

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 934

Introduced by Morfeld, 46; Briese, 41; Cavanaugh, 6; Hansen, M., 26;
Hunt, 8; La Grone, 49; Pansing Brooks, 28; Wayne, 13;
Williams, 36; Wishart, 27.

Read first time January 10, 2020

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to attorneys at law; to amend sections
- 2 7-101.01 and 7-102, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to the authorized practice of law by certain law
- 4 students; to eliminate a bar examination requirement for graduates
- 5 of an accredited law school in Nebraska; and to repeal the original
- 6 sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 7-101.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 7-101.01 The Supreme Court may by rule or order authorize students
4 pursuing a course in instruction in an accredited a law school in the
5 State of Nebraska and who have successfully completed their junior year
6 of instruction which students when graduated are eligible ~~to take the~~
7 ~~examination~~ for admission to the bar of this state to practice as
8 attorneys or counselors at law upon such terms and conditions, and with
9 such supervision, as the Supreme Court may prescribe.

10 Sec. 2. Section 7-102, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 7-102 (1) Admission to the Nebraska bar shall be governed by
13 admission standards and procedures established by rules adopted by the
14 Supreme Court. Such standards may include, without limitation,
15 educational requirements, character and fitness standards, and, except
16 for graduates of an accredited law school in the State of Nebraska, the
17 requirement to take and satisfactorily perform ~~satisfactory performance~~
18 on a bar examination testing the applicant's knowledge of such legal
19 principles as the court may determine. No person shall be admitted to the
20 Nebraska bar, nor permitted to retain such admittance, unless it is shown
21 to the satisfaction of the Supreme Court that such person is of good
22 moral character. The Supreme Court may appoint a bar commission,
23 designated as the Nebraska State Bar Commission, composed of not less
24 than six persons learned in the law to assist in or conduct any bar
25 examination and, by rule of court, to assist the Supreme Court in matters
26 pertaining to bar admission.

27 (2) The application for admission to the bar shall include the
28 applicant's social security number. Each applicant shall submit to the
29 bar commission with the application for admission a complete set of his
30 or her legible fingerprints along with written permission authorizing the
31 set of fingerprints to be forwarded to the Identification Division of the

1 Federal Bureau of Investigation, through the Nebraska State Patrol. Upon
2 request by the bar commission, the Nebraska State Patrol shall undertake
3 a search for criminal history record information relating to the
4 applicant, including transmittal of the applicant's fingerprints to the
5 Identification Division of the Federal Bureau of Investigation for a
6 national criminal history record information check. The criminal history
7 record information check shall include information concerning the
8 applicant from federal repositories of such information and repositories
9 of such information in other states if authorized by federal law. The
10 Nebraska State Patrol shall issue a report to the bar commission and to
11 the applicant which includes the criminal history record information
12 concerning the applicant. The fingerprint record check provided for in
13 this subsection shall be solely for the purpose of evaluating and
14 confirming information provided by the applicant for admission, except
15 that if the applicant appeals a denial of admission to the bar or a
16 refusal of permission to take the bar examination, the filing of such an
17 appeal with the Supreme Court shall constitute a release of the
18 information obtained from such a fingerprint record check for purposes of
19 the appeal.

20 Sec. 3. Original sections 7-101.01 and 7-102, Reissue Revised
21 Statutes of Nebraska, are repealed.