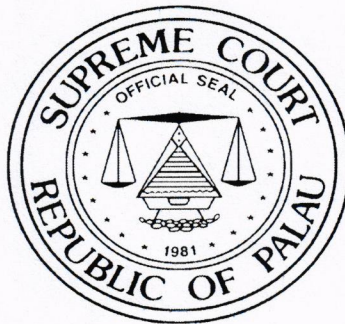


PALAU BAR ADMISSIONS COMMITTEE POLICIES AND RULES OF ADMISSION



Supreme Court of the Republic of Palau

May 26, 2025

PREFACE

The Republic of Palau Supreme Court is a Court of Record consisting of an Appellate Division and a Trial Division. Pursuant to Article X, Section 14 of the Palau Constitution, the Supreme Court is constitutionally authorized to promulgate rules governing the administration of the legal profession. Among these rules are the Rules of Admission.


The present Rules of Admission were last promulgated in April 2018. These 2025 Rules supersede all previously promulgated Rules of Admission. A review of the 2018 Rules began in 2024. The review demonstrated a need to make changes and update a few of the Rules or adopt new ones.

In addition to making changes and updating the Rules, the Supreme Court hereby establishes the Palau Bar Admissions Committee. The Committee's core duty is to administer the bar exam and to consider issues relating to eligibility, qualification, and admission to the Palau Bar and to make recommendations to the Chief Justice.

The Chief Justice takes this opportunity to thank all the justices and members of the Palau Bar for taking the time to review the Rules and provide helpful comments. Special thanks go to the members of the Palau Bar Admissions Committee and especially to Ms. Heidi E. Johnson, Senior Court Counsel and Secretary of the Palau Bar Admissions Committee, who assisted and engaged in the review process, including the tedious work of reviewing, revising, and updating the Rules.

Consistent with the command of ROP Const. Article X, Section 14, the updated Rules have been approved by the Palau Supreme Court. All inquiries regarding these Rules and related procedures should be addressed to the Palau Bar Admissions Committee at the address provided on the Judiciary website.

May 26, 2025



Oldians NgiraiKelau
Chief Justice

IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU

IN RE: PALAU BAR ADMISSIONS
COMMITTEE POLICIES AND
RULES OF ADMISSION

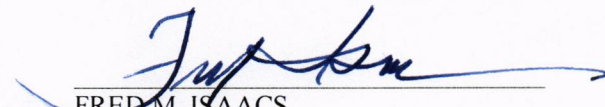
ORDER

These Palau Bar Admissions Committee Policies and Rules of Admission are promulgated by the Supreme Court of the Republic of Palau pursuant to Article X, Section 14 of the Constitution and 4 PNC § 101. They take effect immediately and supersede all previously promulgated Rules of Admission.

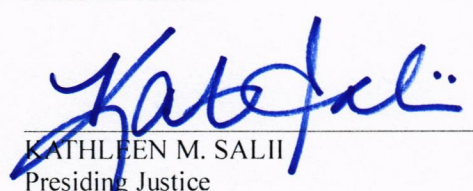
SO ORDERED this 26th day of May 2025.



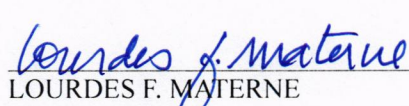
OLDIAISINGIRAI KELAU
Chief Justice



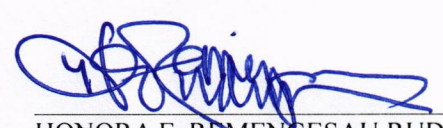
FRED M. ISAACS
Associate Justice




KATHLEEN M. SALII
Presiding Justice



LOURDES F. MATERNE
Associate Justice



HONORA E. REMENGESAU RUDIMCH
Associate Justice



PETER D. HUFFMAN
Associate Justice

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PART I. PALAU BAR ADMISSIONS COMMITTEE

