Welcome – I’m Barbara Landress, of the Office of Graduate Affairs. Thank you for joining this webinar on NY bar eligibility.

Overview

- Reasons to take or skip the NY Bar Exam
- Eligibility for the NY Bar Exam
- Procedures

  Request for Evaluation of Foreign Law Credentials
  Application to sit for Bar Exam (UBE, NY/ILC, NYL, MPRE)
  Post Exam Steps for NY Bar Admission

This session will cover:
Reasons to take or skip the NY Bar Exam
Steps you need to take to sit for the bar exam and be admitted to NY bar.
My colleague Clara Solomon – Director of Counseling and Career Development in the Office of Career Services (OCS) will discuss whether or not to take the NY Bar.

Reasons to take the NY Bar

- Seeking or have employment in the US, or at a foreign office of a major US/UK-based firm
- Believe the credential will be useful in the future
- Compete training as a US lawyer
Reasons not to take it

- May limit flexibility in choosing classes
- Expense (application fee, bar prep. course, study time)
- Stress
- Plan to work in home country
- Will not help in certain career paths

Employer Preferences

Global Law Firm Preferences

US Offices
- Short term vs. Long term positions

Asia
- Global firms vs. Local firms

Europe
- Latin America
- Middle East/Africa/Other
Now I’ll discuss eligibility requirements for the NY bar exam.
NY BOLE is the NY Board of Law Examiners, the organization that interprets and applies the rules of the NY Court of Appeals on eligibility to take the bar exam. We at NYU Law cannot speak on behalf of NY BOLE. We do try to provide some guidance based on the experiences of past students. But, ultimately, it is NY BOLE that decides whether or not your credentials meet the requirements of the Court rules on eligibility to take the exam. You can call NY BOLE with questions – the telephone number is on the NY BOLE website. If you want to contact BOLE, it’s helpful to wait until after the July administration of the bar exam because they tend to get very busy in the month leading up to the exam.

There are four basic requirements for NY Bar eligibility:

1. As a foreign-trained lawyer, you must have completed the educational requirements to be admitted to practice law in a country other than the United States by completing a program of law school study.
2. Second, the foreign law school or schools that you attended must be accredited to award a degree in law.
3. The third requirement is durational – your program of study for your foreign law degree must have been for an amount of time substantially equivalent to the period of study for a US JD.
4. Finally, there is a substantive requirement – your study for your first law degree must be based on English common law and substantially equivalent to study at a US law school.
The statute incorporates a “cure provision.” The cure provision states that if your foreign law degree does not meet either the durational requirement or the substantive requirement, you can cure this “deficiency” with an US LLM. In order to use the “cure provision” your foreign law degree must first meet either the substantive or the durational requirement.

Those who have completed a traditional law degree of 3 or more years in common law in the UK, Ireland, Australia, Canada, New Zealand and Israel have typically been approved to take the NY bar exam based on their foreign law degree alone and without a US LLM because their first law degrees meet the durational, substantive and other requirements.

There are some countries where results have been mixed – some applicants are approved based on their first degree while others aren’t. In evaluating whether a degree meets the substantive requirement - NY BOLE may look not only at whether you attended law school in a common law country but also at the particular program you attended and whether the program is similar to a US JD program.

Foreign legal education in civil law does not meet NY BOLE’s substantive requirement. Legal education in countries with a “mixed” legal system also does not meet the substantive requirement. NY BOLE considers the legal systems in India and Pakistan to be mixed legal systems.
If your first law degree is from what NY BOLE considers to be a civil or mixed law country, many of you will be able to establish eligibility for the NY bar exam by earning the NYU LLM. To do this, you must show that you have met the durational requirement. I am going to go into a little more detail about this, since for many of you, showing that your first law degree meets the durational requirement is central to establishing NY bar eligibility.

To meet the durational requirement, you must have studied at a foreign law school for an amount of time equal to, or greater than, the amount of time a student earning a US JD (at an ABA approved law school) has studied. You must have completed your foreign law degree no earlier than 24 months and no later than 84 months (seven years) after you began it.

Also, during your foreign law degree you must have earned 83 credit hours; 64 of those hours must be in classroom credits – credits earned for an internship, for example, or for writing a thesis will not count toward the 64 classroom credits needed, but can count toward the 83 credits required overall.

