

Tips and Frequently Asked Questions – Reciprocity Applicants

Application Information

You should review all instructions, on the WVBLE and NCBE sites, carefully and gather copies of necessary and helpful documents, such as undergrad and law school admission applications, documents from creditors, documentation of legal proceedings, residence history, driving records, etc.

Your application data will be saved in your NCBE online account as you work on it, and you may log in at any time to answer remaining questions and upload documents, if applicable, as you have them available.

Do not use responses such as “will provide later” as your application may be considered incomplete and/or your investigation process will be delayed.

You will want to confirm all entries carefully before application submission. If you make errors (typographical or otherwise) and are required to submit additional details to NCBE this can delay your character and fitness investigation.

Add “@ncbex.org” and “@courtswv.gov” extensions to your email address book and check your “junk” or “spam” folder to make sure you don’t miss any correspondence. Monitor your NCBE account as well as the email address(es) you provide in your application to avoid delays and confirm you are responding promptly, and within deadlines, to NCBE and WVBLE requests.

You must complete the forms and affidavits as provided. These may not be modified. The Board cannot make advisory opinions. An application must be filed according to the Rules and instructions. There are no waivers to the Rules or instructions.

Q. When may I submit my application?

A. Applications for admission on motion/reciprocity are accepted throughout the year.

Q. How long does it take to be admitted?

A. This depends on how precisely you complete the application and the information in your background. The NCBE recommends allowing six months for processing of the character and fitness background investigative report. Your character interview will be scheduled after all required credentials (including a passing score on the MPRE) and the NCBE’s report have been received in our office. In the event your personal or professional history includes criminal charges, financial issues, conduct reflecting a lack of fitness to practice, educational or professional discipline, or other evidence of a lack of good moral character, you may be required to meet with the Board at one of its biannual meetings in November or May. Applicants must appear in person before the Justices of the Supreme Court of Appeals of West Virginia to be admitted. Admissions ceremonies are typically held every few months during the two terms of the Court each year.

Q. May I submit a request for a Supplemental report through the NCBE?

A. If your Character Report in another jurisdiction was prepared by the NCBE within three years of your application to our jurisdiction, and the original jurisdiction releases the original report, our jurisdiction will accept a supplemental report from the NCBE. Completion of a new application (by answering all questions under the West Virginia application) is required.

Q. What if I don’t see the jurisdiction in which I am licensed on the Reciprocity List?

A. The *Reciprocity List* on this website is kept current. If we do not share reciprocity with the jurisdiction in which you are licensed: 1) if you meet all other Rules requirements, you may apply to sit for the examination; 2) you may consider becoming licensed in a jurisdiction with which we share reciprocity and after being admitted there (thus meeting this Rules requirement), you may then apply to West Virginia on that basis as long as you meet all other requirements listed in the *Rules for Admission to the Practice of Law*. Your years of active practice need not have been achieved in the jurisdiction with which we share reciprocity.

Q. How much is the application fee?

A. The fee schedule can be found under the *Fee Schedule* tab on the website. In addition to the application fee payable directly to this jurisdiction, all applicants must pay the NCBE separately for the character and fitness background investigative report.

Q. Should I send the application and all of the supporting documents at the same time or may they arrive separately?

A. You must submit all credentials at the same time in one envelope, except for transcripts and MPRE score transfer that may be issued by email. If you are waiting to sit for an MPRE administration, you should include the date of the test administration for which you are registered in an application cover letter.

Q. I have practiced in a jurisdiction with which you do not share reciprocity for over five years but have only been licensed in a jurisdiction with which you share reciprocity for two years. Am I eligible to apply by reciprocity?

A. As long as you meet all other Rules requirements, your years of active practice need not have been achieved in the jurisdiction with which we share reciprocity. Please see Rule 4.0 (b) of the *Rules for Admission to the Practice of Law*.

Q. What general concerns should I be aware of?

A. Make sure you are familiar with the *Rules for Admission to the Practice of Law* and *Rules of Professional Conduct*. You will be expected to understand and abide by these throughout the application process.

Q. I don't know the exact dates/details ... I was employed, lived at a residence, received a traffic citation, etc.... what do I do?

A. Fill out the application as precisely as possible. Create as accurate a timeline as possible. If you cannot recall details of traffic citations, contact your insurance provider or the DMV for your driving history. If you cannot recall past residences, check your old tax returns, emails, and old addresses saved under online shopping sites. Failure to provide complete information about prior employment, residences, and other matters will delay the processing of your application, which can delay your admission. Be as thorough and accurate as possible in answering the questions. Include "Details" to clarify your application responses.

Q. I recently applied in another jurisdiction and am not yet admitted ... how do I respond to this application request?

A. The information you provide in your application should be current at the time you complete it. As timely as possible, you will want to complete an amendment form with the NCBE and an update form with the WVBLE noting any changes to your application and providing required credentials (copies of applications, original Certificates of Good Standing, etc.) when applicable.

