The Character Committee: Overseeing Moral Character and Fitness

Katherine G. Nair
THE CHARACTER COMMITTEE:
OVERSEEING MORAL CHARACTER AND FITNESS

BY KATHARINE G. NAIR

Every law graduate who aspires to be an attorney must pass the twin trials of the bar exam and the character committee evaluation. This evaluation of applicants' moral character and fitness to practice law generally works in the negative: there is a search for occurrences in the applicants' lives that make them unfit for a career in the law. Toward this end, Character Committees require each applicant to provide voluminous information and the consents needed to verify and release that information. This results in a large scale invasion of commonly held notions of privacy. Doctor-patient confidences are breached; marital relations, particularly divorce, are probed; credit history is checked; police reports are investigated for all but the occasional parking ticket; and records of certain judicial proceedings expunged by law are unsealed. This article will discuss the character review process in Maryland and how it compares to the broad range of similar processes in other states. The article will focus on the degree of intrusiveness involved in the review process and whether such intrusiveness is justified and effective.

I. The Broad Purpose of the Character Committee

Why bother to have a character review process? The most often cited reason is to protect the public. Charles Dorsey, a member of the State Board of Law Examiners for the State of Maryland, went further, stating that law is a special calling and requires fitness above that of other professions. A lawyer is a "servant of the people," not only of his clients but of society at large. The Court of Appeals of Maryland has stated that "[n]o attribute in a lawyer is more important than good moral character; indeed, it is absolutely essential to the preservation of our legal system and the integrity of the courts." Committee members in other states reason that their role, in addition to protection of the public, is to secure a good public image and ensure a bar membership with shared values. There was also the suggestion that certification (and disbarment) mechanisms may foster the idea that the profession is self-policing and that the government need not consider regulation.

II. The Make-up of the Committee

The Court of Appeals of Maryland has set forth the rules governing character committees. There is a committee for each of the eight judicial circuits of the state. The Committee for Baltimore City ("Committee") has sixteen members, while other committees have no less than five members. Although the rules provide that the court of appeals appoints the members, Monte Fried, a member of the Character Committee for Baltimore City stated that upon a vacancy, the Committee seeks out an appropriate person who is then recommended to and appointed by the court.

In its selection process, the Committee tries to maintain a wide cross section in terms of race and gender. In choosing members, the Committee looks at large and small law firms, government attorneys and public interest attorneys. The composition of a character committee is crucial. As one Indiana board member stated, the character and fitness inquiry is "predominately subjective, . . . standards can be subject to constant change . . . depending on the mix of individuals . . . and contemporary professional standards." No formal mechanism exists to ensure diversity on character committees. Because the entire character and fitness evaluation is basically subjective, applicants from minority and non-mainstream backgrounds might be at a disadvantage before homogeneous committees whose members tend to reflect the same viewpoint. When Michael Schware, a former communist who had also changed his name, stood before the New Mexico Board in the mid-1950s, the board could not understand his explanation that a Jew might use an alias to get work, and not for nefarious purposes. Ignorant of history and reflecting gut-level political bias, the board probably believed that only dangerous subversives would join the Communist Party in the 1930s, despite the fact that it was a legal political organization which ran candidates on the ballots of most states. Although political discrimination has largely been abated, members of minority and disadvantaged classes are, in many areas, still subject to parochial and prejudicial standards because there is no official policy of diversification on the part of state bar examining committees.
III. Procedure

The Maryland Rules require that one or more members of a committee personally interview the applicant and verify the information given on the questionnaire before making a decision on whether to recommend admittance to the bar. Applicants who are denied are entitled to a full hearing in front of the entire committee. A written report on all applicants is sent to the state board regardless of whether the applicant is denied or approved. In reviewing the materials submitted by the committee, the board is not bound to follow the committee's recommendation. Even positive recommendations by the committee may be overturned at the board level. If the board makes a finding that admission should be denied, applicants may opt for a hearing. The hearing is under oath, with counsel and witnesses present. If the board remains unpersuaded, after this hearing, applicants may withdraw or seek de novo review by the court of appeals. The board's approval of an applicant is not necessarily final. A committee may file exceptions to the board's positive recommendation, thus forcing the issue to the court of appeals. It is not infrequent that the committee and board disagree, thus leaving the court to settle the issue for the last time.

