

**KENTUCKY BAR ASSOCIATION
RULES OF THE SUPREME COURT OF KENTUCKY**

PRACTICE OF LAW

SCR 3.505 Character and Fitness Committee; reinstatements

(1) The Character and Fitness Committee created by SCR 2.040 shall, in addition to the powers and duties conferred in that rule, consider all applications for reinstatement to the practice of law by persons who:

- (a) have been suspended for more than one hundred eighty (180) days;
- (b) have been suspended for one hundred eighty (180) days or less, but whose reinstatement has been opposed by Bar Counsel.
- (c) Have been transferred to disabled inactive status pursuant to SCR 3.030.

(2) The Character and Fitness Committee may act upon the application and such investigative material as it may gather or Bar Counsel may tender to it, all of which information not submitted by the Applicant shall be made available to the Applicant.

(3) The Applicant or Bar Counsel shall have the right to a hearing before the Character and Fitness Committee prior to the issuance of its decision. The hearing shall be held within 60 days from the request. The formal recommendation of the Committee shall be filed within 60 days of the filing of the record.

(4) If either party requests a hearing before the Character and Fitness Committee, the Applicant shall have the rights accorded a Respondent in a disciplinary proceeding pursuant to SCR 3.300, except that the Character and Fitness Committee shall hold the hearing rather than a Trial Commissioner. The burden of proof of one's good character and fitness to practice law shall be on the Applicant.

HISTORY: Amended by Order 2017-18, eff. 1-1-2018; prior amendments eff. 1-1-2014 (Order 2013-12), 1-1-04 (Order 2003-04); adopted by Order 98-1, eff. 10-1-98