

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99012-SCT

IN RE: RULES GOVERNING ADMISSION TO THE MISSISSIPPI BAR

ORDER

This matter is before the Court, en banc, on Petition of the Board of Bar Admissions seeking, *inter alia*, amendment of the Rules Governing Admission to the Mississippi Bar to increase the score required to pass the Multi-state Professional Responsibility Examination and to specify the period in which such score must be achieved. Having considered the petition, and publication of this proposal on the Court's Internet site having been completed, the Court finds that the relief sought should be granted to the extent set forth herein.

IT IS THEREFORE ORDERED the petition of the Board of Bar Admissions is granted to the extent set forth herein and that Rule IX, Section 4C of the Rules Governing Admission to the Mississippi Bar be and the same is hereby amended as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this order upon the minutes of the Court and that a true certified copy be forwarded forthwith to West Publishing Company for publication in *Southern Reporter Second (Mississippi Edition)* and the *Mississippi Rules of Court*.

SO ORDERED, this the 11th day of December, 2000.

/s/ Fred L. Banks, Jr.

FRED L. BANKS, JR., PRESIDING JUSTICE

SMITH AND DIAZ, JJ., NOT PARTICIPATING

EXHIBIT "A"

AMENDMENT TO RULES GOVERNING ADMISSION TO

THE MISSISSIPPI BAR

IX. EXAMINATION

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Section 4. Time and Place of Examination.

A. Regular Bar Examination. The Board shall conduct a bar examination twice each year on dates to be set by the Board in February and July for the purpose of examining the applicants for license to practice law. (Until further order by the Board, the examination shall be administered on Monday, Tuesday and Wednesday of the week containing the last Wednesday in February and July.) Each examination shall be administered over a period of three consecutive days. One day of the examination will be devoted to the

Multi-state Bar Examination (MBE) prepared by the National Conference of Bar Examiners and two days of the examination will consist of essay-type questions and/or written performance tests prepared by or at the direction of the Board or through the services of the National Conference of Bar Examiners.

Each applicant for admission under Rule IX at a particular administration of the Mississippi Bar Examination must take all portions of the essay and performance examination at that administration. Scores achieved on essay or performance-type questions at a previous administration may not be utilized or considered as part of an applicant's score on a subsequent administration.

B. Utilization of Previous MBE Scaled Score. An applicant who has taken the Multi-state Bar Examination (MBE) prepared by the National Conference of Bar Examiners, either in Mississippi or in another jurisdiction, within the immediately preceding 20-month period may elect to utilize the scaled score which he achieved on said previous administration of the MBE in lieu of retaking MBE during current Mississippi Bar Examination. Applicant's election to utilize MBE scaled score from a previous administration must be made in a written petition received by the Board not later than thirty (30) days before the Mississippi Bar Examination at which the applicant proposes to sit. Such petition shall state the date and place at which he took the MBE and the scaled score which he achieved. In the case of a request to utilize an MBE score from another administration of the MBE in a state other than Mississippi, the applicant must attach to his petition an authorization for the Board to obtain a certification of the MBE Scaled Score attained by the applicant from the Board of Bar Admissions (or equivalent agency) of the jurisdiction in which applicant sat for the subject MBE or from the National Conference of Bar Examiners. In the event that any change occurs in the procedure for preparation, grading or scaling of the MBE which, in the opinion of the Mississippi Board of Bar Admissions, renders impossible or inaccurate comparison of scaled scores between different administrations of the MBE, the Board may terminate or modify the utilization of previous MBE scores.

C. Multi-state Professional Responsibility Examination. As a mandatory condition for admission to the Mississippi Bar by examination each applicant must achieve a scaled score of not less than ~~70~~ 75 on the Multi-state Professional Responsibility Examination (MPRE) administered by the National Conference of Bar Examiners (NCBE). This score must be achieved on an administration of the MPRE not less than twenty-four (24) months before nor more than twelve (12) months after the date of administration of the Mississippi Bar Examination at which the applicant achieves a passing result. It shall be the responsibility of each applicant to register for and take the MPRE in the manner and at the time prescribed by the NCBE and to request that his scores be furnished by the NCBE to Mississippi Board of Bar Admissions. The MPRE may be taken before or after the administration of the Mississippi Bar Examination at which an applicant proposes to sit. However, applicants are strongly encouraged to take the MPRE before taking the Mississippi Bar Examination, since no applicant will receive a "certificate of eligibility for admission" until the Board receives the certification of the applicant's achieving the said minimum scaled score on the MPRE within the time period prescribed in this subpart.

However, those applicants who have within twenty-four (24) months preceding July 1, 2001 achieved a scaled score of not less than 70 shall be deemed to have passed the MPRE. Subject to this exception, the increased score and the requirement that the score must be achieved on administration of the MPRE within the above stated time span shall be effective as to Bar Examinations administered from and after July, 2001.

[Section 4A amended effective for Mississippi Bar Examinations administered in February 1992 and

thereafter; Section 4B amended March 14, 1995 effective from and after July 1, 1995, but examinations administered February 1995 are to be scored according to existing rules and also by the rules in the March 14, 1995 order; amended effective April 24, 1997. Section 4c was further amended December 14, 2000 to increase the required scaled score from 70 to 75 and require that it be achieved within a stated time span.]