Figuring out if your foreign law degree meets the durational requirement, involves doing a little math – under the rules of the NY Court of Appeals, one law school credit is 700 minutes of classroom instruction. To calculate whether you have studied for 83 credit hours, you’ll need to find out how many minutes are in a credit at the foreign law school you attended.
There are some special rules for UK attorneys who took the Conversion course and not the traditional LLB. I will not go into detail here, but if you are a UK attorney who did not do a traditional degree, note that there are specific provisions of the NY Court rules that may address your circumstances.

Special Rule For Certain UK Attorneys

- Admitted to bar in country with English common law jurisprudence based on law school and law office study
- Check § 520.5(b)(2) for details
To summarize: If you can document that you have: 1) completed the educational requirements to be admitted to practice in your country (or in the place where you earned your first law degree); 2) your foreign law school is accredited; and 3) your foreign law degree meets the durational requirement, you can likely invoke the cure provision which allows you to use a US LLM degree to establish NY bar eligibility.

If you plan to use a US LLM degree to establish eligibility, there are particular requirements for the LLM program. You must complete the LLM degree within 24 months. This does not pose any difficulty for full-time students, since the full-time program is one academic year. But, if you are a part-time student, be very mindful of this limitation.

You need to earn **24 credits in classroom courses**, and to take certain required classes:
- 2 credits in professional responsibility
- 2 credits in legal research and writing
- 2 credits in a course on the American Legal system
- 6 credits in subjects tested on the NY bar

The introductory summer courses will help you meet these requirements. Intro to US Law in summer counts toward the American Legal System req. In summer you also fulfill one credit that counts toward the legal research and writing requirement by taking Intro to US Legal Practice. You earn the second legal research and writing credit by taking Graduate Lawyering 1 in fall or during the winter break. There are many 2-credit sections of PR (note not all of the classes that count toward the PR requirement are called PR, for example the class Ethics in Government Enforcement also meets the requirement). Finally, you need to take 6 credits of subjects tested on the NY bar. Classes that students commonly take to meet this requirement include but are not limited to: Contracts, Secured Transactions, Corporations, Introduction to US Civil Procedure and Commercial Sales Law, and Commercial Law.
Go to the link below to view classes that count toward eligibility requirements:

[http://www.law.nyu.edu/recordsandregistration/barexams/barexamsafterjuly2013/eligibilityrequirements](http://www.law.nyu.edu/recordsandregistration/barexams/barexamsafterjuly2013/eligibilityrequirements)

Check the list of classes posted on the Law School’s website which count toward the eligibility requirements. Not every class on the list is offered this year, but many are.

Some credits do not count toward the 24 classroom credits you need for NY bar eligibility. Credits that don’t count as classroom credits for purposes of bar eligibility include:

- Credits for a directed research project (that is what we call an independent writing project),
- If you are taking law-related classes at the University but outside of the Law School, only 6 of these credits may count toward the 24 needed.
- Credits for serving as a research assistant also do not count as classroom credits.
- Keep in mind though, that the 3 credits you earn in the introductory summer classes, do count as classroom credits for purposes of earning the 24 credits you need for NY bar eligibility.
Now I’ll move on to describe the procedures required for establishing eligibility and applying to sit for the exam.

First, you’ll submit an online form Requesting Evaluation of Your Foreign Law Credentials. You must submit this Request for Evaluation even if your first law degree is from a common law country and expect to be bar eligible without an LLM.

- New York requires you to complete a Request for Evaluation of Foreign Academic Credentials
- You must submit the request – whether or not you are relying on the NYU LLM
You’ll find the Request for Evaluation form on the NY BOLE website. You create an online account, and are assigned a BOLE id. You then complete and submit the Request form and send in supporting documents. Be sure to include the BOLE id number on any correspondence you send to NY BOLE.

NY BOLE’s deadline for receiving documents is Oct. 1.
When should you Submit the Request for Evaluation and send in supporting documents? We recommend that you do this now. Oct. 1 may seem far away but there are good reasons to take care of this now. For one thing, you will need to ask your Law School and also perhaps the bar licensing organization in your home country to send documents directly to NY BOLE – these institutions make take some time to respond to your requests. Also, NY BOLE may have questions about the docs. you send in, or ask you for further information; we recommend that you respond to requests for further information by the Oct. 1 deadline. Finally, in April you will need to pay a fee of $750 to register to take the July bar exam. It can take many months for NY BOLE to review your documents and you will not want to pay the $750 non-refundable application fee unless you know you are approved to sit for the exam.

