FILED
10/23/2020
Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: COVID-19 PANDEMIC

No. ADM2020-00428

ORDER TEMPORARILY MODIFYING CERTAIN PROVISIONS OF TENNESSEE SUPREME COURT RULE 7 RELATED TO THE FEBRUARY 2021 BAR EXAMINATION

This Court previously canceled the July 2020 Bar Examination after determining that "the potential benefits of administering the examination do not justify the risk of assembling large groups of people in limited space for up to nine hours per day over a period of two days, even if all precautions recommended by the Centers for Disease Control and Prevention are implemented." COVID-19 cases in Tennessee continue to increase, creating the same risks as those identified when the July 2020 in-person Bar Examination and the Fall 2020 in-person Bar Examination were canceled. Even with safety precautions in effect, administering an in-person examination to a large group of people over a period of two days cannot be justified at this time.

(1) In order to mitigate risks associated with large gatherings during the pandemic and to provide notice to applicants of the way in which the examination will be administered, the requirement of Tennessee Supreme Court Rule 7, Section 4.03, for the Tennessee Board of Law Examiners to administer an in-person examination, is modified to order that the Uniform Bar Examination be administered as a remote, computer-based test for the February 2021 administration.

(2) Section 11.03 was previously modified to permit July 2020 applicants[1] to transfer their application to the February 2021 Uniform Bar Examination or to a concurrent UBE score transfer application without additional fees. Applicants who chose to transfer to the February 2021 Uniform Bar Examination may transfer the July 2020 application to a concurrent UBE score transfer application in lieu of taking the remote Uniform Bar Examination without additional fees. Otherwise, applicants who transferred their July 2020 application to the February 2021 Uniform Bar Examination who do not wish to test remotely and do not wish to transfer a UBE score earned in another jurisdiction may withdraw their application by November 10 and receive a refund of $400. For July 2020 applicants who

[1] Only one application was deployed for the July and Fall in-person bar examinations and applicants were permitted to choose the exam administration as part of the application process.

withdraw after November 10, the amount of the refund is not modified and remains $150 until February 1, 2021, after which the fee is not refundable.

We recognize the continued hardships that the pandemic has placed upon applicants to the Tennessee bar. The decision to remotely administer the February 2021 Uniform Bar Examination balances the interests of the applicants, the interests and safety of the public, and the administration of justice as they relate to the licensing and admission of attorneys. The modifications to Rule 7 as set forth in this order are intended to address and mitigate some of the adverse effects and challenges COVID-19 has created. All other provisions of Rule 7 remain unchanged. The Board of Law Examiners remains open and shall continue to provide services, while balancing the health and safety of Board members, staff, exam proctors, and the public.

It is so ORDERED.

PER CURIAM