Section of Legal Education and Admissions to the Bar

Council Resolution

Endorsing Consideration of a Uniform Bar Examination

WHEREAS, the Section of Legal Education and Admissions to the Bar of the American Bar Association regards an effective system of admission and regulation of the legal profession as an important responsibility for the protection of the public; and

WHEREAS, the increased demand for lawyer mobility has resulted in greater multijurisdictional practice and has increased utilization of admission on motion by experienced lawyers; and

WHEREAS, admission by motion does not apply to recently admitted lawyers; and

WHEREAS, adoption of a uniform licensing examination for lawyers in all jurisdictions would facilitate lawyer mobility and enhance protection of the public; and

WHEREAS, the increasing use of uniform, high quality testing instruments has rendered most jurisdictions’ bar examinations substantially similar; and

WHEREAS, law is the only major profession that has not adopted a uniform licensing examination, the scores on which are transferable among jurisdictions; and

WHEREAS, after adoption of a uniform examination on legal knowledge, reasoning and skills, state bar admission authorities and state supreme courts would remain responsible for making admission decisions, including establishing character and fitness qualifications and setting passing standards, and enforcing their own rules for admission; and

WHEREAS, issues relating to knowledge of local law can be addressed through a mandatory educational component, a separate state-specific assessment, or a combination thereof;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Section of Legal Education and Admissions to the Bar urges the bar admission authorities in each state and territory to consider participating in the development and implementation of a uniform bar examination.

ADOPTED by the Council of the Section of Legal Education and Admissions to the Bar on August 6, 2010.