

BAR EXAM – GENERAL INFORMATION

What is its purpose?

The Bar Examination is the mechanism by which lawyers become licensed to practice law in a specific State. Each State has a Board of Bar Examiners that is responsible for establishing the rules and procedures that govern the administration of the exam in that State.

What does it consist of?

The Bar Examination typically consists of two or three parts: the **Multi-state Bar Exam** or MBE, an **essay test**, and, increasingly in many States, a **performance test**, sometimes referred to as the Multi-State Performance Test or the MPT. The exam is typically administered twice a year – at the end of July and the end of February.

1. The **Multi-State Bar Exam** is a 6-hour multiple choice test consisting of 200 questions. It is divided into a 3-hour morning session and a 3-hour afternoon session. The following subjects are tested: Contracts, Real Property, Criminal Law, Torts, Evidence, and Constitutional Law.
2. The **essay test** typically consists of questions, the number of which varies from State to State. Examinees are typically required to answer a certain number of questions in the morning session and a certain number in the afternoon. The following substantive subjects represent those that are typically tested on the essay exam: Administrative Law, Agency, Partnerships, Corporations, Bankruptcy, Commercial Paper, Equity, Family Law, Legal Ethics, Personal Property, Secured Transactions, Taxation, Practice and Procedure, Wills and Trusts, and all the MBE topics above. There are not necessarily questions on all of these areas, there just could be. Consult individual state bar websites for more details.
3. The **performance test** typically consists of one or two “closed universe” questions. The performance test questions are designed to test skills commonly used by lawyers practicing law competently. These skills generally include, but are not limited to, the following: Legal Analysis, Fact Analysis, Awareness of Professional Responsibility, Problem Solving, Research Skills and Writing Skills.

What else is required?

In addition to the MBE, essay test, and performance test, most states require the **Multi-State Professional Responsibility Exam** or MPRE, a **character and fitness review**, and **other state-specific rules and regulations**.

1. The **Multi-State Professional Responsibility Exam** or MPRE is required in many States. The MPRE is given in March, November and August and may be taken while the examinee is a law student. A passing score will typically be valid if it was achieved not more than two years prior to acceptance of application for admission in a particular State.

2. Most jurisdictions also require that you undergo a **character and fitness review**. Some of the matters reviewed include:
 - Any disciplinary actions taken against the student while enrolled in any school,
 - Employment history,
 - Charges of dishonesty during employment,
 - Employment discharges,
 - Involvement in any civil, quasi-criminal or criminal proceedings,
 - Bankruptcies,
 - Motor vehicle violations (including parking or other traffic violations), and/or
 - Any unsatisfied judgments against the student.

In many jurisdictions you will be asked to supply the names and addresses of all former employers and other references and to list every address where you lived. The references are then contacted and often asked a series of questions including whether the applicant had ever:

- been arrested, expelled, suspended, or disciplined by any institution or authority?
- been a party to a lawsuit, grievance, or complaint?
- abused alcohol or used illegal drugs?
- been delinquent in any monetary obligations?
- been fired or asked to resign from any employment?

An affirmative answer to these questions does not mean you won't survive the character and fitness review, but you should be aware of what might come up during the review. If you have questions about this please consult with your advisor, the Dean of Students or someone in Career Services.

3. Most jurisdictions also have **rules and regulations** that are specific to that jurisdiction. In Vermont, for instance, a six-month bar clerkship is also required of all applicants before the examinee can be admitted to practice. Once you know what bar exam you are going to take you should review the rules and regulations of that State to insure that you are in compliance with them.

How do I register to take the exam?

Registration deadlines for both the February and July exams are usually 90 to 120 days before the testing date. Regular deadline fees vary but start at about \$100 and may run as high as \$1000. Late registration can tack on a significant amount to the already steep prices. Some jurisdictions require law students to register with their licensing agencies during the first or second years of law school. Although law students who fail to register on the timetable set by the jurisdiction are permitted to take the bar exam in most cases, fees for late registration are commonly assessed. The following chart lists the jurisdictions that offer or require registration by law students.