If you don’t get an email letting you know that NY BOLE has received your docs., it’s a good idea to follow up with a phone call to confirm that what you’ve sent has been received. Also, if you don’t hear back after a few months on your bar eligibility, we recommend contacting NY BOLE. Be sure to make a record of whom you are speaking to at NY BOLE, the date, and what was said.
Now, I’m going to go into a little bit of detail about the kinds of documents you’ll need to send to BOLE. We cannot tell you exactly what NY BOLE will require in your case, but I will mention types of documents candidates typically send.

To show that you’ve completed the educational requirements for admission to practice law in your country, those who are already bar members can ask the bar licensing org. to send NY BOLE an admission certificate; if that’s not possible, you could try sending a copy of your own certificate or card. If you are not admitted to practice law, you are required to send proof of the educational requirements for admission in your country and also proof you’ve fulfilled these requirements. Sometimes students show this by sending a copy of the statute that governs bar admission; they also often send a letter from their law school or bar licensing org. that includes the statement that they have successfully completed the educational requirements for admission to practice law in their country.

Even if you can supply an admissions certificate, I strongly recommend also sending a letter from the bar licensing org. or law school because very often NY BOLE does not consider the admission certificate alone to be sufficient.

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**Educational Requirements for Admission to Law Practice**

- Admission Certificate, or
- If you are not admitted to practice law:
  - Proof of the educational requirements for admission to practice law in your country; and
  - Proof that you have fulfilled these requirements
- Some submit statement from law school or bar licensing org. that they “successfully completed the educational requirements for admission to the practice of law in [country where received foreign law degree].”
- Submit this statement even if you can also submit a certificate of bar admission
- We cannot say definitively what will fulfill requirement — send early and send more rather than less
- Remember docs. should come directly from school or other institution to NY BOLE
You also have to show that your law school was accredited by the governmental organization. When you complete the Online request for Eval. you’ll see a drop-down menu. If your law school is on the list of schools that NY BOLE already recognizes as accredited, then you don’t need to supply documents proving accreditation. If your school is not on that list, you will need to submit evidence of accreditation. Often the Ministry of Education website in your country will provide info on this – posted here is a website that lists accrediting bureaus worldwide.

You’ll need to show the duration of your first law degree and whether it was based on common or civil law. Submit a transcript from every law school you attended. The transcripts must be sent directly from the school to NY BOLE, so you’ll have to make a request to each school to mail the transcript to BOLE. Sometimes transcripts don’t show all of the information that NY BOLE would like to review so that you’ll need to send or ask your law school to send a copy of your degree certificate with the name of your degree and date of graduation.

Also sometimes transcripts are not broken down by semester, so that NY BOLE will ask for a breakdown of the period of time in which the courses you took were taught. Very often people need to submit supplemental info because the documents don’t show all the information that BOLE would like to review to determine your eligibility. That is why it’s important to start now on contacting your schools and bar licensing org. to ask them to send materials to NY BOLE – this way if BOLE finds a deficiency you have time before Oct. 1 to send further information.

Accreditation

- Statement from the accrediting agency of your foreign government that the law school you attended was approved throughout your study
- Online list of accrediting bureaus worldwide
  www.worldstudent.com/uk/mag/features/accreditation.shtml
- Ministry of Education website for your country may provide information on how to request documentation of accreditation

Duration/Substance

- Official transcript from every law school attended
- Certified copy of degree certificate if transcript does not state the name of the degree awarded and the date awarded
- If transcript is not broken down by semester, the foreign law school should also submit a letter with a breakdown of the period of time in which courses were taught.
If docs are in a language other than English, you’ll have to provide translations. You cannot translate the documents yourself – they must be translated by an official translator. You can send translations directly to NY BOLE – they do not have to be sent by the issuing school or other institution.

After you fill out the online request and send in supporting docs., typically you’ll receive a determination of eligibility several months later. Sometimes it takes a really long time to hear back from NY BOLE. The earlier you start the process, the more likely you’ll get a response before the April application period to sit the July bar. If you have not heard from BOLE after a few months, I do recommend contacting the office to see if they want more information and to try to determine if anything else is needed.
Now a few words about the application to sit for the exam and the exam itself.

The Uniform Bar Exam also called the UBE is given twice a year – in July and in February.

**Dates of Exam**

The Uniform Bar Exam (one part of the New York Bar Exam) is given twice a year on the last Tuesday and Wednesday of February and July.
To sit for the July exam, you’ll need to file an application in April – between April 1 and April 30. The application is online on the NY BOLE website.

