

# **WHAT YOU SHOULD EXPECT AT YOUR TEXAS BOARD OF LAW EXAMINERS' CHARACTER HEARING**

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## **Getting There & Docket Call**

The building itself that houses the Texas Board of Law Examiners is near the NW corner of W. 14th Street. 14th Street is divided by the Capital Building and does not go through. On the other side of the Capital Building it is E. 14th Street. This makes it difficult to locate for someone not familiar with the area or Austin.

The next problem is that there are no public parking garages. Parking is coin metered on the streets and you may find yourself spending a fair amount of time looking for an open space, only to find one several blocks away. Additionally, the maximum is 2 hours, which means you have the problem of getting back to the meter and resetting it.

Until the docket is called, you do not know what order you will be called in. "Character" Hearings are scheduled first on the docket, and the estimated time can be anywhere from 30 minutes to several hours, depending on the case.

To solve the parking and parking meter issues, it is primarily recommended to either take a cab; or allow at least a half hour to find parking and walking to the correct address (and finding it may be sometime else as previously pointed out). The Texas Board of Law Examiners is on the 5th Floor.

Docket call is at 8:50 a.m. The Staff Attorneys will come out and call the docket and give you an estimate of the docket timing as stated above. One advantage is that Applicants/Respondents who are represented by legal counsel are usually scheduled first. However, you may still not be heard until 10 a.m. to Noon, depending on that day's docket.

## **The Hearing**

At the hearing, in addition to yourself and hopefully your legal counsel, will be the staff attorney for the Texas, a court reporter and three (3) Panel Members of the Texas Board of Law Examiners. You may have previously elected to have certain witnesses admitted but the hearing remains closed to the general public or it is open. This is the result of your Open Hearing Election that is at the very end of the hearing instructions you received with the letter stating the date your hearing has been set for. Do not overlook this if you want and expect to have witnesses present to speak on your behalf. It is always good if at least one of your recommenders or at least a family member is willing to appear at the hearing to speak in your behalf. This is matter of impression with the Panel; although it may not be possible as in the case of someone from out-of-state seeking admission to the Texas Bar.

The Applicant/Respondent will be sworn in. The staff attorney and Applicant/Respondent or his/her counsel will announce they have exchanged exhibits and may discuss any objections to any of the exhibits. If there are no objections, the exhibits

are admitted. A copy of the exhibits may be requested to be given to the court reporter before docket call so she can mark her set, thus adding in moving the hearings along in a move timely fashion (unless there are objections to any of the exhibits).

Both sides have the opportunity to make an Opening Statement, then the Applicant/Respondent is called as a witness and examined by the staff attorney, and then hopefully by his/her own counsel. The Panel will then ask questions of the Applicant/Respondent. The issues vary from case to case. However, if the issue of character is truthfulness and candor (i.e. questions answered wrong on either or both the law school application and/or the Declaration of Intent (only required of Texas law students) or the Application for Admission to the Bar then it is a matter of failure to disclose – truthfulness and candor.

The Texas Board of Law Examiners are gatekeepers. In the example issue above, the crux will be not so much what you did in the past (and failed to originally disclose) but at this moment in time does the Panel believe in your truthfulness. Admissions of past errors and truthfulness about how and why you had to amend your law school application and Supplement your Declaration of Intent or Application for Admission to the Bar will usually be the main focus point. The Panel is judging whether or not you are now a truthful and candid person. Admissions of acceptance of your responsibility for past errors and sincerely expressions of regret will be looked at. These taken together with your Response and your exhibits, which in this scenario will mainly consist of your correspondence and supplements sent to the Texas Board of Law Examiners and to your Dean of Admission of your law school, but also the strength of the recommendation letters that you have supplied.

After examination of the Application/Respondent, closing summations are made and the hearing closes. You are usually advised that your counsel or you will be verbally contacted later that day or the next depending on how late in the day your hearing actual is, as to the Panel's decision to permit your admission to the Texas Bar or not. If you receive a decision that you will be admitted, you will receive a written signed Order to that effect usually within the week.

What happens after you receive you verbal notice, either way is the subject of another article.