The following jurisdictions currently offer or require registration by law students:

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|---------------------|--|--|
| Alabama | within 60 days of law school start = \$10 within 180 days of law school start = \$35 within 330 days of law school start = \$50 within 390 days of law school start = \$75 after 390 of law school start = \$100 | www.alabar.org/ |
| California | within 90 days of law school start = \$92 After 90 days of law school start = \$144 | www.calbar.org |
| Florida | within 180 days of law school start = \$75 within 195 days of law school start = \$100 within 250 days of law school start = \$200 after 250 days of law school start = \$500 | www.floridabarexam.org |
| Illinois | by March 1 of 1 st year = \$100 After March 1 of 1 st year = \$450.00 | www.ibaby.org |
| Iowa | by November 1 of 1 st year = \$25 After November 1 of 1 st year = \$75 | www.judicial.state.ia.us |
| Louisiana | By October 1 st of 2 nd year = NCBE Fee After October 1 st of 2 nd year = NCBE Fee + \$175.00 | www.lascba.org |
| Mississippi | By October 1 st following completion of 2 semesters of law school = \$100 After October 1 st following completion of 2 semesters of law school = \$300 | www.mssc.state.ms.us |
| Missouri | Students may seek an early character and fitness determination by submitting the Application for Character and Fitness Report as soon as they begin law school. The earlier you file, the lower the application fee. | www.mble.org |
| North Dakota | by October 1 of 2 nd year or within 14 months after 1 st day of 1 st year of law school = \$150.00 After October 1 of 2 nd year = \$150.00 + late fees that increase the later you file | www.ndcourts.com |
| Ohio | by November 15 of 2 nd = \$60.00 + fee for NCBE report After November 15 of 2 nd = late fee + fee for NCBE report | www.sconet.state.oh.us |
| Oklahoma | After March 15 of 1 st year = \$125 + fee for NCBE report After March 15 of 1 st year = \$500 + fee for NCBE report | www.okbar.org |
| Texas | Law student attending a Texas law school must file a Declaration of Intent to Study Law By October 1 st for fall entrants, May 1 st for spring entrants, September 15 th for summer entrants. Declaration fee = \$190.00 | www.ble.state.tx.us |
| Virginia | Character & Fitness Certification fees = \$175.00 within 14 months of law school start After 15 months = \$290.00 | www.vbbe.state.va.us |

Where do I go for more information on the bar exam?

Finding current, state-specific information is essential to prepare for your bar admission. Below is a list of websites that contains contact information for the states' board of law examiners, and general information about the bar.

- www.ncbex.org/pub.htm - National Conference of Bar Examiner's *Comprehensive Guide to Bar Admission Requirements*; The National Conference of Bar Examiner has recently (12/06) released an MBE study aid called the Multistate Bar Examination Annotated Preview of MBE-AP. It is an on-line resource which consists of 100 questions drawn from recent MBEs and correct and incorrect options have been annotated. The MBE-AP is available through www.ncbex.org. The charge for a subscription is \$26, with each subscription lasting through the MBE test administration following the purchase.

What other bar review resources exist?

- **AdaptiBar** An online, adaptive program for preparing for the MBE. (www.adaptibar.com)
- **AmeriBar** Individual Service for all states by AmeriBar. (www.thebarexam.com)
- **BAR/BRI Bar Review**
- **BarPlus Bar Review** (www.barplus.com)
- **Bar Secrets** Provides materials that can supplement other Bar review programs. (www.barsecrets.com)
- **Beat The Bar.Com** Beat The Bar.Com provides study tools to use with multi- state questions. (www.beatthebar.com)
- **Celebration Bar Review and Test Preparation** Homestudy bar review and test preparation courses. (www.celebration-bar-exam-review.com)
- **Cheat-the-Bar** Supplemental MBE prep course. (www.multistate-bar-exam.com)
- **Ebook Bar Exam Review** Multistate bar exam review by Lori Sklar.
- **Essay Bar Exam Techniques by Stavisky** The Harold Stavisky course is the oldest, continuous Bar Review Course in New England. Live workshops available at various sites throughout New England. (www.barexamtechniques.com)
- **Eureka Bar Review** On-line custom bar review course. (www.Jurisprep.com)
- **Fleming's Fundamentals Of Law** Bar review seminars. (www.lawprepare.com)
- **Marino Bar Exam Tutors** Tutor students for New York, New Jersey, Pennsylvania and Connecticut bar exams. (www.marinobartutors.com)
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- **MicroMash Bar Review** Complete self- study prep course for the MBE and 22 state bar review courses featuring personalized attorney mentoring. Pass guarantee and "Pass Now Pay Later" option. (www.micromashbar.com)
- **MyBarPrep** On-line program for the Multistate Bar Exam. (www.mybarprep.com)
- **Paulasfastpass** Fastpass Individual Bar Review Tutorial for the CA bar. (<http://Paulasfastpass.com>)
- **PassTheBar.Com** By Scott Pearce, a bar exam tutor. Site includes articles with strategies for passing.
- **PMBR** A supplemental multistate course that specializes in preparing students for the Multistate Bar Examination. (www.pmbr.com)

- **S. Emily Schwartz - Private Bar Exam Coach** Offers personal evaluation and study plan. (www.mybarcoach.com)
- **Skillman Method (TM)** Law school bar exam preparation courses. (www.theskillmanmethod.com)
- **The Study Group Personal Bar Review** Home study bar review courses and bar exam essay writing courses. (www.thestudygroup.com)
- **United States Virgin Islands Bar Review** Bar Exam Preparation material for the U.S. Virgin Islands. (www.vibarreview.com)

State-Specific Bar Review and Tutorial courses

Arizona Prep

- **Bar Exam Preparation - Arizona** A state-oriented home study course preparing applicants for the Arizona bar exam (www.thebarexam.com/arizonabarexam.htm).

