

Frequently Asked Questions Re: Completing Bar Exam Applications/Preparing for the Bar

When should I take the MPRE?

The MPRE is offered three times per year and students usually take it after they have taken the Professional Responsibility course. In some states, including MA, students **must** take and pass the MPRE **prior to applying** to take the bar examination and we recommend not waiting until the last MPRE administration, since not everyone gets a passing score the first time taking the exam.

Score reports - MPRE scores are posted on-line for 6 weeks to two months and are then removed from the MPRE website (<http://www.ncbex.org/multistate-tests/mpre>). We advise you to print out the page with the score as soon as you view it and keep it for your records. If you do not print out the score at that time, you can obtain an additional score report for a fee of \$15 per report. Information about how to obtain additional reports is on the MPRE website.

If I had my MPRE Score Report automatically sent to the Massachusetts Board of Bar Examiners, do I have to attach a copy of the Score Report to my bar exam application.

Yes. The MPRE Score Report (an official or unofficial report is acceptable) must be attached to your Massachusetts Bar Exam Application.

When do I apply to take the bar exam and how much time does it take to fill out the bar exam application(s)?

Some states have a registration process during your first few months of law school and they charge significantly higher fees if you register “late”. Most allow you to register a few months before you take the exam and then there are some states that fall somewhere in between.

The bar exam applications vary from state to state and some are much more extensive than others. You should leave yourself at least two - three weeks to complete one or more applications because you may need letters of recommendation, fingerprints, information about every job you have held and place you have lived since you were 18 years old, etc.

Some states require additional documents, for example a law student registration (e.g., Alabama, California, Florida, Illinois, Iowa, Louisiana, Mississippi, North Dakota, Ohio, Oklahoma and Texas). You need to make sure you file these documents in time.

California requires applicants to file a Statement on Moral Character - There is no deadline for filing this statement but it takes 6 - 8 months for these to be processed so it is advisable it be submitted at least 8 months before November (when July bar exam results are released). However, if these are filed later, it just delays admission to the bar. Also, California has a fingerprinting requirement and if you have a permanent California address,

you will need to submit a "live scan" fingerprint (which is a process requiring you to show up in person in California).

What if I need to request a testing accommodation?

The process for requesting and obtaining testing accommodations vary by state. Check each state in which you may be interested early on because you may need to compile and submit documentation in advance.

Many bar exam applications ask you to list employment history. Should you include your law school co-ops? Work/study jobs in law school? College? Jobs held long ago and/or in businesses no longer in existence?

re: co-ops - You should include your co-ops on the bar applications. Even though these are short-term positions held while you are a student, they are particularly relevant to the bar examiners because they are legal experience.

re: work/study positions during college or in law school - you can indicate that you held a number of work/study positions and just list the offices with whom you worked (if you can remember) and the time period (for example, during academic quarters in the years 19-- through 20--)

re: waitressing or other positions held a long time ago at restaurants or businesses that may no longer exist - You can combine waitressing or other positions and write: Waitressed during the summers of 19--, 20--, 20-- at the following four restaurants: (indicate names, if you can remember).

Re: New York Bar – One of the requirements for admission are form employment affidavits for law-related employment. The applicant is responsible for sending the form to each law-related employer to complete. If the applicant has made every reasonable attempt to contact an employer and has been unable to do so or the employer is unwilling to complete the form, the applicant must draft a short affidavit explaining that they attempted to reach the employer (for example, applicant called and e-mailed the employer multiple times and the employer failed to respond) and was not able to. This short affidavit must be notarized and submitted along with the other form employment affidavits.

Who should I ask for letters of recommendation for the bar exam application (s)?

Some bar exam applications ask for letters of recommendation. For the MA Bar, these letters can be from anyone, other than family, who knows the applicant and can attest to their intelligence and moral character. They do not have to be from lawyers. We generally advise students to be thoughtful about whom they approach for letters of recommendation, making sure that they do not overburden law faculty and legal supervisors. Since applicants do not need a lawyer recommendation for the MA bar, we would advise to ask others.

If fingerprinting is a requirement, where do I get this done?

You need to obtain an FBI card, which can be obtained at FBI headquarters or in some police departments.

