

Supreme Court

In re Adoption of the Uniform Bar :
Examination :

A M E N D E D O R D E R

On April 25, 2018, the Rhode Island Supreme Court Board of Bar Examiners (Board) filed with the Court a recommendation to adopt the Uniform Bar Examination (UBE) for individuals seeking admission to the Rhode Island Bar pursuant to Article II, Rule 1 of the Supreme Court Rules (Admission on examination). The Board's recommendation was the result of a yearlong study of the UBE.

The UBE is a uniformly administered, graded, and scored examination that results in a portable score that can be transferred to other UBE jurisdictions. In its recommendation to the Court, the Board noted that the current make-up of the Rhode Island bar examination is very similar to the UBE in that it includes every component of the UBE: the Multistate Bar Examination, the Multistate Performance Test, and the Multistate Essay Examination. With the adoption of the UBE, the single change to the Rhode Island bar examination would be the replacement of the three local Rhode Island essay questions with a second Multistate Performance Test. The Board concluded that the subject matter tested for admission to the Rhode Island Bar would remain essentially the same with the adoption of the UBE.

In addition, the Board concluded that adoption of the UBE in Rhode Island would be beneficial to bar applicants because it would provide them with a portable score to seek admission and work opportunities in any UBE jurisdiction. The Board recognized that the UBE responds to today's challenging legal job market and the need for law school graduates to seek work in other jurisdictions. The Board also recognized that adopting the UBE would benefit

Rhode Island by making it easier for law school graduates from around the country to bring their talents here.

The Court endorses the recommendation of the Board and hereby adopts the UBE beginning with the administration of the February 2019 bar examination, subject to the Court's enactment of necessary rule amendments and modifications to its newly implemented electronic filing systems.

The Court also adopts the following specific recommendations of the Board with respect to the UBE in Rhode Island:

1. that the UBE in Rhode Island not include a separate local component;
2. that the current passing score of 276 be retained;
3. that Rhode Island accept the transfer of UBE scores earned within two (2) years of submitting a petition for admission to the Rhode Island Bar but only accept UBE scores earned after Rhode Island first administers the UBE in February 2019;
4. that the current five-time fail rule be retained such that an applicant who fails five bar examinations in this or any other jurisdiction be prohibited from obtaining admission to the Rhode Island Bar, and that with respect to the UBE, failure to achieve a score of 276 on any administration of the UBE constitutes a fail for purposes of the rule;
5. that Rhode Island retain the attorneys' exam and maintain the current passing score of 138; and
6. that the Court increase the fees for those seeking admission to the Rhode Island Bar to closely parallel the fees currently charged in neighboring jurisdictions.

The Court is aware that this change to the Rhode Island bar examination impacts individuals who, as of the date of this Order, have applied to take the upcoming July 2018 bar examination. Accordingly, it is hereby ordered that current applicants for the July 2018 bar examination may defer their application for admission to the first administration of the UBE without payment of the required deferral fees. Applicants seeking to defer per this Order shall file a request to defer on the Rhode Island Supreme Court Attorney Portal no later than June 15, 2018.

The Court extends sincere gratitude to the Board of Bar Examiners, the Clerk, and Bar Admissions staff for their time and thorough review of this issue for the Court.

Entered as an Order of this Court this 8th day of ***June 2018***.

/s/
Suttell, C. J.

/s/
Goldberg, J.

/s/
Flaherty, J.

/s/
Robinson, J.

/s/
Indeglia, J.