Not all states provide a hearing for applicants in cases of denial. Since the early 1980s, forty percent of all states provided for one level of hearings, approximately one-third had two levels, and eight percent had three levels. Several jurisdictions make no provisions for hearings at any stage of the process. In Maryland, there are three levels of hearings available to an applicant: before the committee, the board, and the court of appeals. The hearings are formal and include court reporters, representation by counsel, and presentation of witnesses.

IV. The Interview

For many applicants, whose investigations have not revealed any negative information, the interview may be a time for a weighty discussion of law and the responsibility of lawyers. Baltimore City has written guidelines for the interview: verify identity; discuss student loans, work experience and career plans; review and develop incomplete/questionable data in the questionnaire; review and develop circumstances of criminal acts or unfavorable incidents, civil suits, etc.; and discuss the Rules of Professional Conduct. The interview can be critical for any applicant whose questionnaire has turned up suggestive information or is simply unclear or incomplete. Candor in completing the form and explanation of questions raised by the form are paramount. If the committee feels an applicant is insincere, evasive, or not candid—no matter how insignificant the issue—there is a chance that the application will be denied.

V. The Questionnaire

Scope. In Maryland, committee and board members generally desire as much information as possible on each applicant. Neither privacy nor confidentiality is a concern. The abundance of data requested on the application makes it difficult to hide any unpleasant incidents in the applicants' lives. At the same time, the questionnaire functions as a candor trap, which tests how honestly and meticulously an applicant has completed the questionnaire.

The court of appeals, however, has some limits on the allowable probing. For example, no questions may be asked about psychotherapy. This directive is based mainly on the need to avoid a possible chilling effect on access to psychotherapy by prospective attorneys as well as the constitutional concerns for privacy. However, Fried believes that the psychotherapy limitation will not affect his ability to evaluate candidates because people with serious psychological problems would invariably have problems in other areas of the questionnaire.

Unlike its Maryland counterpart, the Florida Board of Bar Examiners does not let the possible deterrent effect on access to psychotherapy shape its policies. Florida asks detailed questions regarding mental health. These questions are justified because "... such information is material to the compelling state interest of assuring the mental and emotional fitness ..., and a bar applicant waives any psychotherapist privilege that may otherwise exist by placing his or her emotional and mental fitness at issue before the board." Twenty-seven percent of the committees in other states request information on mental illness, with fewer than half of those states also requiring disclosure of emotional disturbance.

Another area in which Maryland has decided to limit inquiry is proceedings expunged under Maryland law. However, another question requires disclosure of any "unfavorable incidents" in the applicant's life. Whether an applicant must report expunged proceedings under this inquiry is unclear. Based upon the emphasis placed on candor by Dorsey and Fried, it may not be in the applicant's best interest to omit expunged proceedings.

Under Florida law, bar candidates must report expunged proceedings for offenses committed in Florida. However, the candidates cannot be forced to release expunged proceedings from other states. A member of the Florida Board of Law Examiners complains that "the work of the Florida Board has been hampered" by expungement statutes in other states which protect Florida applicants who simply "deny or fail to acknowledge" expunged proceedings elsewhere. Nationwide, twenty-four percent of states request expunged information. Thus, in the area of extremely intrusive inquiry—psychotherapy and expunged proceedings—Maryland shows a greater interest in protecting the privacy of its applicants than does a significant minority of other states.

Processing the Questionnaire. Dorsey and Fried state that all information given on the questionnaire is actually verified and documented. For a committee member who practices in a large firm, this is probably not an undue
burden. According to Fried, procedures have become routine and the work is done by secretaries of the member’s firm. Baltimore City receives approximately 300 questionnaires a year; statewide the figure is about 2000.23

Possibly overwhelmed by the huge volume of information generated by their questionnaires, committee members in other states do not verify information to the extent done in Maryland. The verification process elsewhere is limited to a check of local police and motor vehicle records and some employers. Some states do not even perform this cursory investigation.24