RULE 1. PURPOSE

In accordance with Article X, Section 14 of the Palau Constitution, the Palau Supreme Court hereby establishes the Palau Bar Admissions Committee (hereinafter, “PBAC” or “Committee”). This Committee aims to advance the legal profession, uphold justice, and promote civic development. The Committee reviews applications for admission to the Palau Bar, administers the bar exam, including any requests for rescoring, conducts the character and fitness determination process, and reviews and recommends qualified applicants to the Chief Justice for admission to the Palau Bar. Additionally, the Committee shall review and recommend to the Chief Justice whether to grant or deny any request for waiver of the Rules of Admission. Finally, the Committee will regularly review its policies and procedures for improvement.

RULE 2. GENERAL PROVISIONS

(a) Appointment; Composition; Confidentiality; Terms; Meetings; Quorum.

- (1) *Appointment.* The Chief Justice appoints members of the Committee.
- (2) *Composition and Duties.* The Committee is comprised of six (6) members:
 - (A) Chairperson
 - i. One (1) justice from the Appellate Division or one (1) justice or judge from the Trial Division, Land Court, or Court of Common Pleas (COCP) shall serve as Chairperson.
 - ii. The Chairperson shall preside over Committee meetings.
 - (B) Vice-Chairperson
 - i. One (1) justice from the Appellate Division or one (1) justice or judge from the Trial Division, COCP, or Land Court shall serve as Vice-Chairperson.
 - ii. The Vice-Chairperson shall serve in the absence or disqualification of the Chairperson.
 - (C) Secretary
 - i. The General Counsel or the Senior Court Counsel shall serve as Secretary to the Committee.
 - ii. The Secretary shall prepare minutes of meetings, conduct research, and provide any requested services to the Committee.
 - (D) *Ex Officio* Adviser
 - i. The Chief Appellate Clerk shall serve as the *Ex Officio* Adviser.
 - ii. The *Ex Officio* Adviser shall keep records and provide any requested services to the Committee.
 - (E) Officers

- i. Two (2) Bar members shall serve as Officers to the Committee. One shall be a permanent member, and one shall be an alternate member to fill-in for the permanent member as necessary.
 - ii. Officers shall provide any requested services to the Committee.
- (3) *Terms.* Terms commence on October 1. Each term of appointment is for two (2) years, plus any additional time necessary for successor appointment.
- (4) *Meetings.* The Committee shall convene when called into session by the Chairperson. Members may attend meetings virtually.
- (5) *Quorum.* A quorum consists of three (3) Committee members, or all Committee members not disqualified, whichever is less.
- (b) **Confidentiality.** Meeting discussions are confidential, and all Committee members must maintain confidentiality. Except with respect to the Committee, its members, the Supreme Court, and judiciary staff, communications between Committee members, between a Committee member and an applicant, or between a Committee member and any other organization with respect to the qualifications of an applicant are confidential.
- (c) **Conflict of Interest.** Committee members shall refrain from taking part in any proceeding in which a judge, similarly situated, would be required to abstain.

RULE 3. PROFESSIONAL COMPETENCE

The Committee has a duty to determine whether each applicant has made the necessary showing of minimal professional competence in accordance with these Rules warranting the applicant's admission to the Bar to engage in the practice of law.

RULE 4. CHARACTER AND FITNESS

The Committee has a duty to determine, through fair, impartial, and thorough investigation, whether an applicant possesses good moral character and fitness warranting the applicant's admission to the Bar to engage in the practice of law.

RULE 5. ANNUAL REPORTS

Annually, by September 30, the Committee shall report in writing to the Chief Justice, addressing the bar examination; applications for admission and persons admitted to the Bar; its activities and recommendations, if any, relating to policies or procedures for investigating applicants' moral character and fitness; and relevant policy matters and rule changes considered or proposed by the Committee.

PART II. RULES OF ADMISSION

RULE 6. ADMISSION

Except as provided in Rule 10 of these rules, only those persons admitted to the practice of law before the courts of the Republic of Palau may practice law in the Republic of Palau.

