SUPREME COURT OF NEW JERSEY

In response to the growing public health crisis worldwide and in this State, the Court has considered alternative approaches to novel issues and has modified numerous court practices in recent weeks. Looking ahead, based on current guidance from the New Jersey Department of Health and other authorities, it is unlikely that the COVID-19 pandemic will have abated by July 2020 to a degree that it would be prudent to administer the bar examination then.

At this challenging time, the public has a continuing and growing need for legal services in many critical areas. Newly admitted lawyers can help meet that need. The Court also recognizes that, without a means to pass the bar and obtain a law license, qualified law school students who expect to graduate this Spring may lose job offers, be unable to find legal work, and otherwise suffer financial hardship.

After having consulted with the Deans of New Jersey's law schools and leaders of the bar,

It is therefore ORDERED as follows:

1. The July 2020 administration of the bar examination is cancelled in light of the COVID-19 pandemic. The Board of Bar Examiners (Board) will reschedule the examination for a date to be determined in the Fall,

possibly in September, and will provide updates as soon as practicable on the Board's website (njbarexams.org).

2. On a temporary basis, Rule 1:21-3 is relaxed and expanded for 2020 law school graduates who have not previously taken a bar examination. Those graduates may be authorized to practice law under the supervision of a licensed attorney who has been licensed to practice for at least three years. In all other respects, Rule 1:21-3 is unchanged, and law school students, law school graduates, and out-of-state attorneys may continue to appear and/or practice to the extent permitted under the existing rule.

3. The expanded ability to temporarily practice law under supervision under this order is limited to 2020 graduates of ABA accredited law schools who have not previously taken the bar examination ("2020 graduates"). They must satisfy the following requirements:

    a. 2020 graduates must satisfy the provisions of Rule 1:24-1 and submit complete applications to sit for the first bar examination scheduled after graduation (e.g., Fall 2020). Accordingly, 2020 graduates must submit payment of the applicable fee and all materials required for review and certification by the Board and the Committee on Character, no later than the final deadline of June 5, 2020. The Board's website contains a list of all dates and

corresponding fees. The Court encourages 2020 graduates to submit applications as soon as practicable to avoid late fees and enable the character review process for each applicant to begin. The Board will review applications for completeness and notify individual applicants of any deficiencies.

b. 2020 graduates must be certified by the Committee on Character before they are authorized to practice under supervision under this order. Through staff to the Committee on Character, reviewing attorneys will notify 2020 graduates of their status, including any deficiencies in their submissions, as soon as practicable. Ordinarily, that review process can take months. The Committee will endeavor to expedite the process. For years, volunteer attorneys have reviewed bar applications. The Court invites additional attorneys willing to volunteer to contact the Committee.

c. After all of the necessary conditions are met, the Board will issue individual orders that temporarily authorize 2020 graduates to practice law under supervision. 2020 graduates may then enter appearances, draft legal documents and pleadings, provide legal services to clients, engage in negotiations and settlement discussions, and provide other counsel consistent with the practice

of law in New Jersey, provided that each graduate acts under the supervision of a New Jersey attorney who is in good standing and has held a plenary license to practice law in New Jersey for at least three years. The supervising attorney's name and bar ID should appear on any papers filed with the courts.

d. 2020 graduates are required to apply and sit for the first bar examination scheduled after graduation. 2020 graduates who cannot sit for that examination must apply to the Board to carry over their bar application to the next available administration of the examination (e.g., February 2021). Such an application must set forth, in writing, the reasons for the request, which must establish good cause to delay sitting for the upcoming examination. Good cause can be established on a specific showing of personal hardship, which will be kept confidential. 2020 graduates may seek to defer taking the bar examination only once and must sit for the next available administration of the exam. There will be no further extensions. In addition, unless the Board grants an extension, the temporary ability to practice law under supervision will lapse if a 2020 graduate does not sit for the first bar examination scheduled after graduation.

e. The ability to temporarily practice law under supervision under this order will continue until bar examination results are available. 2020 graduates who pass the bar examination and otherwise satisfy the Rules of Court concerning the admission to practice law in New Jersey, see, e.g., Rule 1:24-1 et seq. and Rule 1:27-1 et seq., will be granted a plenary law license, which shall automatically supersede and terminate their temporary authorization to practice law under supervision. 2020 graduates who do not pass the bar examination will no longer be eligible to temporarily practice law under supervision.

4. Temporary authorization to practice under supervision under this order does not confer on 2020 graduates either a plenary license or any vested or implied right to be licensed, as set forth in Rule 1:27-1 et seq.

5. Careful preparation is necessary to sit for the bar examination. The adjusted and uncertain timeframe to administer the examination, brought on by the ongoing pandemic, poses an extra challenge for 2020 graduates at the critical start of their legal careers. With that in mind, 2020 graduates serving as law clerks in the New Jersey Judiciary for the 2020-21 term will be granted one week of additional leave to prepare for the first bar examination scheduled after graduation. Individual judges

will have discretion to allow a second week of leave. The Court encourages supervising attorneys, law firms, and other legal employers to offer 2020 graduates the same accommodation.

6. Effective immediately, and until further order of the Court, the requirement that bar applicants submit a notarized copy of the bar application and accompanying documents is relaxed. Instead, applicants may submit an affirmation that the contents are true and correct, provided that the affidavit or certification in lieu of oath conforms to Rule 1:4-4. Those documents may be signed electronically as previously authorized by the Court.

For the Court,

Chief Justice

Date: April 6, 2020