Bar Certification Information

GENERAL

Students should check with the state bar association of the state in which they expect to sit for the bar examination to determine deadlines and requirements. The National Conference of Bar Examiners website also lists the requirements for each state. You can access it at ncnex.org. The Center for Professional Development has information available. Students are not certified as law school graduates eligible to sit for the bar examination until after all of the student’s grades are in and all law school requirements have been met.

WASHINGTON STATE BAR EXAMINATION

Uniform Bar Examination
The Uniform Bar Examination (UBE) is prepared by the National Conference of Bar Examiners to test knowledge and skills that every lawyer should be able to demonstrate prior to becoming licensed to practice law. It is comprised of six Multistate Essay Examination (MEE) essays, two Multistate Performance Test (MPT) tasks, and the Multistate Bar Examination (MBE). It is uniformly administered, graded, and scored by user jurisdictions and results in a portable score that can be used to seek admission in jurisdictions that accept UBE scores.

The UBE is administered over two days, with the MBE given on the last Wednesday of February and July and the MEE and MPT given on the Tuesday prior to that. The MEE and MPT scores are scaled to the MBE, with the MBE weighted 50%, the MEE 30%, and the MPT 20%. The tentative UBE passing score in WA is 270.

The UBE is designed to be consistent in content and administration across jurisdictions that use it. All UBE jurisdictions administer a common set of MEE questions. The following jurisdictions have adopted the UBE: Alabama (July 2011); Arizona (July 2012); Colorado (February 2012); Idaho (February 2012); Missouri (February 2011); Montana* (TBD); Nebraska (February 2013); North Dakota (February 2011); and Washington will administer the UBE in July 2013.

Jurisdictions that adopt the UBE may require candidates to also complete a jurisdiction-specific educational component and/or pass a test on jurisdiction-specific law in addition to passing the UBE. Candidates should contact the bar admissions agency in the jurisdiction to which they seek admission to verify the jurisdiction’s requirements for admission. Contact information for jurisdictions can be found on the Bar Admission Offices page. Washington State will require applicants to complete the Washington Law Component online examination in addition to the UBE.

Jurisdictions that use the UBE continue to:

- decide who may sit for the bar exam and who will be admitted to practice.
- determine underlying educational requirements.
- make all character and fitness decisions.
- set their own policies regarding the number of times candidates may retake the bar examination.
- make ADA decisions.
- grade the MEE and MPT.
- set their own pre-release re-grading policies.
- assess candidate knowledge of jurisdiction-specific content through a separate test, course, or some combination of the two if the jurisdiction chooses.
- accept MBE scores earned in a previous examination for purposes of making local admission decisions if they wish. Note, however, that candidates must sit for the entire UBE in a single administration in order to earn a portable UBE score.
- set their own passing scores.
- determine how long incoming UBE scores will be accepted.

Multistate Essay Examination (MEE)

The UBE consists of six MEEs selected by the NCBE. The purpose of the MEE is to test the applicant’s ability to (1) identify legal issues raised...
by a hypothetical factual situation; (2) separate material which is relevant from that which is not; (3) present a reasoned analysis of the relevant issues in a clear, concise, and well-organized composition; and (4) demonstrate an understanding of the fundamental legal principles relevant to the probable solution of the issues raised by the factual situation. The primary distinction between the MEE and the Multistate Bar Examination (MBE) is that the MEE requires the applicant to demonstrate an ability to communicate effectively in writing.

Areas of law that may be covered on the MEE include the following:

- Business Associations (Agency and Partnership, Corporations and LLC)
- Conflict of Laws
- Constitutional Law
- Contracts
- Criminal Law and Procedure
- Evidence
- Family Law
- Federal Civil Procedure
- Real Property
- Torts
- Trusts and Estates Decedents’ Estates; Trusts and Future Interests
- Uniform Commercial Code

Negotiable Instruments, Commercial Paper, and Secured Transactions.

*Some questions may include issues in more than one area of law.

Washington may instruct applicants to answer MEE questions according to Washington law. Absent such an instruction, applicants should answer the questions by applying fundamental legal principles.

**Multistate Performance Test (MPT)**

The UBE consists of two 90-minute MPT items per administration. The MPT is designed to test an applicant's ability to use fundamental lawyering skills in a realistic situation. Each test evaluates an applicant's ability to complete a task that a beginning lawyer should be able to accomplish.

The materials for each MPT include a File and a Library. The File consists of source documents containing all the facts of the case. The specific assignment the applicant is to complete is described in a memorandum from a supervising attorney. The File might also include transcripts of interviews, depositions, hearings or trials, pleadings, correspondence, client documents, contracts, newspaper articles, medical records, police reports, or lawyer's notes. Relevant as well as irrelevant facts are included. Facts are sometimes ambiguous, incomplete, or even conflicting. As in practice, a client’s or a supervising attorney’s version of events may be incomplete or unreliable. Applicants are expected to recognize when facts are inconsistent or missing and are expected to identify potential sources of additional facts.

