar examination;
- (b) taking the place of an applicant;
- (c) having, or consenting to have someone take the bar examination in another's name.

Rule 9.5 - Communication with Board Members

Rule 9.5.1 No applicant may communicate, either directly or through third persons, with any member of the Board, or of a Board committee, or with Board

personnel, to inquire about any confidential matter concerning the applicant's identification or the preparation, contents, administration, grading, and evaluation of the bar examinations and the answers thereto, except in those cases in which the Chapter 11 reconsideration procedure is being used.

CHAPTER 10 - COPIES OF ANSWERS AND GRADING STANDARDS

Rule 10.1 - Rights of Failed Applicants

Rule 10.1.1 All applicants who fail the bar examination shall be entitled to:

- (a) examine his or her answers to the essay questions;
- (b) obtain a certified copy of the grading guidelines; and
- (c) obtain a certified copy of the answers to the essay questions he or she requests.

Rule 10.2 - Fees

Rule 10.2.1 To issue said copies, the Executive Director shall charge the following fees in Internal Revenue stamps: twenty dollars (\$20) for the answers to the General Bar Examination; ten dollars (\$10) for the answers to the Notarial Law Examination; and fifteen dollars (\$15) for the grading guidelines. For the issuance of a certified copy of any other document in the Board's files or possession, the Executive Director shall charge the same fee established for the issuance of certified copies of documents that are part of a court record. All applications for the issuance of certified copies shall be accompanied by the appropriate self-addressed, duly stamped envelope.

Rule 10.3 - Application

Rule 10.3.1 Any failed applicant who wishes to assert his or her rights under Rule 10.1.1 of these Rules shall file the application to such ends with the Executive Director within a period of ten (10) days following the date of notice of the results of the corresponding examination, by filling in the prepared form sent to all failed applicants along with the certification of the score received in the examination.

Rule 10.4 - Term to Send Copies

Rule 10.4.1 The Executive Director shall mail, or otherwise make available to the applicants who timely applied therefore, copies of their answers to the examinations no later than thirty (30) days after the date of notice of the results of the corresponding examination.

CHAPTER 11 - RECONSIDERATION

Rule 11.1 - Rights of Failed Applicants

Rule 11.1.1 Reconsideration may only be sought by failed applicants who have obtained a final examination score of up to fifteen (15) adjusted points less than the minimum passing score for that particular examination. If the term for applying for admission to the next examination runs out before the petition for reconsideration is decided, said term shall be extended for applicants whose petitions are pending.

Rule 11.1.2 Any failed applicant who wishes to seek reconsideration shall file a petition to such ends within a period of twenty (20) days following the mailing date of the certified copies of the answer notebooks. The twenty-day term is jurisdictional.

Saturdays, Sundays or legal midweek holidays shall be included in the computation of the term to seek reconsideration. Half-day holidays shall be considered as full-day holidays. The Civil Procedure Rule 67.3 additional term granted for service by mail shall not be applicable; hence, said three-day period shall not be added to the term set for seeking reconsideration.

Rule 11.1.3 If an applicant alleges that a computation error was committed, it shall not be necessary —unless otherwise determined by the Board— to seek reconsideration. In such cases, a written notice of such error given by the applicant to the Board shall suffice. The Executive Director may, at his or her discretion, make a decision after examining the case.

Rule 11.2 - Petition for Reconsideration

Rule 11.2.1 The petition for reconsideration shall be filed in the manner and style established by the Board through an operational manual. The Board may also establish any other requirement that may be necessary or convenient for processing the reconsideration petition. The Executive Director may, by administrative initiative, reject any petition that does not comply with the requirements or the procedure established by this Rule or by the manual. In that case, the executive Director shall state in writing the grounds for such decision.

Rule 11.3 - Reconsideration Procedure by the Board

Rule 11.3.1 Once the petition for reconsideration is filed, a Reviewing Committee composed of no less than three (3) Board members appointed by the Chairperson or the Executive Director shall consider the petition and submit its recommendation to the Board. However, petitions for reconsideration may be considered directly by the full Board if the Chairperson or the Executive Director should deem it convenient or necessary.

Rule 11.3.2 The Board shall notify its decision through a resolution certified by the Executive Director.

CHAPTER 12 - REVIEW BY THE SUPREME COURT

Rule 12.1 - The decisions of the Board will be final. They may be reviewed by the Court through a petition for certiorari filed within ten (10) days following notice of the decision of the Board. Said term is jurisdictional.

