

FILED

JUN 26 2014

2014 SC 56

**HEATHER L. SMITH
CLERK OF APPELLATE COURTS**

IN THE SUPREME COURT OF THE STATE OF KANSAS

RULES RELATING TO ADMISSION OF ATTORNEYS

RULE 707

**CHARACTER AND FITNESS QUALIFICATIONS
FOR ADMISSION TO THE BAR**

Rule 707 is hereby amended, effective as of the date of this order.

....

(c) In determining whether an applicant possesses good moral character, the office of the Disciplinary Administrator, the Review Committee, and the Board shall consider evidence of the following:

....

- (11) disciplinary action by any professional disciplinary agency of any jurisdiction; and
- (12) any other conduct which reflects adversely on the character of the applicant.

(d) Current mental and emotional fitness to engage in the active and continuous practice of law involves an assessment of ~~mental and emotional health and condition as it~~ conduct that affects the applicant's competence to practice law and carry out duties to clients, courts, and the profession. An applicant may be of good moral character but unable to discharge his or her duties as an attorney ~~due to~~ as evidenced by conduct arising from a mental or emotional illness or condition. ~~The fitness required is a present fitness,~~

~~and a prior mental or emotional illness or condition is relevant when it indicates the existence of a present lack of fitness.~~

(e) In determining whether an applicant is currently mentally and emotionally fit to engage in the active and continuous practice of law, the office of the Disciplinary Administrator, the Review Committee, and the Board shall consider:

- (1) evidence of conduct that exhibits mental or emotional instability that may impair the applicant's ability to practice law; and
- (2) evidence of drug or alcohol dependency or abuse or other addictive behaviors that may impair the applicant's ability to practice law.

....

By order of the Court this 26th day of June, 2014.

FOR THE COURT

A handwritten signature in black ink, appearing to read "Lawton R. Nuss", written over a horizontal line.

Lawton R. Nuss
Chief Justice