

Bar Students,

In our commitment to provide you with the latest information as it happens, here is an update from the National Conference of Bar Examiners, which updated its webpage last night regarding the July Bar Exam. The text of that notice is below. Here is the link:

<http://www.ncbex.org/ncbe-covid-19-updates/>

Remember that the NCBE provides two key parts of the Texas Bar Exam: The MBE and the MPT. The Texas BLE ultimately makes the decision as to how the bar exam will be implemented in Texas.

There are two key takeaways from the NCBE's announcement:

1. The NCBE will announce whether there will be a July Bar Exam on or about May 5, 2020. Whether the July Bar Exam goes forward in any jurisdiction will depend on if enough states (with enough students) decide by May 5 to hold a July Bar Exam.

What does this mean?

-- If the NCBE does not release bar exam materials, Texas cannot hold a July Bar Exam.

-- If the NCBE does release bar exam materials, Texas may, but does not have to, hold a July Bar Exam (for instance, if social distancing rules precluded an exam).

2. NCBE will make materials available to each state so that each state could hold a Fall Bar Exam -- on a date to be determined. That exam either will be in place of, or in addition to, the July Bar Exam.

Important note:

-- Again, the fact that NCBE is releasing bar exam materials for a Fall Bar Exam does not mean that Texas has to -- or will -- hold a Fall Bar Exam.

This NCBE announcement is helpful, in that it provides a date certain (on or about May 5) by which we will know whether there will be a July Bar Exam. But, it does not mean that there definitely will be a Fall Bar Exam in Texas.

In other words, for those taking the Texas Bar Exam, we must wait for announcements from the Texas BLE. For those taking a bar exam in a different state, we must wait for announcements from that state.

I am in touch with the Supreme Court of Texas and the Texas BLE and will update you as soon as I learn anything. I also have a call with the NCBE this afternoon.

In addition, I just spoke to the president of Barbri to confirm that Barbri will have a course and schedule ready for both the July and the Fall dates.

In the meantime, if you are preparing for the July Bar Exam, please keep preparing as if the July Bar Exam will go off on schedule. Do not let up! If they move the date, you will be ahead of schedule. And, if they don't move the date, you will still be on track.

I wish that I had more definitive information. I will let you know immediately I hear more.

All the best, and be safe.

Michael F. Barry, J.D.
President and Dean
South Texas College of Law Houston
713.646.1819 | 1303 San Jacinto Street, Houston, TX 77002
www.stcl.edu

Follow me on Twitter @DeanMikeBarry

NCBE COVID-19 UPDATES

Last updated March 26, 2020, 5:58 pm (CDT)

NCBE continues to monitor the coronavirus (COVID-19) situation closely. The health and safety of bar applicants and of our employees and volunteers are of paramount importance to us. We will update this page as new information becomes available.

We are all facing an unprecedented set of challenges as a result of the COVID-19 pandemic. At NCBE, we understand the concerns candidates have about the July bar exam, and we have been working diligently with jurisdiction bar admission offices to devise solutions that will protect the health and safety of examinees and jurisdiction staff, as well as the integrity of the licensure process.

Each jurisdiction will make its own decision about whether it is able to administer the July bar exam, based on factors including ongoing office closures, state and local restrictions on gatherings, and test venue availability. NCBE stands ready to support jurisdictions in their decisions. Specifically, as a result of consultation with jurisdictions, NCBE is offering the following options to US jurisdictions that administer the MBE, the MEE, and the MPT, including all UBE jurisdictions.

NCBE's Decision-Making Timeline

NCBE will make its decision about whether to deploy the MBE, the MEE, and the MPT for a July administration on or about Tuesday, May 5. NCBE's decision will be based on whether there would be a sufficient number of jurisdictions and examinees to support equating of scores and all the scoring support and grader training associated with the exam.

By that time—roughly six weeks from now—each jurisdiction should be in a better position to determine whether administering a July exam is possible. While this is not the immediate answer some are seeking, it does provide a definite timeline for NCBE's decision about whether to make our tests available for July. Our decision will depend on jurisdiction decisions about administration as well as the status on May 5 of federal, state, and local health orders for isolation/distancing.

Jurisdictions are at varying points on a decision about a July administration. Some have felt the impact of COVID-19 more severely than others. The goal is that by May 5 we will all know more and can have more confidence in our decision about whether there will be a July exam anywhere.

Fall Exam

Given the uncertainty about whether a July exam can take place, it is prudent to plan now for an additional administration of the exam before the February 2021 exam.

NCBE will offer another set of bar exam materials—MBE, MEE, and MPT—for an administration in the fall. If there is in fact a July exam, the fall exam materials will be a different set of questions. Scores earned in UBE jurisdictions in the fall administration would constitute UBE scores. We are currently working closely with jurisdictions all across the country to find a fall date that works for the most examinees and jurisdictions.

Jurisdictions that cannot administer in July, or cannot administer at normal seating capacity, will have the fall administration date as an alternative or additional option. It would delay admission, but only by about two months, which examinees should find preferable to waiting until February 2021.

We will continue to monitor the COVID-19 crisis in the weeks and months ahead and are prepared to continue to develop additional solutions if the situation changes.

We recognize that this is a very stressful time for law school graduates who want the opportunity to take the bar exam. To those graduates, we offer our support and the assurance that we are working hard to find solutions that permit them to sit for a bar exam and become licensed.

There are no simple answers and no great solutions in this situation. We are trying to provide some certainty in truly uncertain times, while maintaining the integrity of the bar admissions process for the benefit and protection of the public.