RULE 7. REQUIREMENTS

- (a) Any person seeking to be admitted to practice law before the courts of the Republic of Palau shall be certified for admission to practice before the courts of the Republic of Palau if the applicant:
 - (1) is of good moral character, as demonstrated by satisfying Rule 19 of these rules;
 - (2) has earned a J.D. degree from an ABA- or State- accredited law school in any state or territory of the United States or in the District of Columbia, or received a waiver pursuant to Rule 11(c); and
 - (3) has taken and passed a bar examination administered by the Supreme Court of the Republic of Palau or its designee.
- (b) The Chief Justice may, upon recommendation by the PBAC, admit to practice law before the courts of the Republic of Palau any person who:
 - (1) is of good moral character, as demonstrated by satisfying Rule 19;
 - (2) has earned a J.D. degree from an ABA- or State- accredited law school in any state or territory of the United States or in the District of Columbia;
 - (3) has been admitted to practice in the highest law court in any state or territory of the United States or in the District of Columbia;
 - (4) has actively practiced law during the five (5) years immediately preceding their application to the Palau Bar; and
 - (5) satisfies Rule 12(d).
- (c) Any person seeking to be admitted under Rule 7(b) of these rules must be a resident of the Republic of Palau at the time of application or certify his or her intention to conduct the primary practice of law in Palau and to maintain an office for the practice of law in Palau. The “primary practice of law” shall mean at least 75% of the time devoted to the practice of law will be conducted in Palau.

RULE 8. EXCEPTION

- (a) Any attorney may be admitted to practice law before the courts of the Republic of Palau without complying with Rule 7(a)(3) of these rules for a single period of five (5) years, commencing on the first day of employment, so long as the attorney:

PALAU BAR ADMISSIONS COMMITTEE POLICIES
AND RULES OF ADMISSION

- (1) otherwise satisfies Rule 7(a);
 - (2) is a salaried employee of, or under contract with, the Republic of Palau National Government or any state or other governmental entity of the Republic of Palau, or of the Micronesian Legal Services Corporation;
 - (3) has been in active practice of law any time within the five (5) years immediately preceding the date of admission,
 - (4) is acting within the scope of employment or contract; and
 - (5) maintains membership in good standing in the bar of any state or territory of the United States or in the District of Columbia or other foreign country.
- (b) Any law school graduate may be admitted to practice law in Palau without complying with Rule 7(a)(3) of these rules within five (5) years of the employee's graduation from law school, so long as the employee:
- (1) otherwise satisfies Rule 7(a);
 - (2) is employed by, or under contract with, the Republic of Palau National Government, or any state or other governmental entity of the Republic of Palau, or the Micronesian Legal Services Corporation,
 - (3) is making all efforts to comply with Rule 7(a)(3); and
 - (4) is acting within the scope of employment while under the supervision of an attorney who is an active member of the Palau Bar and who has been in the active practice of law for at least two (2) years.
- (c) The five-year periods described in Rules 8(a) and 8(b) shall remain valid regardless of whether an attorney changes government employer within this period. Further, the period shall not be deemed to have expired due to temporary gaps in employment, provided that the total duration of authorized practice does not exceed five (5) years.

RULE 9. NON-RESIDENT ATTORNEYS

- (a) Any attorney admitted to practice before the courts of the Republic of Palau, who is not a resident of Palau or who does not maintain an office in Palau, may file pleadings and other documents in the courts of the Republic of Palau, and may be served with such documents, in any manner permitted by the Rules of Civil Procedure. Any attorney filing or receiving documents under this rule must pay a fee, pursuant to the Supreme Court Fee Schedule, to cover the cost to the Clerk of Courts of transmitting court orders, decisions, opinions, etc. to him or her.
- (b) In individual cases, and for cause, the Supreme Court may require that pleadings and other documents be filed by, and served upon, an agent appointed by the attorney. Such agent must be an attorney who is admitted to practice law in the Republic of Palau and who maintains an office in the Republic of Palau.

