

SUPREME COURT OF KENTUCKY

Elizabeth Robertson Murray v. Kentucky Bar Association

Elizabeth Robertson Murray v. Kentucky Bar Ass'n, 474 S.W.3d 924 (Ky. 2015) · No. 2015-SC-000573-KB ·
Decided December 30, 2015

SUMMARY

The Kentucky Supreme Court considers Elizabeth Robertson Murray's application for restoration to membership in the Kentucky Bar Association and the practice of law. The Court finds that she satisfied the requirements of Supreme Court Rule 3.500(3), including passing the reinstatement bar examination, and orders her restoration subject to payment of applicable unpaid membership dues.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Minton, C.J.; Abramson, J.; Cunningham, J.; Keller, J.; Noble, J.; Venters, J.
JURISDICTION	Kentucky
DECIDED	December 30, 2015
DOCKET	2015-SC-000573-KB
DISPOSITION	approved
PROCEDURAL POSTURE	Application for restoration to membership in the Kentucky Bar Association and restoration to the practice of law after the applicant had withdrawn from KBA membership for more than five years.
STANDARD OF REVIEW	The Supreme Court reviewed the restoration record to determine whether Murray satisfied the requirements of SCR 3.500(3).
PRECEDENTIAL VALUE	Published and precedential Kentucky Supreme Court opinion and order.

TOPICS

appellate procedure

PRACTICE AREAS

legal ethics and professional responsibility

bar admission and reinstatement

QUESTIONS PRESENTED

1. Whether Murray satisfied the requirements of Supreme Court Rule 3.500(3) for restoration to Kentucky Bar Association membership and the practice of law.
2. Whether the Supreme Court should approve the KBA's recommendation to restore Murray after she passed the required reinstatement bar examination.

HOLDINGS

1. Murray satisfied the requirements of SCR 3.500(3), including the requirement that she pass the reinstatement bar examination, and was entitled to restoration to KBA membership and the practice of law.

KEY QUOTATIONS

“Upon review of the record, this Court finds that Murray has satisfied the requirements of SCR 3.500(3), including passing the bar examination as required by SCR 3.500(3)(e).” (474 S.W.3d at 924)

“Applicant, Elizabeth Robertson Murray, KBA member number 87057, is hereby restored to KBA membership and the practice of law in this Commonwealth, subject to her payment of any applicable unpaid KBA membership dues.” (474 S.W.3d at 924)

FACTUAL BACKGROUND

Murray was admitted to practice law in Kentucky in 1997 and withdrew from KBA membership in 2005 without any pending disciplinary matters. After practicing in Ohio, she applied for restoration, submitted the required disciplinary, continuing-legal-education, and character-and-fitness materials, and passed the reinstatement bar examination. The KBA Character and Fitness Committee and Board recommended restoration, subject to payment of applicable dues and proceeding costs.

PROCEDURAL HISTORY

Murray withdrew from KBA membership in 2005 while no disciplinary matters were pending. In 2014 she applied for restoration; the Character and Fitness Committee recommended restoration conditioned on passing the reinstatement bar examination, the KBA Board concurred, and the Board of Bar Examiners certified that she passed. The application was then submitted to the Supreme Court of Kentucky for final consideration.

DISPOSITION

approved