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03/18/2021

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 06-0422

MAR 18 2021

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Clerk of Supreme Court
State of Montana

PR 06-0422

IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE: KENT F. DAVIS,
Petitioner,

**PETITION TO WAIVE MPRE
REQUIREMENT IN APPLICATION
FOR ADMISSION BY MOTION TO
MONTANA STATE BAR**

Kent F. Davis ("Petitioner"), hereby petitions the Court to waive the three-year Multistate Professional Responsibility Examination ("MPRE") requirement for admission by motion to the State Bar of Montana.

BACKGROUND

Petitioner, a resident of Utah, is seeking admission to the State Bar of Montana. He satisfies all requirements for application by motion except one: obtaining a MPRE score of 80 or higher no earlier than three years prior. Petitioner took the MPRE in November 2012 and obtained a scaled score of 93. Petitioner used that MPRE score in admission to the state bar of Utah in 2013. Since being admitted to practice, Petitioner has/is/was:

- A member in good standing of the State bar of Utah since 2013;
- Clerked for Senior United States District Court Judge Stephen M. McNamee in the District of Arizona;
- A member in good standing of the State bar of Arizona since 2014;
- Hired pursuant to the Attorney General's Honors Program to the U.S. Department of Justice in 2014;
- A member in good standing of the State bar of Washington since 2015;

- A prosecuting attorney with the Salt Lake County District Attorney's Office since 2017.

As a prosecutor, Petitioner is acutely aware of the importance of ethical obligations to the practice of law. No doubt studying and retaking the MPRE would reinforce knowledge and application of the American Bar Association's model ethical rules, which would be valuable continuing legal education in ethics and professionalism. Petitioner submits that his MPRE score from 2012 and nearly eight years of the ethical practice of law would be an acceptable substitute under the circumstances.

Petitioner makes this request in light of ongoing discussions between the Court and State bar of Montana regarding the requirements for admission by motion. Specifically, eliminating the current MPRE requirement if the applicant has already taken and obtained a passing score for admission in another jurisdiction. Petitioner has satisfied this requirement and would be in compliance with the contemplated revision to the MPRE requirement, if adopted by the Court.

REQUESTED RELIEF

Petitioner requests the Court waive the MPRE requirement and find Petitioner's background, experience, and having passed the MPRE as part of admission in another jurisdiction as sufficient for admission to the Montana State Bar.

RESPECTFULLY SUBMITTED this 4th day of March, 2021.

By: 

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