



Minnesota State
Bar Association

New Lawyers
Section

Minnesota State Bar Association

New Lawyers Section

April 2020

RESOLUTION ON THE 2020 MINNESOTA BAR EXAMINATION

WHEREAS, the Minnesota Board of Law Examiners (the “Board”) has recognized the challenges of administering the July 2020 bar examination under the same conditions as past bar exams, such as taking the test supervised, in-person, and in a large gathering space, due to the current COVID-19/Coronavirus pandemic;

WHEREAS, the Board has recognized the negative impact, both financially and professionally, of a cancellation or postponement of the July 2020 bar examination on recent law school graduates;

WHEREAS, other July 2020 bar examinees, such as out-of-state candidates and individuals seeking to retake the bar examination, face similar, if not greater, financial and professional hardships should the July 2020 bar examination be postponed or cancelled;

WHEREAS, postponing or cancelling these other bar examinees’ ability to take the exam and become a member of the Minnesota bar increases the difficulty of the bar as a whole to respond to the COVID-19 pandemic, and implicates serious access to justice concerns for the people of Minnesota;

WHEREAS, for over one decade it has been standard practice for law students to take law school exams remotely using secure, electronic software and pursuant to strict honor code requirements and procedures;

WHEREAS, the National Conference of Bar Examiners has not yet opposed alternative, electronic means of administration of a bar examination; and

WHEREAS, the New Lawyers Section of the Minnesota State Bar Association desires to support the Board’s efforts, as well as assist by identifying opportunities for helping additional examinees;

THEREFORE BE IT:

RESOLVED, that the New Lawyers Section of the Minnesota State Bar Association supports the Petition of the Minnesota State Board of Law Examiners for Amendment of the Student Practice Rules in light of the COVID-19/Coronavirus pandemic, presented on April 20, 2020; and be it,

FURTHER RESOLVED, that the New Lawyers Section of the Minnesota State Bar encourages the Minnesota State Board of Law Examiners to petition the Minnesota Supreme Court for additional limited law licensure on behalf of all prospective July 2020 bar examinees should the July 2020 bar examination be cancelled or postponed, including out-of-state candidates and candidates retaking the bar exam. Specifically, the New Lawyers Section respectfully requests that the Minnesota Board of Law Examiners promulgate emergency rules to the Minnesota Supreme Court granting all July 2020 bar examination registrants who have graduated from an accredited law school the ability to engage in a limited

practice of law, provided they are under the supervision of a Minnesota-licensed attorney who is in good standing, should the July 2020 examination be delayed or cancelled; and, be it

FURTHER RESOLVED, that the Board of Law Examiners, to the extent permitted by the National Conference of Bar Examiners, investigate means of proctoring and administering the July 2020 bar exam through secure, electronic, remote means that would ensure the integrity of the exam, as well as enable recent graduates the opportunity to qualify for admission to the Minnesota bar on the regular timetable despite current restrictions on large gatherings.

*This is an action of the MSBA New Lawyers Section and does not represent the view or action of the MSBA.

DATED: April 22nd, 2020