RULE 10. PRO HAC VICE

An attorney actively licensed to practice law by the highest court of a country, state or territory, who is not admitted to practice before the courts of the Republic of Palau may, on motion, be admitted pro hac vice to represent a client or clients in a particular case by the Justice or Judge before whom the case is pending, which admission may continue if that case is appealed to the Appellate Division. Any attorney admitted pro hac vice shall associate with a member of the Palau Bar who maintains an office in the Republic of Palau. Any motion made under this rule must be accompanied by a check, in an amount pursuant to the Supreme Court Fee Schedule, made payable to the Clerk of Courts. The check will be deposited only if the attorney is admitted.

RULE 11. BAR EXAM REQUIREMENTS

- (a) Admission to the Palau Bar Association requires a J.D. degree from an ABA- or State- accredited law school in any state or territory of the United States or in the District of Columbia and a passing score on the Palau Bar Examination.
- (b) The bar examination consists of five (5) exams: the Multistate Bar Examination (MBE), the Multistate Essay Examination (MEE), the Multistate Performance Test (MPT), the Multistate Professional Responsibility Exam (MPRE), and the Palau-based Essay Examination (PEE).
 - (1) Applicants must score at least 75 on the MPRE.
 - (2) Applicants must score at least 65 on the PEE.
 - (3) Applicants must also score at least:
 - (A) 120 on the MBE, 65 on the MEE, and 65 on the MPT; or
 - (B) a combined total of 250 on the MBE, MEE, and MPT.
- (c) A person without a J.D. degree from an ABA- or State- accredited law school in any state or territory of the United States or in the District of Columbia may not take the bar examination without obtaining a waiver.
 - (1) The individual may request a waiver by submitting a waiver petition to the PBAC, at least thirty (30) days prior to the examination application deadline, demonstrating a legal education preparing her or him to pass the bar examination described.
 - (2) The PBAC shall review and recommend to the Chief Justice whether to grant or deny the waiver petition. The Chief Justice or designee shall have discretionary authority to approve or deny the waiver petition.
- (d) Applicants must take all portions of the bar examination at the time the test is given, other than the MPRE, which is given on different dates, and any portions of the examination for which transferred scores have been accepted

by the Court. The MPRE must be taken by the applicant within one year of taking the Palau Bar Examination to be counted as part of that Examination.

RULE 12. BAR EXAM APPLICATION

- (a) In order to apply to take the Palau Bar Examination, an applicant must submit to the Supreme Court the application form prescribed by the Supreme Court along with an application fee as provided by the Supreme Court Fee Schedule. The application fee shall be paid and the application filed by the application deadline.
- (b) If an applicant has not yet passed the MPRE, a separate application is required to take that examination. The application for the MPRE must be submitted directly to the National Conference of Bar Examiners.
- (c) Applicants who, within the past five (5) years, have taken the MBE, MEE, MPT, or MPRE in Palau or in any state or territory of the United States or in the District of Columbia and obtained a score on one or more of the examinations that would be deemed a passing grade on the Palau Bar Examination, may have that score transferred and counted toward their Palau Bar Examination score. Applicants are required to provide evidence of the score from the jurisdiction in which the examination was taken.
- (d) All applicants are required to take and pass the PEE. Applicants who within the past five (5) years have taken and passed the PEE may have that score counted as their grade on the Palau Bar Examination.
- (e) All MBE, MPT, MPRE and MEE score service requests, such as transferring scores to another jurisdiction or obtaining test results, must be submitted through an examinee's NCBE account.
- (f) Application fees paid for one examination will not be applied to subsequent examinations.

