

🖨 [Click to print](#) or Select 'Print' in your browser menu to print this document.

Page printed from: <https://www.law.com/texaslawyer/2018/05/16/task-force-recommends-ditching-texas-bar-exam-for-ube/>

---

# Task Force Recommends Ditching Texas Bar Exam for UBE

Texas law graduates would no longer face the Texas bar exam, and instead take a test with fewer essay questions that could qualify them for a law license in 29 states, if the Texas Supreme Court accepts a recommendation from one of its task forces.

By **Angela Morris** | May 16, 2018



**Students taking a simulated Multistate Bar Examination in 2014 at the Jacob J. Javits Convention Center in New York City.**

---

Texas law graduates would no longer face the Texas bar exam, and instead take a test with fewer essay questions that could qualify them for a law license in 29 states, if the Texas Supreme Court accepts a recommendation from one of its task forces.

In a [report this week \(http://www.txcourts.gov/media/1441612/final-task-force-report\\_051518.pdf\)](http://www.txcourts.gov/media/1441612/final-task-force-report_051518.pdf), the Task Force on the Texas Bar Examination, which the high court created in June 2016 (<https://www.law.com/texaslawyer/almID/1202767363769/task-force-assigned-to-study-all-aspects-of-the-texas-bar-exam/>), said that Texas should ditch the Texas bar exam in favor of the uniform bar exam, which still includes the multistate bar exam, but supplements those tests with a new online test focusing on Texas law.

“The UBE allows lawyers to move between states without spending the time and money needed to take multiple bar exams. This is advantageous for new law school graduates who wish to look for employment in more than one state—including both Texans who wish to move to other states, and those from other states who wish to practice law here,” said the May 14 task force report.

Twenty-nine states, the District of Columbia and the Virgin Islands use the uniform bar exam. Another advantage: rather than 12 essay questions on the current Texas bar exam, law grads would face just six essay questions on the multistate bar exam.

Justice Jeff Brown, the court’s liaison to the task force, said the court would talk about the report in a conference on May 29.

“There’s no decided-upon timeline,” Brown said. “I don’t expect any action to be taken until a little further down the line.”

Court spokesman Osler McCarthy said it’s not likely the court would take action until August, after it’s issued all opinions in pending cases this term.

The task force wrote in its report that if the high court decided to adopt the uniform exam this summer, it shouldn’t become effective until the February 2020 exam, to provide enough time for the Texas Board of Law Examiners to create a special Texas-law component, and to give law graduates enough notice to prep for a new test.

Many states supplement the uniform exam with a test that focuses on that state's local law. Texas should do this too, said the task force, possibly through an online exam focusing on things such as Texas legal ethics, the Texas Constitution, civil and criminal procedure and more. The Texas supplemental test probably wouldn't have any essay questions.

The task force followed up with several recommendations in case the Texas Supreme Court decided not to adopt the uniform bar exam. If so, the court should consider reducing the Texas bar exam's essay questions from 12 to six. But the court should keep the current Texas bar exam's score weighting, and keep the current minimum pass score of 675 out of 1,000.

If Texas did use the uniform bar exam, the passing score should be 270, roughly equivalent to the Texas bar exam's 675 passing score. In other states, uniform exam passing scores range from 260 to 280.

In case the court rejects the uniform bar exam, the task force also made a number of recommendations to speed up the grading period of the Texas bar exam. It now takes 10 to 14 weeks for law grads to get their results, mainly because essay grading takes so long. Reducing the number of essays would speed grading. Doubling the number of graders from 16 to 32 would allow results to come out in seven to nine weeks. Changing the regrading policy could speed up results. Currently an exam that falls six points short of passing is eligible for regrading, but the task force said it should be reduced to between three and five points to be eligible for regrading.

The task force also asked whether Texas law grads should get a diploma privilege allowing them to get a law license without taking a bar exam at all. The task force did not recommend this, but did say it's worthwhile for law schools to experiment with "alternative approaches to licensure." For example, what if Texas law grads earned a law license from a clerkship under the supervision of a qualified attorney, or completed rigorous pro bono or law school clinic experiences?

*Angela Morris is a freelance reporter. Follow her on Twitter at @AMorrisReports.*

---

**Copyright 2018. ALM Media Properties, LLC. All rights reserved.**