

ORIGINAL

FILED

12/29/2020

IN THE SUPREME COURT OF THE STATE OF MONTANA

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FILED

Case Number: PR 06-0422

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DEC 29 2020

IN RE PETITION OF RAVEN VENEGAS FOR
ACCEPTANCE OF REMOTE BAR EXAMINATION
SCORE

Bowen Greenwood
Clerk of Supreme Court
ORDER Montana

Raven Venegas has petitioned the Court to accept her Ohio Bar Examination score for use in conjunction with her application for admission to the State Bar of Montana by score transfer. The petition explains that the July 2020 Ohio Bar Examination, which she took, was delayed twice, and then administered remotely with notification that the score would not qualify as a portable Uniform Bar Examination (UBE) score. By the time Venegas received this notification, it was too late to take a sanctioned UBE examination, as UBE states that had administered in-person examinations had already completed their test administrations. The Montana Rules for Admission require a scaled UBE score from another jurisdiction for admission by transfer of score. Rule IV.A.2., Rules of Admission.

Upon request by the Court, the Board of Bar Examiners has responded to the petition. It explains that the National Conference of Bar Examiners has advised that remotely conducted bar examinations were significantly abbreviated, and did not produce a viable, transferable UBE score. Applicants for remote examinations were so advised, and the thirteen states administering such examinations agreed among themselves to accept transfer of remote scores as a matter of reciprocity, but the Board is not aware of any state that administered an UBE-qualifying, in-person examination accepting transfer of a remote score. The Board states that “[t]he integrity of the exam and adherence to the rules and guidance regarding transferability of scores with respect to UBE jurisdictions must remain intact,” and unanimously recommends denial of the request.

However, the Board expressed sympathy with applicants in Venegas’ position, and suggested an accommodation be made for “remote-exam applicants” who would seek admission in Montana by examination, consisting of extending as to them the Court’s June 2020 order, which adopted Temporary Rules for Admission for qualifying law school


graduates, through the July 2021 test administration.¹ This would provide the same opportunity for “remote-exam applicants” to practice under the Temporary Rules through two test administrations, including the February 2021 and July 2021 examinations. The Court concurs with the Board’s suggestion.

Therefore,


IT IS ORDERED that the petition for acceptance of the remote-examination score for purposes of admission by score transfer is DENIED. The Court will issue an order forthwith adopting the Board’s suggested revision of the Temporary Admission Rules to accommodate “remote-exam applicants” seeking admission by examination.


The Clerk is directed to provide a copy hereof to the Petitioner, the Board of Bar Examiners, and the State Bar of Montana.


DATED this 29th day of December, 2020.





Chief Justice














Justices

¹ The Temporary Rules granted admission to qualified applicants through “the **first two** Montana Uniform Bar Examinations administered after the date these rules are adopted.” Temporary Rule H.1.a. and I.1. (emphasis added). The Temporary Rules were adopted in an order dated June 17, 2020, and thus are in effect through the July 2020 and the February 2021 test administrations.