District of Columbia
Court of Appeals

O R D E R
(Filed—June 10, 2020)

Over the past months, as a result of the COVID-19 pandemic, the court has worked to balance health and safety with multiple other needs in reaching a decision regarding administration of the D.C. Bar exam. Among the considerations we have attempted to balance are the public's need for competent attorneys, the legal community's need for newly licensed attorneys, and law school graduates' need for employment. The novel coronavirus pandemic has challenged the court to fulfil its duty to protect the public by assuring that licensed attorneys are competent and possess the required character and fitness to practice law.

In light of recent recommendations for reopening the District of Columbia; guidance from the District of Columbia Department of Health, the Centers for Disease Control and Prevention, and the World Health Organization; and the overwhelming number of persons wishing to apply for admission to the bar; it has become clear that it will not be possible to administer an in-person examination of this magnitude and importance while protecting the integrity and fairness of the exam as well as the health of examinees, proctors, and staff.

On May 4, the court announced that we would administer the September Uniform Bar Exam (UBE), if conditions related to the COVID-19 pandemic allowed us to do so safely. The May 4 order also indicated that the court was continuing to explore alternative means of licensing attorneys, including the option of a remote bar exam that would not be a UBE exam with portable scores. Accordingly, we announced on Monday that in lieu of the September UBE, the court will administer a **remote D.C. Bar Exam on October 5 and 6**, using materials prepared by the National Conference of Bar Examiners (NCBE). The remote exam will have fewer questions than the UBE, but it will cover the same range of topics, so we advise examinees to study as they would for the UBE. **The exam will be administered electronically. All applicants are required to provide their own computer with webcam and Internet access for the exam.**

Applicants who are successful on the exam will be eligible for admission in D.C., which will also qualify them to practice as in-house counsel or federal government attorneys in all 50 states. The remote exam will not produce a portable UBE score, and, at this time, no other UBE jurisdiction has announced that it will elect to accept a remote exam score. The Committee on Admissions **will continue to consult with other UBE jurisdictions in an effort to coordinate reciprocal acceptance of remote exam scores**; however, we expect that any such decision will depend on factors related to the exam administration and scoring that will require some time to develop.

If, despite these ongoing efforts to establish reciprocity, applicants wish to withdraw from the October D.C. Bar Exam, the court has made arrangements to **refund fees**. The court had previously indicated in the May 4th order that fees would be creditable to a future application for admission, but not refundable. Applicants may withdraw and request refunds by emailing BarExamRefund@dcappeals.gov. The deadline to request a refund is September 15, and applicants should allow 14 to 21 days for processing. Applicants who wish to withdraw and credit their fees to a future application, no later than July 2021, may do so by emailing BarExamWithdrawal@dcappeals.gov.

The court will open applications for the bar exam to **all applicants** who qualify under our rules for admission by examination, including repeat test-takers and LLM graduates; however, examinees may not combine a portion of this exam with a partial score from a previous UBE.

Applications will open on July 1, when the court posts the application portal by 10:00 am EDT, **and close on July 10.** Applicants will be required to register with the court's software vendor by a date to be announced. The fee payable to the court, including that for exam materials, will cover the software vendor fee. Applicants who successfully registered for the September UBE need not re-register for the October remote D.C. Bar Exam; their applications will be carried over. **Requests for accommodations may be made before the application re-opens by emailing dcaccommodations@dcappeals.gov.** The deadline for accommodations applications is **July 10.**

Interested persons should check the court's website periodically for updates and announcements pertaining to the bar examination and registration.

During this difficult time, the court has continued to consult with the District of Columbia Department of Health, the Attorney General of the District of

Columbia, the leadership of the District of Columbia Bar, the deans of the laws schools in the District of Columbia, this court's Committee on Admissions, the National Conference of Bar Examiners, other bar admissions authorities, and the courts of other jurisdictions.

The court will issue a temporary, emergency order to authorize the change to an October remote bar examination and to modify related eligibility, registration, notarization, and other procedural requirements.