California Prep

- **BarNone Review** California Bar Exam Preparation (www.barnonereview.com).
- **Bar Outlines.com** Study Materials and Outlines for the California Bar, New York Bar, MPRE and MBE.
- **LawTutorial.com** Provide individualized tutoring for the California bar exam and for law students.
- **National Bar Review** One-on-One tutorial program for the California Bar Exam (<http://www.nationalbarreview.com>)
- **The Bar Code** Designed by a former bar grader for repeat and out-of-state takers of the California Bar Exam (www.thebarcode.net)
- **The Writing Edge** A writing course for passing the California Bar Exam. Taught entirely by a former Bar Grader (www.writingedge.com)

Mississippi

- **Mississippi Bar Review, Inc.** Mississippi Bar/Bri course (www.Missbar.com)
- **AmeriBar Mississippi Home Bar Review Program** A state-oriented home study course preparing applicants for the Mississippi bar exam (www.mississippibarexam.com)

New York

- **Gallagher Bar Training Schools** Review course for the New York Bar (www.barwrite.net)
- **Bar Outlines.com** Study Materials and Outlines for the California Bar, New York Bar, MPRE and MBE.

Ohio

- **Supreme Bar Review** Full-service bar review course taught entirely by an Ohio-based faculty (www.supremebarreview.com).

If I pass one section of the test, but not the other, do I need to take the whole test over?

Most states require that you retake the entire examination regardless of whether you have attained a passing score on a particular portion of the exam. However there are exceptions. Below is a list of states that allow carry over of a score to a subsequent examination.

States that Allow Carry over of MBE and/or Written Test Scores

Alabama

Carryover of MBE Score. An applicant who has taken and failed the bar examination but who made an MBE scaled score of 140 or above will be excused from taking the MBE. The MBE scaled score will be carried over to any future examination for which the examinee is eligible, provided that the examination is administered within twenty (20) months after the earlier bar examination was administered, and the MBE scaled score will be combined with the applicant's written test score according to the basic rule. The applicant shall have the option to take all sections of the bar examination; if the applicant chooses this option, the scores will be combined under the basic rule.

Carryover of Written Test Score. An applicant who has taken and failed the bar examination, but who made a written test score that is equivalent to or greater than an MBE scaled score of 140, as determined in accordance with the basic rule, will be excused from taking those sections of the bar examination that contribute to the written test score. The written test score will be carried over for any future bar examination for which the examinee is eligible, provided that the examination is administered within twenty (20) months after the earlier bar examination, and the written test score will be combined with the applicant's MBE score according to the basic rule. The applicant shall have the option to take all sections of the bar examination; if the applicant chooses this option, the scores of all sections will be combined under the basic rule.

Time of Election to Transfer or Carry Over Score. Elections regarding the transfer from another jurisdiction of an MBE score or the carryover of an MBE score or written test score from a previous Alabama examination must be made at the time an application to sit for an examination is filed.

Arkansas

A bar examination applicant may retain: the applicant's Multistate Bar Examination scale score of 135 or more. The retained score may be used in the immediately succeeding examination only.

District of Columbia

An applicant may request the Committee to accept a prior MBE administration provided that: The prior MBE scaled score is not less than 133; The subjects of the prior MBE are identical to those comprising the present MBE section; and The prior administration was within 25 months of the present administration. An applicant may request the Committee to accept a prior essay administration provided that: The prior essay scaled score is not less than 133; and The prior administration was within 25 months of the present administration.

Florida

If an applicant attains a passing scaled score on only one part and elects to submit to the overall method of the General Bar Examination as described above, the previous passing status shall not be replaced by failing status if the applicant fails to achieve a passing score on a subsequent submission effort. (Good for 25 months)

Iowa

Applicants who were unsuccessful on a previous bar examination taken not more than two years prior to the deadline for filing the bar application for a subsequent examination may rely upon their prior MBE scaled score. Applicants choosing to rely upon their prior MBE scaled score shall indicate their intention on the bar application form. Applicants who choose to rely on a transferred or banked MBE scaled score shall only be required to take the MPT and essay portions of the bar examination. Such applicants will not be permitted to take the MBE portion of the examination.