Q. What if the place I was employed is no longer in business or I'm unable to identify a contact at a former employer?

A. Find someone (who is unrelated by blood or marriage) willing to accept the correspondence from the NCBE who will verify your employment. You should contact all the references you list in your application to confirm current contact information (preferably email) and to notify them they should expect this correspondence from the NCBE. The ideal contact is a supervisor who can confirm your employment, but if that person is not available try the human resources or records department, a co-worker or client who is aware of your employment. Include the contact information for your reference if different from the required employer information. Add “Details” to clarify your responses. If you do not provide complete or correct responses this can delay your character and fitness investigation, and in turn can delay your admission.

Q. When and how will my references be contacted... what will they be asked?

A. The NCBE will carefully review your application following intake (including payment) and confirm dates and addresses – under education, employment, residences – appropriately match. They will reach out to references, typically by email, following this. References will be requested to confirm the details you have provided regarding their association with you.

Q. Do I need to have known references for 5 years? Must I have one person from each geographic location?

A. Review the application instructions carefully. Note that it is requested you have six references, “preferably” known for a minimum of five years, and “encouraged” to include a reference from every locality you have lived. Be sure to not include anyone related by blood or marriage, anyone living with you, or anyone listed under your *Employment History*.

Q. Must I list all civil actions I have been a party to, including large class actions?

A. Follow the instructions as noted under the application question and reply as requested regarding “any civil action” to which you have been a named party. Be sure to provide a copy of the required documents, for each response, as requested on the application to the NCBE and the WVBLE.

Q. I got behind on my credit card payments ... do I have to report this ... will it hurt my character and fitness determination?

A. You must report your finances according to the application questions. Knowledge of your financial situation and a plan moving forward to address any issues will not hurt you; lack of candor can delay or prohibit admission.

Q. What documents must I include in my application copy to West Virginia?

A. In addition to the items listed under the instructions on the West Virginia website, you must provide all required attachments as listed on the application (legal proceedings, financial responsibility, military, etc.), if applicable; if you no longer have these materials, contact the issuing agency and if they no longer have copies of these available to you, provide their response in writing. This required material must be provided to the WVBLE and NCBE with your application submission to process your application.

Q. I am inactive in a jurisdiction ... do I have to provide the application copy or Certificate of Good Standing since I no longer practice there?

A. The *Rules for Admission to the Practice of Law* require applicants, “must be in good standing in every state in which he or she has been admitted to practice...” If you are no longer active in a jurisdiction in which you were previously admitted, you are required to provide a Certificate showing you were in good standing at the time you went inactive (see the State of West Virginia Supreme Court of Appeals Memorandum Decision *No. 18-0433 (2019)*). The instructions require this Certificate come from the Clerk of the Supreme Court (or other agency if noted in the linked list in the instructions).

Q. What is the MPRE requirement and where do I take it?

A. Information on and registration details for the Multistate Professional Responsibility Exam (MPRE) is available on the NCBE's website at ncbex.org. It is typically held in March, August, and November.

Q. I took the MPRE 5 ... 15 ... 25 years ago for admission in another jurisdiction. Will I be able to transfer that score to WV?

A. Per Rule 4.4 of the Rules for Admission to the Practice of Law, a passing MPRE score must be achieved on an examination administered within (before or after) 25 months of application for admission (postmark date). The MPRE may be taken after your application has been received in our office, but a passing score must be achieved before admission.

Jurisdiction-Specific Character and Fitness Interview

Q. When will I be interviewed?

A. The interview will typically occur following completion and receipt in the WVBLE office of the NCBE report and submission of all required credentials, including updates.

Q. Where will I be interviewed?

A. You will be interviewed in or near the county you enter on your application. This county should be the one where you will primarily practice or where you are residing, as interviews are typically conducted during the work week (M – F, 9 – 5). If you will be living out of state at the time of the interview, choose the county that is most geographically convenient for your travels.

Admission

Q. Do I have to attend the Supreme Court of Appeals Admission Ceremony?

A. You must be physically present in the courtroom before the Supreme Court of Appeals for the entry of your license and admission order. Attorneys are sworn in during scheduled admission ceremonies, which are typically held every several months during the two terms of the Court each year. If a date has been scheduled, details on this will be made available to applicants as soon as they are deemed eligible for admission.

Q. Are guests allowed to attend the admission ceremony?

A. Guests are welcome. You may obtain details on the Court's (argument) webcast and call-in line on the website at <https://www.courtswv.gov/appellate-courts/argument-webcast> to share with family unable to attend.

Post Admission

Q. When will I receive my West Virginia Bar ID/number?

A. Membership in the West Virginia State Bar is mandatory in this jurisdiction and their office will contact you within several days following admission with important information, including dues, Bar ID#, IOLTA, and CLE requirements.

Q. How do I get admitted to practice before the United States District Court?

A. When the opportunity is available, the United States District Court for the Southern District of West Virginia, with a Courthouse in Charleston, West Virginia, may hold admissions following the admissions ceremony before the Supreme Court of Appeals of West Virginia. If coordination of these events is not possible, all those admitted to the West Virginia State Bar may seek admission to this

and/or the United States District Court for the Northern District of West Virginia by following the admissions instructions on those Courts' websites.

Q. How do I obtain a copy of my WV application, MBE Score, Exam Score, MPRE Score, Certificate of Good Standing, etc. for application to another jurisdiction?

A. Review the *Prior Application and Score Requests* page on the WVBLE website for information on these requests.