The Supreme Court of Ohio

ADMINISRATIVE ACTIONS

July 22, 2020

[Cite as *07/22/2020 Administrative Actions #2*, 2020-Ohio-3800.]

In re Postponement of In-person September 9-10, 2020 Ohio Bar Examination and Administration of Remote October 5-6, 2020 Ohio Bar Examination; Deadlines; Practice Pending Admission

WHEREAS, on March 9, 2020, the Governor of Ohio issued Executive Order 2020-01D and declared a state of emergency in Ohio in response to COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a global "pandemic" requiring "urgent and aggressive action" to control the spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency;

WHEREAS, on May 14, 2020, the Court issued the order entitled "In re July 2020 Bar Examination and Expansion of Practice Pending Admission during the Admission to the Practice of Law Process," which, as a result of the COVID-19 pandemic, postponed the July 2020 Ohio Bar Examination ("exam") to September 9 and 10, 2020 ("September") and temporarily expanded Practice Pending Admission (Gov.Bar R. I(19)) to allow recent law-school graduates to apply to the Court for temporary supervised practice, if enumerated eligibility requirements are met;

NOW THEREFORE, the Court hereby orders the following:

(A) In light of the COVID-19 pandemic and for vital safety, logistical, and planning considerations concerning the administration of the exam, the in-person September exam is postponed.

(B) A remote exam shall be administered on October 5-6, 2020 ("October") using questions prepared by the National Conference of Bar Examiners ("NCBE"), which shall satisfy the examination requirement of Gov.Bar R. I(5).

(C) Applicants who have applications pending to sit for the September exam shall be automatically rolled over to the October exam.

(D) Applicants who have applications pending to sit for the September exam who wish to opt out of the automatic rollover to the October exam may either withdraw their exam application and have their fees refunded or may transfer their exam application to the February 2021 exam. Applicants will make this election by e-mail to the Office of Bar Admissions. The deadline for applicants to make this election is September 28, 2020.

(E) If an applicant with Recent Graduate Practicing Pending Admission status opts to transfer to the February 2021 exam, their temporary authority to practice law in Ohio shall not terminate on the first day of the October exam, as it would have under the Court's May 14, 2020 order; such termination is postponed until the first day of the February 2021 exam or the next available exam in Ohio, or for any of the other termination events outlined in the May 14, 2020 order.

(F) Applicants who withdrew their July exam applications when the exam was postponed to September—who, under the Court's May 14, 2020 order were prohibited from "apply[ing] at a later date to sit for this administration of the exam"—may request to be reinstated for the October exam, but shall contact the Office of Bar Admissions before making such a request.

(G) Ohio shall explore entering into memoranda of understanding with other jurisdictions administering the NCBE's remote examination on October 5 and 6, 2020, to provide for reciprocity between the participating jurisdictions. The passing score for Ohio applicants shall remain at 270. Applicants who apply for reciprocity under a memorandum of understanding shall be treated as a UBE transfer applicant under Gov.Bar R. I.

(H) The MPT portion of the exam-application fee, which amounts to $28, shall be refunded to all applicants who have an application pending to sit for the

October exam. Those applicants who opt to transfer their application to the February 2021 bar exam shall pay the fee in the amount charged by the NCBE for the UBE components, as outlined in Gov.Bar R. I(3)(B)(5).

(I) All other requirements for application and admission to the practice law in the state of Ohio remain in effect.