## IN THE SUPREME COURT OF THE STATE OF MONTANAEC

Bowen Greenwood Clerk of Supreme Count State of Montana

		and or wontain
In Re:	DILLON A. POST	
	Petitioner,	PETITION TO GRANT AN
		EXEMPTION ALLOWING THE
		REMOTE OCTOBER 2020 BAR
		EXAMINATION SCORE TO
		TRANSFER INTO APPLICATION
		FOR ADMISSION BY SCORE
		TRANSFER TO MONTANA
		STATE BAR
		)

Dillon A. Post ("Petitioner") is a recent graduate of Vermont Law School who sought to apply to the State Bar of Montana, with job opportunities pending, by score transfer immediately following the July 2020 Universal Bar Examination (UBE). Petitioner elected to sit for the UBE in the State of Vermont. Petitioner elected to take the examination in Vermont for two reasons. First, Petitioner resided in Vermont, and intended on moving from Vermont to Montana following the July Bar Exam. Second, Petitioner intended on reserving a license to practice in the state of Vermont.

In March 2020, COVID-19 concerns surrounding the administration of the UBE arose.

On April 6, 2020, the Vermont Supreme Court postponed the July 2020 exam to September.

Admin Order No. 49, Declaration of Judicial Emergency and Changes to Court Procedures (Apr. 6, 2020). The announcement was made after the March 15 registration deadline for the Montana July 2020 bar exam. Petitioner elected to remain registered for the September 2020 Vermont UBE unsure of how COVID-19 restrictions would continue to develop.

On July 17, the Vermont Supreme Court announced that as a result of COVID-19 concerns, the September 2020 bar exam was postponed and would be held via remote online administration sometime in Fall 2020. Admin Order No. 49, Declaration of Judicial Emergency

and Changes to Court Procedures, 9 (Jul. 17, 2020). The order also highlighted that (a) the National Conference of Bar Examiners (NCBE) would create the exam, (b) the exam would consist of fewer questions, and (c) that the exam would cover the same subjects and format as the UBE. *Id.* With the surrounding uncertainty, Petitioner remained registered for the Fall Vermont exam. After the exam moved to remote administration Petitioner also registered for the February 2021 Montana Bar Exam as a fail-safe and provided the necessary documents and report to the Montana Board of Bar Examiners.

The Vermont remote examination was administered on October 5th and 6th. On November 13, the Vermont Board of Bar Examiners notified Petitioner that he received a 317 on the remote examination. The remote exam was scored using the same scale as the UBE.

Vermont requires applicants to score a 270 or higher, and therefore Petitioner passed the Vermont exam. The pass rate for the Vermont October exam went down 18% as compared to the February 2020 exam. *Compare* Press Release, Vermont Board of Bar Examiners, Vermont Bar Exam Results February 2020 (Apr. 17, 2020) (finding a pass rate of 75%) *with* Press Release, Vermont Board of Bar Examiners, Vermont Bar Exam Results October 2020 (Nov. 16, 2020) (finding a pass rate of 57%). After learning of the results, Petitioner opened a dialogue with the Montana Board of Bar Examiners about the status of his application and to determine whether the score could be transferred.

WHEREFORE, Petitioner respectfully requests that the Court enter an order granting an exemption that allows the Petitioner's score from the Vermont remote October 2020 examination to transfer to the Petitioner's application for admission to the Montana State Bar Association, and for such other relief as this Honorable Court deems appropriate.

Dillon A. Post

374 Gilbert Stuart Rd.

Saunderstown, RI

02874

401-487-4412

dillonpost@vermontlaw.edu