

1 **Rule 14-72019. Confidentiality.**

2 (a) Confidentiality. Confidential linformation relating to admissions shall not be  
3 disclosed other than as permitted by this article. Confidential linformation includes but is  
4 not limited to all records, documents, reports, letters and sources whether or not from  
5 other agencies or associations, relating to admissions and the examination and grading  
6 process.

7 (b) Disclosure of Confidential linformation in admissions process. Nothing in this  
8 article limits disclosure of Confidential linformation to the Board and the Bar's  
9 employees, committees and their agents in connection with the performance of and  
10 within the scope of their duties. The Bar is authorized to disclose information relating to  
11 Applicants as follows:

12 (b)(1) records pertaining to an Applicant as authorized by the Applicant in writing for  
13 release to others;

14 (b)(2) information to the NCBE regarding persons who have filed applications for  
15 admission;

16 (b)(3) the names of Applicants and the names of Applicants who are eligible for  
17 admission to the Bar; and

18 (b)(4) the Applicant's exam results to the law school from which the Applicant  
19 graduated.

20 (c) Disclosure of Confidential linformation to Aapplicant. An Aapplicant and an  
21 Aapplicant's attorney are entitled to Confidential linformation directly related to the  
22 Aapplicant:

23 (c)(1) which is to be considered by the Character and Fitness Committee in  
24 conjunction with a formal hearing in accordance with Rule 14-708(c); and

25 (c)(2) as permitted by Rule 14-714.

26 (d) Privileged linformation. Neither an Aapplicant nor an Aapplicant's attorney nor  
27 any person is entitled to Privileged linformation.

28 (e) Communications relating to applications. Letters or information relating to an  
29 Aapplicant in which the writer requests confidentiality shall not be placed into evidence  
30 or otherwise made available to the decision-making body or anyone else involved in a  
31 decision-making capacity with respect to the admission of the Aapplicant. Such material

32 will be destroyed by the admissions office. Any person having knowledge of the content  
33 of the information shall withdraw from participation in the matter, and if necessary  
34 persons shall be appointed to replace those required to withdraw from the decision-  
35 making process.

36 (f) Release of information. Except as otherwise authorized by order of the Supreme  
37 Court, the Bar shall deny requests for Confidential Information but may grant the  
38 request if made by one of the following entities:

39 (f)(1) an entity authorized to investigate the qualifications of persons for admission to  
40 practice law;

41 (f)(2) an agency or entity authorized to investigate the qualifications of persons for  
42 government employment;

43 (f)(3) a lawyer discipline enforcement agency; or

44 (f)(4) an agency or entity authorized to investigate the qualifications of judicial  
45 candidates.

46 (g) Release of Confidential Information. If the request for Confidential Information  
47 is granted, it shall be released only upon certification by the requesting agency or entity  
48 that the Confidential Information shall be used solely for authorized purposes. If one of  
49 the above-enumerated entities requests Confidential Information, the Bar shall give  
50 written notice to the Applicant that the Confidential Information will be disclosed  
51 within ten calendar days unless the Applicant obtains an order from the Supreme  
52 Court restraining such disclosure.

53 (h) Immunity from civil suits. Participants in proceedings conducted under this article  
54 shall be entitled to the same protections for statements made in the course of the  
55 proceedings as participants in judicial proceedings. The admissions-related committee  
56 members, the Deputy General Counsel, the General Counsel and admissions  
57 staff shall be immune from suit for any conduct committed in the course of their official  
58 duties, including the investigatory stage. There is no immunity from civil suit for  
59 intentional misconduct.

60 (i) Persons providing information to admission office or admissions-related  
61 committees. Every person or entity shall be immune from civil liability for providing, in  
62 good faith, documents, statements of opinion, records or other information regarding an

63 Applicant or potential Applicant for admission to the Bar to the admissions office or to  
64 those members of the admissions-related committees.

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