

ORIGINAL

PR 06-0422 FILED

May 18 2011

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE:

RICHARD L. NELSON

Petitioner,

FILED

MAY 18 2011

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PR 06-0422

**PETITION FOR EXCEPTION TO THREE YEAR REQUIREMENT FOR TRANSFER
OF MPRE SCALED SCORE**

I, Richard L. Nelson, respectfully request an exception to the three year requirement for transfer of MPRE scaled scores. In support, I would show the following:

1. I am currently scheduled to sit for the July, 2011, Montana Bar Exam. The MPRE is scheduled for August, 2011.
2. As I understand it, the State Bar of Montana currently accepts a transferred scaled score of 80 on the MPRE, taken within the last three (3) years.
3. I have taken the MPRE two (2) times within the last ten (10) years and have passed on both occasions.
4. The first of my prior MPRE exams was taken in Alaska in August 2002, where I received a scaled score of 109, and the second was in Wyoming in August 2006, where I received a scaled score of 107.
5. However, I do not meet the three (3) year requirement for score transfer.

6. I will be moving to Montana from Wyoming because my wife has accepted a position with the executive management team of a community bank established in Montana, with branches throughout the state.
7. My wife has now already moved to Montana and has begun work at her new job there.
8. I am still in Wyoming, attempting to wrap up my active litigation practice here. I anticipate being able to complete that by early fall and then to join her in Montana.
9. While I will be travelling to Montana to take the bar exam in July, taking the MPRE in August would require a second trip during an extremely hectic time for me.
10. As a result, I am asking for an exception, under the circumstances, which would allow me to transfer my prior MPRE scores.
11. The unofficial reports from the NCBE of these scores are attached as Exhibits A and B respectively. The official reports have been sent to the State Bar of Montana as part of my application process.
12. I have been in practice for more than thirty (30) years, am admitted in four (4) state jurisdictions and the corresponding Federal District Courts and Circuit Courts of Appeals covering those states, as well as before the United States Supreme Court.
13. I am in good standing in all jurisdictions in which I am admitted to practice and have never been disciplined by any bar or court.
14. This accommodation in allowing me to transfer my prior MPRE scores will be of great assistance. I will then be able to complete my exams in one trip to Montana rather than two during this crucial wind-up period for me.

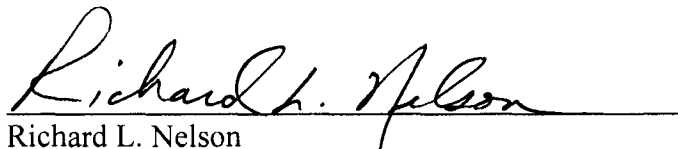
15. If I wait until the next test date after August to take the MPRE (which would be my third in less than ten years), the resulting delay in admission to practice in Montana would present a financial hardship for my wife and me.

16. I am hopeful that my proven record on the MPRE, taken on more than one occasion within a reasonably recent time frame, as well as my years of experience in private practice and my good standing before the bar associations and courts where I am admitted, will be taken into consideration in deciding whether to allow this accommodation.

WHEREFORE, I request that my petition be granted under the circumstances, allowing me to transfer the above prior scores on the MPRE as an exception to the three year requirement.

I also request any further relief that may be necessary or appropriate.

DATED this 16th day of May, 2011.



Richard L. Nelson
Attorney at Law
P.O. Box 3158
Jackson, WY 83001
(307) 732-2180
(307) 732-2181 (Fax)
rlnelson@bresnan.net