The Questions. The Maryland questionnaire undergoes periodic revision, but most of the content has not changed for many years. The opening questions cover routine information such as name, address, telephone number, social security number (optional), and date and place of birth. Also requested are any other names the applicant has ever used or been known by, the driver’s license number, and any restrictions on the license. Applicants must also provide a copy of their driving record for each jurisdiction in which the applicant has been licensed to drive for the previous three years. Maryland further requires a complete record of all motor vehicle moving violations, excepting parking tickets. Only eight percent of other states ask about moving violations or serious traffic offenses.25

The Maryland applicant must list names and addresses of his or her parents. The purpose of this question is unclear to Dorsey and Fried. Historically, a question of this type was meant to expose those who had changed their names from the foreign ones of their parents. Thirty-one percent of other states also ask for parents’ occupations.27 Some states even inquire about the spouse’s occupation and siblings’ occupations, although it is difficult to imagine what legitimate purpose might be served by these questions.28

The Maryland form requests full particulars on marriage, divorce, annulment, and where applicable, the following: the court, case number, date, grounds, and names and addresses of counsel for both sides. Dorsey and Fried indicated that this information was used to check if applicants were current on child support and alimony payments. There was no intimation on the part of the people interviewed that divorce itself was a character issue.

Other states are not quite as interested in marital information as is Maryland. Only forty-three percent of other states request marital status, and only one-third ask about divorce.29 At the other end of the intrusiveness spectrum, fourteen percent of states ask if married applicants resided with spouses and four percent want to know the reason if the answer is negative.30

In Maryland, applicants are asked to list places of residence, including zip codes, for the past ten years. This information is needed by the committee to run police checks.31 As any applicant will attest to, this is one of the more tedious parts of the application. It would seem that the committee could obtain the needed information without going back so far in time. All states require information on past residences, with more than one-half requesting as much as, or more information than Maryland.32

Moreover, data on education, beginning with high school records, must be supplied. Verification of high school graduation seems to be redundant and pointless because presumably, applicants would not be on the verge of graduating from law school without having finished high school. Furthermore, twenty-four percent of other states even request the name of the junior high school attended.33 Maryland applicants must also provide military records and draft status. Because the vast majority of applicants are long past registration age and, most likely, would long since have been brought to task for non-registration, the purpose of the draft status question is obscure. Virtually all states ask for similar details on educational background and military service.34

Information is required regarding the applicant’s credit history and bill paying habits. This section requests a list of all bills more than ninety days delinquent, which may spur applicants into settling these accounts, thus benefitting creditors. However, the value of this information to the committee is questionable. Other states are not particularly interested in this subject. Only twenty-seven percent ask about overdue debts.35

The Maryland applicant is asked to provide a detailed listing of all civil and criminal judicial proceedings, including arrest records, even if not convicted. Few states ask the blanket sort of questions found in the Maryland questionnaire, instead targeting certain issues. Civil proceedings were of greater interest than criminal, with the greatest interest being in creditor judgments or unsatisfied judgments (69%), followed by bankruptcy (63%), being a party to or having an interest in any civil proceeding (63%), and being charged with fraud or misrepresentation (59%).36 Interestingly, only eighteen percent of other states asked specifically about embezzlement, conversion, or breach of fiduciary duty, all areas which would certainly reflect upon an applicant’s moral character.37

In the criminal area, fifty-nine percent of other states require disclosure of convictions.38 Arrest records were requested by forty-nine percent,39 though such records have only marginal bearing on criminal conduct and arguably, may be more prejudicial than probative. A smaller number of states scrutinize other equally doubtful matters. In other states, applicants are asked whether they have been accused of a crime, been the subject of investigation, been served with a criminal summons, been requested to appear before any prosecutor or investigative agency, been granted or offered immunity, been involved as a witness in a criminal case, or pled the fifth amendment.40

Under the employment section, the questionnaire requires the applicant to list all jobs held during the past five years and the reasons for leaving those jobs. The applicant
is specifically asked whether he or she has ever been fired or asked to resign. Certification forms are sent to each employer listed, asking, among other things, if the applicant had been terminated and the reason for such action. Employment history is requested by eighty-eight percent of other states. About one-third of these states require the applicant to list all jobs held from age 16 or earlier, covering virtually every job an applicant has held.

