

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 11-0244

IN RE THE PETITION TO ADOPT
UNIFORM BAR EXAMINATIONO R D E R

The Montana Board of Bar Examiners has petitioned the Court for authority to adopt use of and administer the Uniform Bar Examination, or UBE, as the testing component of the Montana Bar admissions process, which would permit test scores to be transferred between jurisdictions for limited periods of time. The Board requests that the Montana law component of the exam be revised by elimination of the Montana Essay Examination and adoption of an on-line, open-book test specific to Montana law. Finally, the petition requests that the passing score for the examination be raised to a level more consistent with that of other states. The Board states that it “stands ready to respond to the Court’s questions or inquiries” regarding the proposed changes to the testing process. The Board would intend to implement the UBE for the February 2012 examination, or at the latest, the July 2012 examination.

After consideration of the petition, the Court has determined that the bench and bar of the State of Montana and any interested person should be provided an opportunity to comment thereon.

IT IS HEREBY ORDERED that this Court will accept written public comments on the petition. Each person submitting comments shall file an original and 7 copies of his or her comments with the Clerk of this Court on or before 5:00 p.m. on July 15, 2011. The Board of Bar Examiners is granted until August 15, 2011, to respond to any comment, if it elects to do so. Thereafter, the Court will schedule this matter for a public meeting.

IT IS FURTHER ORDERED that copies of this Order and the petition with attachments be electronically published on the State Bar of Montana website,

<http://www.montanabar.org>, and on the website for the Judicial Branch, <http://www.courts.mt.gov>. The State Bar of Montana is further requested to give notice of this Order and of its website posting in the next available issue of *The Montana Lawyer*.

IT IS FURTHER ORDERED that the Clerk of this Court shall provide to each District Court Judge, each Clerk of the District Court, Montana State Law Library and the State Bar of Montana a copy of this order with a request that each Clerk of the District Court make the order available for public review in the Office of the Clerk of the District Court.

DATED this 11th day of May, 2011.

/S/ MIKE McGRATH
/S/ JIM RICE
/S/ BETH BAKER
/S/ JAMES C. NELSON
/S/ PATRICIA COTTER
/S/ MICHAEL E WHEAT
/S/ BRIAN MORRIS