The Library may contain cases, statutes, regulations, or rules, some of which may not be relevant to the assigned lawyering task. The applicant is expected to extract from the Library the legal principles necessary to analyze the problem and perform the task. The MPT is not a test of substantive law; the Library materials provide sufficient substantive information to complete the task.

The MPT requires applicants to (1) sort detailed factual materials and separate relevant from irrelevant facts; (2) analyze statutory, case, and administrative materials for applicable principles of law; (3) apply the relevant law to the relevant facts in a manner likely to resolve a client’s problem; (4) identify and resolve ethical dilemmas, when present; (5) communicate effectively in writing; and (6) complete a lawyering task within time constraints.

These skills are tested by requiring applicants to perform one of a variety of lawyering tasks. For example, applicants might be instructed to complete any of the following: a memorandum to a supervising attorney, a letter to a client, a persuasive memorandum or brief, a statement of facts, a contract provision, a will, a counseling plan, a proposal for settlement or agreement, a discovery plan, a witness examination plan, or a closing argument.
Skills Tested

The Multistate Performance Test examines six fundamental lawyering skills that are required for the performance of many lawyering tasks.

1. Problem solving.
2. Legal analysis and reasoning.
3. Factual analysis.
5. Organization and management of a legal task.
6. Recognizing and resolving ethical dilemmas.

Multistate Bar Examination (MBE)

Each of the questions on the MBE is followed by four possible answers. Examinees should choose the best answer from the four stated alternatives. Each question on the MBE is designed to be answered according to generally accepted fundamental legal principles, unless noted otherwise in the question. Examinees should mark only one answer for each question; multiple answers will be scored as incorrect. Since scores are based on the number of questions answered correctly, examinees are advised to answer every question. If a question seems too difficult, examinees are advised to go on to the next one and come back to the skipped question later. Each jurisdiction will provide specific instructions regarding the appropriate marking of answer sheets.

MBE Content and Description of the Examination

The MBE consists of 200 multiple-choice questions, 190 of which are scored. The 10 unscored questions are being evaluated for future use; because these questions are indistinguishable from scored questions, examinees should answer all 200 questions. The 190 scored questions on the MBE are distributed as follows:

- Constitutional Law (31)
- Contracts (33)
- Criminal Law and Procedure (31)
- Evidence (31)
- Real Property (31)
- Torts (33)

The Multistate Professional Responsibility Examination (MPRE)

The Multistate Professional Responsibility Examination (MPRE) is administered by ACT on behalf of the National Conference of Bar Examiners (NCBE) and is given in August, November, and March each year. The MPRE is based on the law governing the conduct of lawyers, including the disciplinary rules of professional conduct currently articulated in the ABA Model Rules of Professional Conduct, the ABA Model Code of Judicial Conduct, and controlling constitutional decisions and generally accepted principles established in leading federal and state cases and in procedural and evidentiary rules. The MPRE scaled score is a standard score. Standard scaled scores range from 50 (low) to 150 (high). Each jurisdiction will set its own passing score. The tentative passing score in WA is 85. The MPRE consists of 60 multiple-choice questions. There are 50 scored questions and 10 non-scored pretest questions. The examination is 2 hours and 5 minutes in length and may be taken while in law school.

Please see the National Conference of Bar Examiners webpage, ncbe.org, for an overview of the examination components, subject matter outlines, sample exams, and more information about state bar licensing requirements.

If you have further questions regarding the bar examination process, please contact Professor Young, Director of the Bar Studies Program.

younl@seattleu.edu
Sullivan Hall Room 312 A
(206) 398-4323

Bar Studies Program

Upon completing law school, every student who wants to practice law has one last hurdle to overcome: the Bar examination. The Bar Studies
Program at Seattle University provides law students and graduates with guidance during their studies to prepare them for success on the Bar examination.

Bar Exam Skills Lab is offered as a two-credit class for graduating 3Ls. The lab focuses on building the analytical, writing and organizational skills necessary to enhance a student’s ability to prepare for the bar examination. This seminar provides students with hands-on practice involving practice exam essays, peer-evaluation, MBE and MPT practice, and individual grader feedback.

In addition to the offered credit course, the Bar Studies Program offers free non-credit workshops, speaker panels and discussions open to all law students and graduates. These resources familiarize students with the subjects and format of the Washington State Bar Examination and study strategies to employ as they look forward to sitting for the Bar.

This comprehensive program assists all Seattle University students and graduates with every aspect of Bar examination preparedness whether you choose to practice in Washington or elsewhere.