If you are in Boston, the local FBI headquarters is located at: One Center Plaza, Suite 600 (near government center). You can go to police headquarters in the city/town in which you reside for the fingerprinting. Alternatively, there are private fingerprinting services - which have the FBI cards and do fingerprinting. In Boston, you can go to Mills Fingerprint Services at 50 Congress Street in Boston, (617) 720-2524, hours - 8 - 3: 30 pm. The cost for this "service" is \$25.

If I am asked for a credit report, what should I submit?

Most bars will accept a credit report from one of the on-line services, such as Equifax (www.equifax.com), Transunion (www.transunion.com) and Experian (www.experian.com).

What are the consequences of criminal records or disciplinary actions taken by your college or law school on your ability to get licensed for the bar?

Applicants need to be completely candid and fully disclose relevant information to the bar examiners, with appropriate explanations. Some states require interviews of all applicants and others interview only those who have disclosed that he/she has been involved in some criminal or disciplinary proceeding. The Board's response will vary depending upon the seriousness of the offense, the number of offenses, the length of time that has passed since the offense, etc. Applicants are rarely denied admission to the bar.

Do bar exam applications ask about credit card debt?

Some state bar examiners routinely ask for detailed information relating to credit cards, charge accounts, and other types of loans as part of the character and fitness determination. A history of credit problems can indicate an applicant's apparent lack of financial responsibility which relates to an individual's ability to handle a client's funds or advise a client about an issue involving money. Many bar examiners require that credit problems be cleared before an applicant can be licensed and some require the credit issues to be resolved before an applicant can sit for the exam. Check what is required by your jurisdiction well in advance of the application deadline so as to give yourself enough time to gather the necessary information.

What do I do with the Law School Certificate form that is part of the bar exam application?

If you are taking the MA Bar –

You do not need to file the law school certificate (even though you are instructed to do so in the filing instructions). The MA Board of Bar Examiners has requested that the Office of Academic and Student Affairs (from all of the MA law schools) send a list of all graduates to them and that will satisfy the law school certification requirement.

For all other Bars - The Law School Certificate should be submitted to the Office of Academic and Student Affairs. As soon as you are cleared for graduation, that office will complete the form and send it directly to the state board of bar examiners. That office is aware of bar application deadlines and will make sure to file the certificate in time.

MA Bar Exam – On-line application advice:

If you are filling out the on-line version of the MA Bar application, you may want to look at the .pdf version available at:

<http://www.sjccountyclerk.com/pdf/July2009firsttimeapplication.pdf>

to see what the completed bar exam application will look like. Printing the completed web forms will produce your Petition Cover Sheet, Petition for Admission, Statement to the Board of Bar Examiners, and Authorization Form.

Questions re: completing the MA electronic bar application can be directed to the SJC clerk's office - 617/557-1050.

Can I work while studying for the Bar?

Generally, we do not advise working while studying for the bar. The bar is a mental marathon and although you will not be studying 24/7, you need to leave time to do things that help you absorb all of the information, such as exercising, eating well, sleeping, etc. If you have to work, keep this in mind and try to do things that do not tax you mentally and try to be protective of your time, particularly during the last three weeks.

Also, you should plan ahead for the two months before the bar and try to clear your calendar as much as possible. Therefore, you should not be involved in planning major life events, such as weddings. If you have a partner, you should give him/her the “heads up” that you will excuse yourself from many social events and chores during that time. Plan to make this up to the person at some other point. If you have children, try to make sure that you clear large blocks of time in your day when you can study, with few or no interruptions. You may need to arrange for some additional child care, particularly during the last two-three weeks before the exam.

Are there loans you can take to help cover bar-related expenses?

Students should check with the financial aid office or their lender for information about the bar loan application process, the repayment process, and the amount that they are eligible to borrow. Every effort should be made to use the bar loan for bar-related expenses and living expenses during the bar review, and should not be viewed as simply another source of loan money to be borrowed during the 3rd year.

Can I take two bar exams at once?