Rule 12.2 - The decisions of the Board of Bar Examiners regarding motions for reconsideration filed as prescribed in Chapter 11 of these Rules may be reviewed by the Supreme Court through a petition for certiorari only when it is alleged that an error in law was committed in the grading standards, or when a well-grounded allegation is made that the Board committed fraud or failed to comply with the grading procedures established in the Rules.

All decisions of the Board of Bar Examiners regarding motions for reconsideration filed as prescribed in Chapter 11 of these Rules, and that only seek reconsideration of scores assigned in keeping with the grading standards, will be final and may not be subject to review through petitions for certiorari.

Rule 12.3 - Saturdays, Sundays or legal midweek holidays will be included in the computation of the term for filing the petition for certiorari and the subsequent motion for reconsideration of the decision of the Court on said petition. Half-day holidays will be considered as full-day holidays. The additional term granted under Civil Procedure Rule 68.3 for service by mail will not be applicable; thus, said three-day period will not be added to the term established for filing the petition for certiorari.

The petition for certiorari will be perfected by filing said petition in the Office of the Clerk of the Supreme Court. Notice of said petition must be served on the Board within a period of seventy-two (72) hours following the filing date. The term fixed here must be strictly complied with. The Court may issue the writ of certiorari at its discretion.

The following procedures and/or formalities must be followed when filing the petition for certiorari:

- 1) One (1) original and nine (9) copies must be filed, as provided by Rule 40 of the Rules of the Court.
- 2) The caption of the petition for certiorari must state the name of the Court (In the Supreme Court of Puerto Rico), the name of the petitioner, and the name of the Board (Board of Bar Examiners) as respondent.
- 3) The cover page of the petition must contain only the caption and the name, mailing address, telephone and/or fax number of the petitioner and/or of his or her counsel, if any. This must be immediately followed by an index to the petition, made as prescribed by Rule 38 of the Rules of the Court.

- 4) The petition for certiorari must contain the following enumerated parts organized in the manner set forth herein: (a) citation of the legal provisions that establish the jurisdiction of the Court; (b) a reference to the resolution and/or decision of the Board that includes the date of said resolution and/or decision and the date of notice thereof; (c) a brief statement of the substantive and procedural facts of the case that are relevant to the petition for certiorari; (d) an assignment of errors; (e) a brief discussion of said errors; (f) a brief and concise recital of the issues of law raised in the petition, and the argument on the issues raised.
- 5) The petition may not exceed twenty (20) pages, exclusive of the index and the appendix.
- 6) An appendix shall be made a part of the petition, in keeping with Rule 34 of the Rules of the Court. Said appendix must contain a copy of: (a) the notice of the decision and/or resolution of which review is sought; (b) the resolution, decision, or order of the Board of which review is sought; (c) any other document that is part of the record and that may be useful to the Court for reaching a decision on the issuance of the writ.
- 7) When the petition for certiorari is filed as prescribed by Rule 12.2, the appendix must include a copy of the motion for reconsideration filed with the Board.
- 8) The filing of a separate memorandum of authorities will not be permitted; the arguments and the legal grounds must be included in the very body of the petition.

Once the Court resolves the petition for certiorari, a motion for reconsideration may be filed within the jurisdictional term of ten (10) days following notice of said resolution. The motion for reconsideration may not exceed ten (10) pages. A separate memorandum of authorities will not be permitted, and neither will be a petition for extension to provide grounds supporting the reconsideration sought. The citations of authorities must be included in the body of the motion. The Court will deny outright any petition for extension to file a motion for reconsideration or a brief in support thereof. Once the motion for reconsideration is decided, no subsequent petitions for reconsideration will be allowed.

CHAPTER 13 - INFORMATION FURNISHED BY APPLICANTS

Rule 13.1 - Confidentiality of Records

Rule 13.1.1 All the information submitted to, or obtained by the Board in the discharge of its functions, including, but not limited to information concerning the

applicant, his or her application, investigation reports, correspondence, records, and all other documents, shall be deemed confidential, and the Board shall keep all the documents submitted by the applicants until the time they are certified by the Committee on Character and transferred to the custody of the Office of the Clerk of the Court as provided by the Rules of the Court.