The Maryland application has no questions aimed at exposing supporters of subversive political ideas. In fact, there are no overt or covert political questions of any kind, and this has been true for many years. However, approximately one-quarter of other states ask about memberships in groups advocating the overthrow of the government and about the applicant's views in this area. The applicant's loyalty to state and U.S. Constitutions are also questioned.

In Maryland, the applicant must list five references who have known the applicant well for at least five years. These individuals are sent a form reference letter which asks several questions in order to determine the applicant's moral character. The reference is asked to state the capacity and circumstances in which they have known the applicant and to describe any opportunities they have had to observe the applicant. The reference is further asked to describe any incident which may reflect unfavorably upon the applicant's character. Finally, the reference is asked whether the applicant should be admitted to the Bar and to provide comments. These references are of questionable value, however, because an applicant is unlikely to list anyone who would provide negative comments. Nevertheless, seventy-three percent of other states require between two and five personal references, while only twenty-two percent ask specific character questions.

To complete the Maryland questionnaire, one must certify that the Rules of Professional Conduct and the Canons of Judicial Ethics have been read, and must also write (not type) an essay on "why adherence to a specified Rule . . . (the applicant chooses one) is important to maintain the standards and ideals of the legal profession." In North Carolina, the purpose behind a similar type of handwritten essay was to obtain a handwriting sample. However, according to Dorsey, Maryland has no such motives, and many committee and board members find the essays useful and interesting.

In summary, Maryland's Character Questionnaire is probably more extensive and well-thought out than those of most states. While Maryland is more inquisitive than other states on matters of divorce and credit history, this intrusiveness serves a laudable purpose in scaring anxious applicants into paying past due bills and support payments. However, it is difficult to understand how such a practice helps to measure character and fitness. It might even be argued that it demeans the committee's mission. Also, Maryland seems liberal compared to a large minority of other states in observing expungement and privacy regarding psychotherapy.

VI. Consideration of Criminal Character

The U.S. Supreme Court has held that states may not consider, as a qualification for the bar, characteristics that do not "have a rational connection with the applicant's fitness or capacity to practice law." Beyond this rather nebulous formula, however, there is not much guidance for states in determining bar qualifications. Almost anything may be considered to be rationally connected with fitness to practice. New York has gone so far as to consider the accumulation of unpaid parking tickets to be indicative of character and fitness to practice law.

In Maryland, a criminal record, per se, is not sufficient to disqualify one from the bar. Indeed, Maryland was the first state to admit an unpardoned felon to the practice of law over fifteen years ago. Dorsey believes the key considerations in admitting an applicant with a criminal past are candor, remorse, rehabilitation and the nature of the crime. When evaluating the applicant, he considers what deficiency originally caused the trouble and whether such problem has been rectified. Rehabilitation, according to Dorsey, is more than just staying clean for a number of years; it means having a record of active involvement and positive service in the community.

For non-felons, Fried believes that it is probably sufficient for applicants to prove that they are now fit for admission. A felon, however, needs to remain straight for a number of years and contribute to society. All miscreants, according to Fried, must freely admit their guilt (even if not convicted), express remorse and take responsibility for their transgressions. Fried further stated that pleas based on a deprived background or broad social conditions beyond the control of the applicant are not appreciated by the committee.

The Baltimore City Committee has established guidelines to assess the weight and significance of prior conduct: (a) age at time of conduct; (b) recency of conduct; (c) reliability of information regarding the conduct; (d) seriousness of the conduct; (e) circumstances underlying the conduct; (f) cumulative effect of a pattern of conduct; (g) candor in the admission process and at the hearing; and (h) materiality of any omissions or misrepresentations. This list however, does not include the nature of the conduct, or whether the suspected character flaw involved is pertinent to the practice of law.

The Court of Appeals of Maryland has established some tests for consideration of applicants who have criminal backgrounds: the nature of the offense, how long ago the offense was committed, evidence of rehabilitation and most importantly, a showing of complete rehabilitation. The burden of proof is on the applicant.

Of course, candor is paramount. In the Application of Michael M., the defendant had been convicted of two misdemeanor theft offenses during his undergraduate years.
Although he listed these offenses on his character questionnaire, he failed to enter them on his application for law school. While the board recommended Michael M.'s application, the court rejected that recommendation, finding no evidence of rehabilitation. In *Allan S.*, the applicant also committed two petty theft offenses, but at no time did he try to hide those offenses. Allan S. was admitted by the court. In addition to having impressive recommendations, he had not been involved in any misconduct since the thefts.

