

# Why it's Time for Michigan to Adopt the Uniform Bar Examination

## What is the Uniform Bar Examination (UBE)?

The UBE is a nationally administered bar examination that tests knowledge of general principles of law, legal and factual analysis, reasoning, and communication skills to determine readiness to enter legal practice in any jurisdiction. Every state that offers the UBE is afforded the opportunity to test for an understanding of jurisdiction-specific law. Applicants who take the UBE may transfer their scores to seek admission in other UBE jurisdictions.

## Why adopt the UBE?

- Strengthens the bar exam to test for lawyering skills not tested under the current bar examination.
- Ends Michigan's status as "behind the times" when it comes to examining new lawyers.
- Continues to protect the public by assuring that Michigan lawyers are appropriately prepared to practice law and serve their clients both in Michigan and nationwide.
- Attracts graduates from other states because score portability allows them to transfer their scores to Michigan and practice here.
- Continues to provide necessary accommodations for test takers with disabilities.

## What is the current bar examination system?

- Law school graduates who want to practice here take a two-part Michigan bar exam:
  - The Multistate Bar Exam (MBE)—a 200 question multiple-choice test developed by the National Conference of Bar Examiners and used by 54 jurisdictions nationwide.
  - Fifteen essay questions prepared by the Michigan Board of Law Examiners (BLE) consisting of Michigan law specific questions that are vetted by the BLE and answers reviewed by state law schools prior to the grading process beginning. Essay topics range from contracts to worker's compensation.
- In most jurisdictions nationwide, lawyers who have practiced at least five years can be admitted to the bar without reexamination, creating a "gap" for new Michigan lawyers.

## How is the UBE different from Michigan's exam?

- In use by 40 states (see map on reverse), the UBE is written, scored, and administered under the supervision of the National Conference of Bar Examiners, in conjunction with the Michigan Board of Law Examiners. This approach provides for consistency across jurisdictions.
- Like the Michigan Bar Exam, the UBE includes the Multistate Bar Exam; however, the UBE also includes the Multistate Essay Exam (MEE) and the Multistate Performance Test (MPT).
  - The MEE is a six-question essay test that has been adopted by 47 jurisdictions.
  - The MPT is a lawyering skills test that been adopted by 50 jurisdictions and includes basic legal skills such as drafting a will or writing a letter to a client.

<b>Bar Exam Comparisons</b>	
Jurisdictions with Michigan's bar exam system	3
Jurisdictions using Uniform Bar Examination (UBE)	40
Jurisdictions using the Multistate Essay Exam (MEE)	47
Jurisdictions using the Multistate Performance Test (MPT)	50
Jurisdictions using the Multistate Bar Exam (MBE)	54

**What statutory changes might be needed to adopt the UBE?**

- Revision of MCL 600.931 to include a fee for admission by the UBE.
- Revision of MCL 600.934 to include a timeframe limit of three years for transfers of UBE scores. Currently in Michigan, transfers of Multistate Bar Exam scores are limited to three years. In UBE states, the limits range from two to five years.
- A new section will need to be added to the Public Act providing for admission to the State Bar by transferred UBE score.

Adoption of the Uniform Bar Examination  
with NCBE Tests Administered by Non-UBE Jurisdictions  
February 16, 2021