Rule 13.1.2 The information furnished by the applicants in (1) the Informative Statement of Applicant, (2) the Amendment to the Informative Statement of Applicant, (3) the Transcript of Credits, (4) the Applicant's Personal Information Codification Sheet, (5) the Score Report, and (6) any other specific document that the applicant is asked to furnish for purposes of determining his or her reputation or physical, mental, or emotional capacity, shall be deemed confidential. To such ends, these documents shall be kept apart in each applicant's personal record, in a sealed envelope classified as "NO ACCESS." Therefore, these documents shall not be examined by third persons unless disclosure of the same is authorized by the applicant or expressly ordered by the Court by resolution to such effect. The Board, however, may use the information contained in said documents to prepare its reports, studies, and statistical analyses in the discharge of its functions. The Board shall be specifically authorized to disclose said information and place the records at the disposal of the Committee on Character. Once the documents are certified by the Committee on Character, they shall be transferred to the Office of the Clerk of the Court.

CHAPTER 14 - REPORTS

Rule 14.1 - Reports

Rule 14.1.1 After each bar examination, the Board shall prepare and submit to the Court reports on the results of each examination.

Rule 14.2 - Publication of Examination Results

Rule 14.2.1 As soon as it is possible after the results of each examination are known, the Board will prepare and send to the Office of the Clerk of the Court, to the Library of the Court, to the Law Schools, and to any other entity determined by the Board, a list of passing and failed applicants, identifying the applicants by the number assigned to them for that purpose. The Board may also post the examination results online. After the applicants who have passed the General Bar Examination are sworn in as attorneys, a list with their names and addresses will be sent to the Puerto Rico Bar Association.

CHAPTER 15 - MISCELLANEOUS PROVISIONS

Rule 15.1 - Disposing of Answer Notebooks

Rule 15.1.1 After every bar examination, and after the term to seek reconsideration has elapsed, the Board may dispose of all the answer sheets and notebooks for essay questions belonging to passing applicants and to failed applicants who did not seek reconsideration. The answer sheets and notebooks of applicants who sought reconsideration and/or filed a petition for certiorari may be destroyed once the petition for certiorari is decided.

Rule 15.2 - Separability of Provisions

Rule 15.2.1 If, by virtue of legislation or legal provision, any provision of these Rules is declared void or ineffective in whole or in part, said provision shall be deemed as not included herein and shall not affect the validity of the remaining provisions of these Rules, which shall continue to be in full force and effect.

Rule 15.3 - Application of Other Rules

Rule 15.3.1 All the provisions of these Rules applicable to the General Bar Examination that are compatible with the provisions of these Rules applicable to the Notarial Law Examination shall be suppletorily applied. In everything not foreseen by these Rules, the Board shall act in keeping with the determination of its Chairperson, of the Court, or, by designation thereof, of the Executive Director, using his or her sound judgment and discretion.

Rule 15.4 - Amendment Procedure

Rule 15.4.1 Any amendment or addition of a new rule to these Rules shall be made by resolution of the Court.

Rule 15.5 - Additional Rulemaking Power of the Supreme Court

Rule 15.5.1 The Court reserves the faculty to take the measures it may deem necessary to handle situations not foreseen by these Rules, in such a manner that, in its sound judgment, best serves the interests of justice.

Rule 15.6 - Transitional Rules

Rule 15.6.1 Rule 10 (a), (b), and (c) of the Rules of the Board of April 1, 1983, as amended, shall apply to all filed petitions for reconsideration of the March 1998 examinations.

Rule 15.6.2 Rule 2 (a) (2) of the Rules of the Board of April 1, 1983, as amended, may apply to the following situations.

Applicants who graduated from foreign universities and whose applications were accepted under Rule 2 (a) (2), may complete the courses required by said Rule and file the pertinent application for admission to the examination on or before June 1, 2000. Likewise, applicants who graduated from foreign universities and whose applications were filed and are pending

acceptance under Rule 2 (a) (2), may complete the courses required by said Rule if their applications are accepted and if they file the pertinent application for admission to the examination on or before June 1, 2000.

Applicants who on the effective date of these Rules are pursuing law studies in foreign universities, and who complete their courses on or before June 1, 2001, may submit their applications under Rule 2 (a) (2) on or before that date. Once their applications are accepted, these applicants may complete the courses required by Rule 2 (a) (2) and submit the pertinent application for admission to the examination on or before June 1, 2003.

Rule 15.7 - Effectiveness and Repeal

Rule 15.7.1 These Rules shall become effective on June 1, 1998. Once in effect, the Rules of the Board of April 1, 1983, as amended, will be repealed, except in cases in which said rules must be applied as provided in Rule 15.6 on Transitional Rules.