In re Application of G.L.S., the applicant, a convicted felon who served approximately six years for driving the get-away car in the armed robbery of a bank. During his time in prison, the applicant began to turn his life around by earning a high school equivalency diploma and by becoming a model prisoner. After release, he earned a Bachelor of Science and then a law degree. Both the board and committee were deeply impressed by the depth of G.L.S.'s rehabilitation; however, the applicant had given less than complete information on his Character Questionnaire. The committee found that, although the answers were not as comprehensive as usually required, this was not an attempt to hide the truth because there was enough to alert the investigator to the need for more information. The board noted that the failure to supply enough information on the questionnaire was indicative of lack of candor which raised the possibility of a character flaw. However, the board found "that the magnitude of the rehabilitation demonstrated adequately offsets the evidence of imperfect character represented by the answers offered by the [applicant]."

Applying the tests developed in the case of *Allan S.*, the court held that the applicant should be admitted to the bar. His only offense, while a serious one, occurred fourteen years earlier, when he was nineteen years old. The applicant had taken full responsibility by admitting the criminality of his act. He made a convincing case for his rehabilitation which occurred over several years beginning in prison when he started working on his G.E.D. With regard to the incomplete responses on the questionnaire, the court cited his fully completed law school application as evidence of candor in a similar situation and the fact that the answers could not be considered attempts to conceal any information.

Practice in other states in dealing with criminals is difficult to assess. The major focus of courts has been whether the applicant has been successfully rehabilitated. No convicted murderer had been admitted to any state bar as of 1987, although two have tried. Between 1983 and 1987, out of eighteen applicants who had committed serious offenses, only two applicants gained admittance to the bar. One clear pattern of courts has been its frequency in reversing decisions of the board. Of the eighteen cases, the courts have affirmed only eight decisions.

VII. Consideration of Mental and Emotional Fitness

Psychological fitness is pivotal in determining admission to the bar. The Maryland applicant must reveal information on voluntary and involuntary institutionalization for mental illness, as well as addiction to or treatment for use of alcohol, narcotics or drugs. If an applicant answers affirmatively on the subject of institutionalization, he may be asked to undergo a psychiatric evaluation with the committee or board choosing the psychiatrist. In Maryland, mental and emotional fitness have not been grounds for denial of admission. However, as Fried remarked, it is not at all unlikely that many applicants with criminal and legal problems may have mental and emotional problems as well. Seventy percent of other states request information on addiction and treatment for the use of alcohol or drugs, and more than forty percent inquire about institutionalization.

Florida, as already stated, requests full particulars about any mental or emotional problem. Applicants with a diagnosis of mental illness (even though it may never have caused any problems relevant to legal practice) are placed on a probationary status for no longer than three years or for an indefinite period if deemed appropriate by the Florida Supreme Court. The board requires quarterly reports from a psychotherapist that the attorney has faithfully taken medications (if needed), has attended therapy sessions and is fit to practice law. Florida committee members are urged to make use of the Diagnostic and Statistical Manual—a guide published by the American Psychiatric Association classifying different mental disorders. The committee members are essentially instructed to make psychiatric decisions concerning applicants based upon the manual and their personal experience.

Although Maryland's Character Questionnaire is certainly less intrusive than Florida's, both raise serious concerns. It is not at all clear that the practice of requesting certain types of information has been adequately examined to determine relevance or reliability. A rational procedure ought to evaluate the reliability of information in predicting fitness to practice law. The use of psychotherapy is not necessarily an indicator of fitness to practice law. The factors that lead to voluntary hospitalization also may have no connection to the law. The diagnoses of mental health professionals may not be sufficiently reliable to determine fitness to practice law.

Although the issue has not yet been addressed, the American with Disabilities Act of 1990 ("ADA") may make this entire area of inquiry a moot point. The ADA defines "disability" as a "physical or mental impairment that substantially limits one or more of the major life activities of such individual." Therefore, under the ADA, it would appear that the State may not be able to reject an applicant on the basis of a classified disability such as a mental problem or alcoholism.

