FILED
SUPREME COURT
STATE OF WASHINGTON
MARCH 5, 2021
BY SUSAN L. CARLSON
CLERK

THE SUPREME COURT OF WASHINGTON

ORDER REGARDING TRANSFER OF OCTOBER 2020 REMOTE BAR EXAMINATION SCORES TO WASHINGTON	)	**ORDER** NO. 25700-B-660

WHEREAS, Admission and Practice Rule (APR) 3(d) permits an applicant to transfer a Uniform Bar Exam (UBE) score earned in another jurisdiction to Washington in lieu of sitting for the bar examination; and

WHEREAS, APR 4(d)(1) provides that the minimum passing score for the UBE is 270, but this Court by order dated May 15, 2020, reduced the minimum passing score to 266 for the July and September 2020 UBE; and

WHEREAS, in light of the COVID-19 pandemic, the National Conference of Bar Examiners (NCBE) assisted 20 jurisdictions to conduct a remote bar exam in October 2020, and that examination was not a full length UBE; and

WHEREAS, the NCBE has provided that scores earned on the October 2020 remotely administered test will be used for local admission decisions only, and will not qualify as UBE scores, and therefore the scores will not be eligible to be transferred as UBE or MBE scores to other jurisdictions; and

WHEREAS, the Washington State Bar Association (WSBA) has received at least four requests to transfer an October remote bar exam score in lieu of a UBE score, and the potential

applicants note that they took the examination in a UBE jurisdiction expecting to be able to transfer their UBE score after the exam; and

WHEREAS, the Court granted diploma privilege by order dated June 12, 2020, for applicants who, at that time, were registered for the July and September 2020 bar exams and who had received a juris doctorate degree (J.D.) from an ABA approved law school. For diploma privilege, no other qualifications were considered, including whether the person had previously failed the bar exam. In comparison, transferring a score from an October remote exam, even one that is only half of the UBE, may provide more assurance that the individual is minimally competent to practice law; and

WHEREAS, the NCBE has stated that the October remote exam scores are not UBE scores, that jurisdictions were instructed to inform their applicants of such information, and there is no provision in the APR for the transfer of any other scores besides UBE scores, the WSBA has denied all requests to transfer an October remote bar exam score in lieu of a UBE score; and

WHEREAS, in light of the factors referenced above, the WSBA has requested that the Court consider allowing the October 2020 remote exam scores to be accepted for admission in Washington;

Now, therefore, it is hereby

ORDERED:

The WSBA is authorized to accept transfer of the October 2020 remote exam scores for the purpose of admission in Washington. The transfer is limited to those applicants who earned a J.D. from an ABA law school. In addition, because UBE score transfers can only come from UBE jurisdictions, the transfer of an October 2020 remote bar exam score shall be limited to

scores originating from jurisdictions that were UBE jurisdictions at the time of the October exam.

DATED at Olympia, Washington this 5th day of March, 2021.

González C.J.
CHIEF JUSTICE