Kentucky

An applicant who has failed only one portion of the exam must only reapply to sit for the failed portion; however, a passing score on one portion of the exam may only be used for a period of three years to exempt the applicant from taking that portion of the examination.

Louisiana

(No MBE required)

The multi-part written examination (Part I) shall consist of 9 separate examinations. An applicant who conditionally fails Part I shall be entitled to sit for those separate subject examinations that were not passed, provided that such applicant shall sit not more than two times for such separate examinations. If such applicant shall pass at least seven separate subject examinations, including at least four Code examinations, that applicant shall pass Part I.

If an applicant shall fail to pass the requisite separate examinations on two additional attempts or upon the lapse of three years from the date of the first written examination conditionally failed, whichever occurs first, the applicant's conditional failure status. Shall be removed and the applicant shall be required to take the entire Part I of examination.

Maine

An applicant who has taken the MBE within the 61 months prior to the current administration of the examination, may elect to take only the first day of the examination.

Mississippi

An applicant who has taken the Multi-state Bar Examination (MBE) prepared by the National Conference of Bar Examiners, either in Mississippi or in another jurisdiction, within the immediately preceding 20- month period may elect to utilize the scaled score which he achieved on said previous administration of the MBE in lieu of retaking MBE during current Mississippi Bar Examination. Applicant's election to utilize MBE scaled score from a previous administration must be made in a written petition received by the Board not later than thirty (30) days before the Mississippi Bar Examination at which the applicant proposes to sit. Such petition shall state the date and place at which he took the MBE and the scaled score which he achieved.

Montana

A MBE scaled score from any testing site may be carried forward from 3 years prior to the date of the Montana Bar Examination. A MBE score must be certified by the official testing authority and received by the Bar Admissions Administrator at least 10 days prior to the Montana Bar Examination. A Montana Essay Examination score may be carried forward to the next semiannual Montana Bar Examination and combined with a MBE score.

Vermont

Each applicant must sit for the essay and Multistate Bar Examination parts of the examination at one administration unless that applicant has previously achieved a passing grade on either part as described in §§ 6(b) and (d). If an applicant has previously achieved a passing grade on either the essay or Multistate part of the examination, the applicant may elect to retain that passing grade, as described in §§ 6(b) and (d), or to retake the entire examination. If the applicant retakes the entire examination, then the applicant may not use a passing score previously achieved to raise a converted essay or Multistate score to the passing level of 135. Each applicant may sit for the Multistate Professional Responsibility examination at any time.

(b) Beginning with the July 1982 administration of the bar examination, a passing grade on the essay or Multistate Bar Examination part of the bar examination may be retained for a period of five years. During that period the applicant need only repeat that part of the examination upon which the applicant has not achieved a passing grade. An applicant who achieves a passing grade on the essay and Multistate Bar Examination parts during a five year period shall have met the applicable requirements therefore of § 6(a).

(c) Beginning with the February 1983 administration of the bar examination, a passing grade on the Multistate Professional Responsibility Examination may be retained for a period of seven years. An applicant who achieves a passing grade on the Multistate Professional Responsibility Examination part during a seven year period shall have met the applicable requirement of § 6(a).

(d) A Multistate Bar Examination scaled score may be used within five years of the administration in which it was achieved to satisfy the requirements of § 6(a) and § 6(b), except that a Multistate Bar Examination scaled score of 136 or less achieved before January 2, 1989 may not be used to satisfy the requirements of § 6(a) and § 6(b). A Multistate Bar Examination scaled score may be used from any administration of that examination in any jurisdiction; provided, however, that the applicant shall file with the Board an official certificate of the admitting authority or examining agency, other than Vermont, certifying the Multistate Bar Examination scaled score received and the date of the administration of the Multistate Bar Examination upon which that score was achieved

Wyoming

(e) If an applicant achieves an overall average score of 73 or higher on the essay examination and has received a passing grade of 70 or higher on at least six out of ten questions and has not achieved a scale score of at least 130 on the MBE, the applicant shall be exempt from further taking the essay part of the examination for a three-year period. An applicant who has failed to pass six out of ten essay questions with a grade of 70 or higher or who has failed to get a grade of 70 or higher on the essay examination, or both, but who receives a scale score of 130 or above on the MBE shall be exempt from the further taking of the MBE for a three-year period. An applicant who receives a scale score of 130 or above on the MBE administered in another jurisdiction may direct transfer of the score through the testing agency to Wyoming and be exempt from further taking of the MBE for a three year period.