VIII. Satisfaction with the System

Both Dorsey and Fried were generally satisfied with the
present workings of the system. They believed that the process is effective in keeping the unfit from admittance. The major expression of dissatisfaction was with the declining moral quality of applicants, many of whom were said to have the attitude that because they had completed law school the world owed them a very good living. Far too many applicants had no more than a shallow understanding of the ethical issues involved in lawyering. Dorsey placed blame for this shortcoming on law schools, which fail to inculcate the noble goals of the profession.

Both interviewees saw their program as entities unto themselves. The sentiment expressed was that once the final recommendation has been made and the admission process completed, their responsibility ceased. There was no interest in the idea that character review could be or ought to be closely coordinated with procedures for attorney discipline.

IX. Conclusion

Are the invasions of privacy in Maryland's character questionnaire justifiable? The practices that are an admitted affront to notions of privacy probably do not produce results commensurate with the degree of deprivation of privacy. Only a small number of applicants are rejected by the character process.76 The available records show that most of these people have very substantial records of wrongdoing. No rejections were based upon delinquency in paying bills, bad credit history, failure to register with the draft, psychiatric problems, academic infractions, or employment problems.

The character review process cannot be viewed as effective in protecting the public from the misdeeds of attorneys. Proponents of the process claim that it is highly effective in eliminating unqualified candidates at the time of admission to the bar. However, it is generally acknowledged that there are legions of shoddy, unethical lawyers. Either these lawyers abandoned their moral and ethical standards after admission to the bar, or, the character committee is not effective in accomplishing their stated purposes. Many of the members of the Maryland character committees and the Board of Law Examiners are liberal, compassionate people in whom few would hesitate to confide their darkest secrets. However, there is no guarantee that this will always be the case. Meanwhile, the character process is a wholesale violation of privacy unredeemed by substantial results.

A more effective questionnaire might be one that targets serious offenses (both criminal and non-criminal) committed by prospective lawyers. No information should be required unless it has been determined to be a reliable predictor of fitness to practice and unless there is no less intrusive way to determine fitness. Most importantly, the character review process should be seen as the first (and quite small) step in the overall process of maintaining quality in the legal profession. The fact is that most newly-minted attorneys are too young to have been exposed to the temptations of the real world. There is no way to predict how they will respond. It is, therefore, incumbent upon those who care about the profession to create a system that will genuinely oversee the behavior of practicing lawyers. The work of the character committee would be the preliminary phase in a process that undertakes to ensure that attorneys more faithfully follow the precepts of their noble calling.

Endnotes

1 There are three major sources for this paper: an interview with Charles Dorsey, a member of the State Board of Law Examiners for the State of Maryland; an interview with Monte Fried, a member of the Character Committee for the Eighth Judicial Circuit (Baltimore City); and information gathered and analyzed by Professor Deborah Rhode of Stanford University, in an extensive and definitive study, "Moral Character as a Professional Credential." Although data in Prof. Rhode's study was gathered prior to 1985, this should not cause any great inaccuracy. Character Committee standards and procedures change at a very slow pace—Maryland has had no major changes for many years.
3 Interview with Charles Dorsey, Member of the State Board of Law Examiners for the State of Maryland, in Baltimore, Maryland (Nov. 6, 1991).
5 Rhode, supra note 2, at 509-12.
6 Id.
8 Interview with Monte Fried, Member of the Character Committee for the Eighth Judicial Circuit of Baltimore City, in Baltimore, Maryland (Nov. 14, 1991).
9 Jerome L. Withered, Some Thoughts on Character and Fitness, 55 B. Examiner 21, 22-23 (Nov. 1986).
11 See supra note 7.
12 Rhode, supra note 2, at 507 n.69.
13 Interview with Dorsey, supra note 3.
14 Interview with Fried, supra note 8.
15 Interview with Dorsey, supra note 3; interview with Fried, supra note 8.
16 Interview with Fried, supra note 8.
17 Interview with Dorsey, supra note 3.
19 Rhode, supra note 2, at 595.
21 Rhode, supra note 2, at 576.
22 Interview with Fried, supra note 8.
23 Interview with Dorsey, supra note 3.
24 Rhode, supra note 2, at 564 n.337.
25 Id. at 594.
26 Id. at 576.
27 Id. at 593.
28 Id.
Interview with Fried, supra note 8.