RULE 13. OATH AND CERTIFICATE OF ADMISSION

- (a) Admitted applicants shall be notified of their admission in writing by the Palau Bar Admissions Committee.
 - (1) Applicants who are admitted pursuant to Rule 7 shall have one (1) year after the date of the certification letter to take the Oath of Admission before a Justice or Judge of the courts of the Republic of Palau. After completing this requirement, the new attorney will be issued a Certificate of Admission from the Chief Justice and a membership card attesting to admission.
 - (2) Applicants who are admitted pursuant to Rule 8 shall have one (1) year after the date of the certification letter to take the Oath of Provisional Admission before a Justice or Judge of the courts of the Republic of Palau.

- (b) Any applicant who fails to take the Oath of Admission or Oath of Provisional Admission within the prescribed time period shall not be admitted to the Palau Bar without again satisfying the requirements set forth in Rule 7 or Rule 8.
- (c) Applicants may take the Oath of Admission or Oath of Provisional Admission in-person or remotely during an admission ceremony.

RULE 14. MEMBER FEES

- (a) An attorney may either be an active or an inactive member of the Palau Bar. An inactive member may not practice law in the Republic of Palau. Members of the Palau Bar must pay an annual fee to maintain their membership.
 - (1) During the first year of admission, an attorney must pay the annual fee before engaging in the practice of law in Palau. The annual fee for active and inactive attorneys is provided in the Supreme Court Fee Schedule.
 - (2) Failure of an active member to timely pay his or her annual fee shall mean the immediate suspension of his or her privilege to practice law in the Republic of Palau. Any attorney who fails to pay his or her annual fee by January 20 must pay his or her annual fee and a late charge, pursuant to the Supreme Court Fee Schedule, by April 20. The late charge shall be made payable to the Clerk of Courts. If an attorney fails to pay his or her annual fee and the late charge by April 20, the attorney shall be deemed to have automatically resigned from the Palau Bar.
 - (3) Any attorney seeking reinstatement to the Palau Bar after having automatically resigned from the Palau Bar under this rule shall file by January 20 of the following year a petition for reinstatement with the Palau Bar Admissions Committee, along with a reinstatement fee, pursuant to the Supreme Court Fee Schedule, made payable to the Clerk of Courts, and the applicable annual fee, made payable to the Palau Bar Association. The PBAC shall not grant the petition for reinstatement absent a showing of good cause.
 - (A) Payment shall be by check made payable to the Palau Bar Association and shall be delivered to the Clerk of Courts for recording and transfer to the Palau Bar Association.
 - (i) All monies collected by the Bar Association shall be administered by the President and Treasurer of the Palau Bar Association or their designees for the benefit of the members of the Palau Bar Association and/or payment of costs associated with Disciplinary Proceedings.
 - (ii) The President and Treasurer of the Palau Bar shall provide the members with an annual report identifying the account

balance, the amount of fees collected, and the amount of expenditures.

(B) [Vacant]

(b) [Vacant]

RULE 15. IMMUNITY

- (a) Except for use by an attorney admission, disciplinary, and/or judicial selection authority of any jurisdiction in which an applicant is admitted to practice or seeks to practice law, applications and other information submitted in connection with applications for admission to the Palau Bar shall be absolutely privileged and no lawsuits predicated thereon may be instituted.
- (b) Members of the Palau Bar and court staff performing duties or functions under these rules shall be absolutely immune from suit and liability for any conduct in the course of their official duties.

PART III. CHARACTER AND FITNESS REVIEW

RULE 16. CRIMINAL BACKGROUND

- (a) Any member of the Palau Bar convicted in any jurisdiction of a felony or other crime involving dishonesty or false statement, and any member of the Palau Bar disbarred or suspended from the practice of law in any court of competent jurisdiction, shall automatically be suspended from the practice of law in the Republic of Palau. *Provided*, however, that in the event a member of the Palau Bar is disciplined in some other jurisdiction and the Palau Supreme Court determines from the record upon which the discipline was predicated that:
 - (1) the procedure was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or
 - (2) there was such an infirmity of proof establishing the misconduct that this Court could not, consistent with its duty, accept as final the conclusion on that subject; or
 - (3) the imposition of the same discipline by this Court would result in grave injustice; or
 - (4) the misconduct established is deemed by this Court to warrant substantially different discipline, then such attorney shall not be automatically similarly disciplined by this Court.
- (b) An attorney automatically suspended pursuant to this Rule may be reinstated upon approval of the PBAC only on written application showing cause why such attorney should be reinstated, excepting, however, that in the event the discipline imposed in the other jurisdiction has been stayed there, the

discipline imposed by the PBAC shall likewise be deferred until such a stay expires in the other jurisdiction.

