

AUTHORITY OF CHARACTER AND FITNESS BOARD

(a) The Character and Fitness Board shall have the power and authority to:

(1) conduct hearings concerning matters of character and fitness bearing on the qualification of applicants referred to the Character and Fitness Board by Bar Counsel and of all petitioners for reinstatement;

(2) request medical or other treatment records, and hear testimony from and ask questions of medical or other treatment providers in accordance with APR 22.1(e) and (f);

(3) request an applicant to submit to an independent medical examination in accordance with APR 24.1(f);

(4) recommend the approval or denial of an applicant's application after hearing; and

(5) issue subpoenas to compel attendance of an applicant or witness, or the production of books, documents, or other evidence, at a deposition or hearing, on the Character and Fitness Board's behalf or at the request of an applicant. Subpoenas shall be served in the same manner as in civil cases in the superior court; and

(6) perform such other functions and take such other actions as provided in these rules or as may be delegated to it by the Board of Governors or Supreme Court, or as may be necessary and proper to carry out its duties.

(b) No Character and Fitness Board member shall offer an opinion to an applicant on whether the applicant's record establishes good moral character and fitness to practice law until after the completion of a hearing regarding that applicant's application or petition.

[Adopted effective September 1, 2016; Amended effective September 1, 2017.]