Rhode, supra note 2, at 597 n.3.

Id. at 593.

Id. at 595.

Id.

Id. at 594.

Id. at 593.

Id. at 597.

Id. at 596.

Id.

Id. at 565.

Schware, 353 U.S. at 239.

Rhode, supra note 2, at 537.

Interview with Dorsey, supra note 3.

“Checklist for Character Investigation,” Baltimore City Character Committee.

Allan S., at 690, 387 A.2d at 275.

Id. at 692, 387 A.2d at 277.

See Id. at 692, 387 A.2d at 277 n.2.

Id.

Id. at 692, 387 A.2d at 276-77.


G.L.S., Id. at 391, 439 A.2d at 1114.

Id. at 383, 439 A.2d at 1110.

Id. at 391, 439 A.2d at 1114.

Id. at 398, 439 A.2d at 1118.

Id. at 396, 439 A.2d at 1117.

Id.

Id.

Stuart Duhl, Character and Fitness—Rehabilitation Revisited, 56 B. Examiner 13 (Feb. 1987).

Id. One applicant was convicted of second degree murder, the other applicant was convicted of involuntary manslaughter.

Id. at 22-24.

Id. at 15.

Interview with Dorsey, supra note 3.

Rhode, supra note 2 apps. at 595-96.


Id. at 21.

Id.

Id. at 19.

Id.


Id. at § 12102(2).

It is impossible to get an exact accounting of denials. Discouraged applicants may withdraw after the board hearing but before the court review. Also, more than a few who are denied return a few years later. The total number of hearings for the entire state is about 15 out of approximately 2,000 applications. Even if it is assumed that all of these 15 are denials, the rate of rejection would be still no more than 0.75%.

About the Author: Katherine G. Nair was awarded a J.D. from the University of Baltimore School of Law in May, 1993. She plans to establish a general practice of her own upon being admitted to the bar in Maryland. Ms. Nair's contribution to this issue of the Law Forum was awarded the Hoffberger Prize for the best paper on lawyers' ethics and professional responsibility during the 1991-92 academic year.
THE CAREER SERVICES CENTER
would like to assist you
with
ALL YOUR PROFESSIONAL STAFFING NEEDS

Please turn to us to find the finest
LAW CLERKS
RESEARCH ASSISTANTS
ASSOCIATES
TEMPORARY ATTORNEYS
STAFF ATTORNEYS

To list a position, or for more information please contact
Karen Rae Hammer
Assistant Dean

at
THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW
1420 North Charles Street
Baltimore, MD 21201
(410) 837-4405

SMH MARYLAND BAR REVIEW
FOUNDED IN 1964 - SERVING MARYLAND SINCE 1980

Out-Of-State Attorneys' Course
Law Components
• Written material - full text, summary outlines, flashcards, and checklists
• Lectures (live, videotape, and audiotape)
Practice Components
• "How To" class and outline
• Over 75 Maryland essay questions (with written analysis)

Other Course Offerings
• Bar candidates' courses for 22 other states
• Multistate Professional Responsibility (MPRE) Course
• The Writing Workshop

Discounts
• Up to 20% for early registration
• Over 45% to multiple-time non-SMH alumni
• 40% to second state SMH alumni
• Over 75% to SMH Maryland retakers

For additional information or printed literature, call 410-529-9220 or 1-800-927-6536.

Maryland Bar Candidates' Course
Law Student Package
• Written material - "How To" booklet, 2-volume Law School Summaries, and the Flashcard System
• Exam Review Lecture Series

Main Course Law Components
• Written material - full text, summary outlines, flashcards, checklists, testable points of law, and end-of-course Supreme Court and Maryland updates
• Lectures (live, videotape, and audiotape)

Main Course Practice Components
• "How To" class
• Workbook (with study strategy and practice plan)
• Over 2,000 multistate questions (with Interactive computer diagnostic analysis)
• 225 Maryland essay questions (with written and oral analysis)
• Three 30-minute personalized critiques (with approach charts)
• Four 2-day simulated bar exams (with analysis)