

Rule 709. Power to Make Rules, Conduct Investigations, and Subpoena Witnesses

(a) Subject to the approval of the Supreme Court, the Board of Admissions to the Bar and the Committee on Character and Fitness shall have power to make, adopt, and alter rules not inconsistent with this rule, for the proper performance of their respective functions.

(b) The Board of Admissions to the Bar and the Committee on Character and Fitness for each judicial district are hereby respectively constituted bodies of commissioners of this court, who are hereby empowered and charged to receive and entertain complaints, to make inquiries and investigations, and to take proof from time to time as may be necessary, concerning applications for admission to the bar, examinations given by or under the supervision of the Board of Admissions to the Bar, and the good moral character and general fitness to practice law of applicants for admission. They may call to their assistance in such inquiries other members of the bar and make all necessary rules and regulations concerning the conduct of such inquiries and investigations, and take the testimony of witnesses. The hearings before the commissioners shall be private unless any applicant concerned shall request that they be public. Upon application by the commissioners, the clerk of the Supreme Court shall issue subpoenas *ad testificandum*, subpoenas *duces tecum*, or *dedimus potestatem* to take depositions. Witnesses shall be sworn by a commissioner or any person authorized by law to administer oaths. All testimony shall be taken under oath, transcribed, and transmitted to the court, if requested. The commissioners shall report to the Supreme Court the failure or refusal of any person to attend and testify in response to a subpoena.

Amended effective November 15, 1971, and October 2, 1972; amended May 28, 1982, effective July 1, 1982; amended June 12, 1992, effective July 1, 1992; amended December 6, 2001, effective immediately; [amended Nov. 26, 2013, effective Jan. 1, 2014.](#)