Each year, approximately 20 – 35 students take two bar exams in the July after they graduate. In most cases, taking two bar exams doesn't appear to adversely affect one's chances of passing. When studying, the usual approach is to focus on the MBE and one of the two states—usually the state that the grad most wants to pass—and to spend time on the other state only to the extent necessary to get a rudimentary grasp of its special rules.

There are a number of challenges for people taking two bar exams, which include whether it is possible to take the two bar exams in which you are interested. Some states offer their exam on the exact same dates as others making it impossible to take particular state exams in

the same administration period. If you are able to take two exams, there are academic and logistical challenges. You will have to learn/memorize even more material. You will need to take the state portion of each exam in that particular state. Therefore, you have to factor in travel time, costs, and accommodations. If the distances between the two states are great, if transportation is difficult (connecting flights, long train rides, etc.) and there are time differences, this becomes even more challenging. A number of our graduates have taken either the live or videotaped Barbri class in one state and used a Barbri audiotape for the second state.

Can I transfer my MBE (multistate exam) score to another state?

In most states (including Massachusetts), applicants may transfer an MBE score from another jurisdiction only if it is from a concurrent exam (e.g., if you take the MA and NH bar exams in July (concurrently), both MA and NH will only accept the MBE score from that exam).

However, in a few states (**including NY**), applicants may transfer an MBE score from a concurrent exam OR from a passing exam in another jurisdiction taken within a certain period of time. In New York, this period of time is three administrations of the bar exam immediately following the one in which you took the MBE. For example, if you took the MA July 2010 bar exam, you could use the MBE score from that exam in NY during the February 2011, July 2011 and February 2012 bar administrations. You would still have to take the NY state portion of the bar exam during either the February 2011, July 2011 and/or February 2012 bar administrations.

Should I take the PMBR as well as another bar review course, such as BARBRI?

PMBR is a preparation course for the multistate portion of the bar exam (www.pmbr.com). Those who take it use it as a supplement to a more comprehensive bar review course. The students who have taken PMBR report that it is an excellent course and has been very helpful for them. However, the decision about whether you should sign up for PMBR is a personal one. If you are someone who has done well on standardized tests in the past, you probably do not need to take PMBR. If you are someone who feels you could use extra help, it may be worthwhile.

Will I be able to take the essay portion of the exam on a computer?

While being able to use a computer to take the essay portion of the bar exam may be the norm in the future for all states, we are not there yet. At the present time, in Massachusetts (where most of our graduates take the exam), almost all applicants are still hand writing the exam.

You should know that there are certain risks associated with using laptops for the bar exam. Most states inform applicants that in the event of technical difficulties, they will be required to handwrite the essay answers.

Here is the current status in a few states where most of our graduates take the bar exam:

Massachusetts

The only people who can write essays on a computer are those that have a disability that will require non-standard testing accommodations on the bar examination. In order to request an accommodation, you must complete and file the Testing Accommodations Petition forms available on the Board's web site: www.mass.gov/bbe.

New York

At the time of application to the bar exam, applicants may elect to register for the laptop program, which will permit them to use their personal laptop computers with security software for the essay portion of the exam. There is a \$100 non-refundable technology fee that applicants pay directly to Examsoft, the security software for the examination.

California Bar

All students may elect to use a laptop for the essay part of the examination. They must have their own laptop with minimum specifications necessary to download a special software program on it. There is a laptop computer fee.

Florida Bar

All applicants are able to use their laptop during the essay portion of the exam by selecting that option on their examination application and paying a \$100 laptop fee. The applicant also has to register and qualify his/her laptop through ExamSoft prior to the specified deadline in advance of the examination.

What happens if I do not pass the bar exam the first time?

If you are employed, most employers will give you another opportunity to take and pass the exam. If you are working for a public defender's office or district attorney's office, they may not be able to retain you or you may be able to work in a different capacity, such as a law clerk.

The good news is that there is a great deal of data that demonstrates that those retaking bar exams are likely to pass on subsequent takings. However, it is important to try to get a sense of why you may not have passed the first time so that you can try to correct the deficiency. Some people have had success with private tutors, others have realized that the problem has to do with heightened anxiety and have tried to address this by seeing a traditional mental health counselor or alternative therapists, such as hypnotherapists.