- (c) Any member of the Palau Bar convicted, disbarred, or suspended as described in this Rule shall immediately notify in writing the PBAC of such action and shall state the particulars thereof.

RULE 17. DISBARMENT

An attorney admitted to the Palau Bar who is under investigation for misconduct or who is facing disbarment proceedings in any court of competent jurisdiction, and who resigns from the bar of the investigating jurisdiction, or who voluntarily permits a license to practice therein to terminate, shall be deemed by this Court to have been disbarred in that other jurisdiction and shall forthwith be disbarred from practicing in this Court. An attorney disbarred pursuant to this Rule may be reinstated upon approval by the PBAC on written application showing cause why such attorney should be reinstated.

RULE 18. PETITION TO RESIGN

- (a) Except for administrative resignations pursuant to Rule 14 of these Rules, an attorney who is not the subject of a disciplinary investigation, proceeding, or order in any jurisdiction, and who is otherwise in good standing, may petition to resign from the practice of law in Palau by filing a Petition to resign from the Palau bar with the clerk of the Appellate Division.
 - (1) The Petition shall be supported by the Petitioner's affidavit attesting that the Petitioner is not the subject of a disciplinary investigation, proceeding, or order in any jurisdiction. The Petitioner shall promptly notify in writing all clients being represented in pending matters of the Petition to resign and also notify the attorneys or representatives for each adverse party in such matters.
 - (2) The Petitioner, after the filing of the Petition to resign, shall not accept any new retainers or engagements as attorney in any new case or legal matter of any nature. However, during the period from the filing of the Petition and the effective date of the Order allowing resignation, the Petitioner may wind up and complete, on behalf of any client, all matters that were pending on the Petitioner's filing date.
- (b) In the event the client does not obtain substitute counsel before the effective date of the Order permitting resignation, it shall be the responsibility of the Petitioner to file a motion for leave to withdraw before any court in which the proceeding is pending.
- (c) The Chief Justice shall assign a panel of the Appellate Division to consider the Petition. An Order granting the Petition may impose such conditions as the Court deems necessary to protect the rights of the public and shall, unless otherwise

ordered by the Court, be effective thirty (30) days after entry of the Order. By the effective date of the Order, the Petitioner shall surrender to all clients all papers and property to which the clients are entitled and any advance payments of fees that have not been earned.

- (d) The Court may deny a Petition to resign if, because of pending disciplinary issues or any other reason, such resignation is not in the public's interest.

RULE 19. MORAL CHARACTER

- (a) Any person seeking to be admitted to practice law before the courts of the Republic of Palau shall be certified for admission to practice before the courts of the Republic of Palau if the applicant satisfies all of the following requirements:

- (1) Is of good moral character, as demonstrated by a certificate of good standing, issued within thirty (30) days of the application for admission, from the bar of each jurisdiction in which the applicant is a member.

- (A) Each certificate shall demonstrate that the applicant has not been the subject of original or reciprocal disciplinary proceedings in that jurisdiction, and that the applicant is not currently under investigation in that jurisdiction for alleged violations of the canons of ethics or the rules of admission.

- (2) The applicant shall also personally attest that he or she has never been disbarred in any jurisdiction.

- (A) If the applicant is not and has never been an active member of any bar, then he or she must submit a letter attesting to the applicant's good moral character from the dean (or the dean's designee) of the law school from which the applicant graduated.

- (3) Has never been convicted of a felony, or if so convicted, has received a full pardon from a competent authority.

- (b) [Vacant]