**Bar Exam Application**
- For the July exam, the application filing period is typically April 1 through 30 – deadline is posted on NY BOLE website
- Application may be completed online at [www.nybarexam.org](http://www.nybarexam.org)

Once you apply to sit for the exam, there are some documents you will need to submit to NY BOLE in June – a handwriting sample, a certificate of attendance and a transcript. The Law School’s Records office will send these items to BOLE at your request – but you must request that this be done.

**Additional Submissions to NY BOLE due in June include:**
- Handwriting Sample
- Certificate of Attendance Form
- LLM Transcript

At your request, the Law School’s Records Office will send these documents to NY BOLE on your behalf when you have earned the LLM degree.
The NY BOLE website includes extensive information on what is tested on the NY Bar exam. The NY Bar exam includes the Uniform Bar Exam also called the UBE which takes two days. On the first day you’ll take the multi-state essay exam – 6 essays of 30 minutes each and the MPT – Multi State performance exam. The MPT includes two tasks that lawyers might typically perform – 90 minutes each. The Second day is a 200 question multiple choice exam – 6 hours long.

There are Two additional components of the NY Bar Exam:

NY Law Course – this is an online on demand course on important aspects of NY Law. There are 15 hours of lectures with embedded questions. You can take the NY Law Course online from wherever you may be located.

NY Law Exam
After you take the NY Law Course you can take the NY Law Exam. Online but only on 4 specific dates at specific times. 50 item multiple choice test. NY BOLE site has a lot of info about these two relatively new parts of NY Bar
Finally, you will also need to take the MPRE – Multi State Prof. Respons. Exam
This is a 60 multiple choice question exam given in March, August and November
Some students take it in March during the LLM year – we don’t highly recommend that because it can take time out of the work you need to do for the LLM. Consider waiting until August to take the MPRE if you can.

Multistate Professional Responsibility Exam (MPRE)
- To become a member of the New York State Bar you also need to take the MPRE
- MPRE – 60 multiple choice questions
- Offered in March, August, November
- Information is at www.ncbex.org
  Website of National Conference of Bar Examiners

Bar Review Courses
- Most take a commercial bar review course prior to the exam
- Information about bar review courses online
- The Law School does not endorse any particular bar review company or program
- Be good consumers: check out course schedules and materials
- Make direct contact with those who have taken a class (especially after they have taken the exam)

Most people who are studying for the exam take a bar review course. These are not provided by the Law School but instead by commercial bar course providers – several companies offer them. We don’t endorse a particular company but recommend that you be a good consumer. Look at the course materials - Speak with students who have taken and passed the bar; your best info will be from your colleagues who have gone through the process.
After you pass these exams, there are additional steps to take to be admitted to the NY Bar.

There is an inquiry by Committee on Character and Fitness for which you must fill out forms and submit information about your background. Once you have submitted the required information, there is an interview and swearing in.

**After the Bar Exam**

- Admission Application forms for New York Bar
- Inquiry by the Committee on Character and Fitness (background must meet certain standards of conduct)
- Personal Interview
- Swearing In (in the past this has been in January for July exam)
To be admitted to the Bar, you will have to show that you have performed 50 hours of pro bono service. There are quite a few opps. to do pro bono work here in New York City. Miriam Eckenfels Garcia, of the Public Interest Law Center works to connect students with pro bono opportunities. She will be giving a talk on this during Orientation in August.

There is a new rule effective as of August 2018 that requires candidates for bar admission to show competency to provide legal services in New York State. NYU Law LLM students must use pathways (a)(4) and (a)(5) of the Rule which allow candidates to show competency through legal apprenticeship or legal practice in the US or another jurisdiction before or after the LLM. The Court has posted a link to further information about this rule.

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§ 520.16 Pro Bono Requirement for Bar Admission

... supervised pre-admission law-related work that:

1. assists in the provision of legal services without charge for
   (i) persons of limited means;
   (ii) not-for-profit organizations; or
   (iii) individuals, groups or organizations seeking to secure or promote access to justice, including, but not limited to, the protection of civil rights, civil liberties or public rights;

2. assists in the provision of legal assistance in public service for a judicial, legislative, executive or other governmental entity…

More information: Miriam Eckenfels-Garcia Miriam.Eckenfels@nyu.edu

§ 520.18 Competency Requirement for NY Bar Admission – NEW

- Candidates for bar admission must show competency to provide legal services in New York State
- NYU Law LLM students must use pathways (a)(4) and (a)(5) of the Rule.
  Legal apprenticeship or legal practice in the US or another jurisdiction before or after the LLM
- Must file a complete application for admission within three years of the date sat for the second day of the UBE
- The New York State Court system has posted details at: