

Client Advisory

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D.C. Bar Halves Seating Capacity for July 2022 Exam Administration

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This week, the D.C. Bar announced that seating capacity for the July 2022 bar exam will be limited to 1,100 seats.¹ The announcement, which cuts last year's seating capacity in half, took potential applicants by surprise. Below, we assess how this change affects prospective applicants to the D.C. Bar.

D.C. Bar Exam Overview

The D.C. Bar exam is held in February and July of each year.² Typically, seating capacity for the February administration of the exam is more limited than for the July administration,³ as graduating law students tend to take the bar exam in July.

The D.C. Bar administers the Uniform Bar Exam ("UBE"), which is developed by the National Conference of Bar Examiners ("NCBE"). The UBE includes a written component and a multiple-choice component.⁴ The written component of the exam has two parts: the Multistate Essay Examination and the Multistate Performance Test.⁵ The multiple-choice component of the UBE consists of the Multistate Bar Examination ("MBE").⁶ Many, but not all, states have adopted the UBE.⁷

Applicants to take the D.C. Bar exam must, among other things, meet one of two eligibility requirements: (1) graduation from an American Bar Association ("ABA")-approved law school (or completion of all requirements for graduation); or (2) completion of twenty-six credit hours of study in an ABA-approved law school, with all credits earned in topics "substantially concentrated" on subjects tested on the UBE.⁸

The July 2022 Administration of the D.C. Bar Exam – What's Changed?

The next administration of the D.C. Bar exam will take place in person at the D.C. Armory on July 26–27, 2022. This week, the D.C. Bar announced that it will limit seating capacity for the exam to 1,100.⁹

This year's 1,100 capacity is only half of the seating capacity for last July's administration of the exam, which permitted up to 2,200 total applicants to take the exam. (The D.C. Bar's notice of successful applicants states that "[t]he 2200 applicants for the July 2021 Uniform Bar exam have been notified of their results," which suggests that all 2,200 seats were filled last year.)¹⁰ What does this mean for hopeful applicants to the D.C. Bar? Not everyone who wants to take the exam this July may be able to do so.

Priority registration opens on May 12, 2022, and closes on May 17, 2022.¹¹ It is restricted to first-time bar exam takers who have received a J.D., or will receive a J.D. by October 26, 2022, from a law school located in D.C.¹² Those schools are:

- American University, Washington College of Law
- Columbus School of Law, The Catholic University of America
- David A. Clarke School of Law, University of the District of Columbia
- George Washington University Law School
- Georgetown University Law Center
- Howard University School of Law.¹³

General registration for all applicants opens on May 18, 2022 on a first-come, first-served basis, and registration will close when the 1,100 seating capacity is reached.¹⁴

The new seating capacity puts some pressure on graduating law students and lawyers who planned to sit for the July 2022 D.C. Bar exam but are now no longer assured they will get one of the seats before capacity is reached. Moreover, the May 18, 2022 general registration opening date falls close to some deadlines to apply to take another jurisdiction's July administration of the bar exam.

Admission by Score Transfer

Applicants may have an alternative: admission by score transfer.¹⁵ But here, too, the rules have changed recently.

Applicants can seek admission to the D.C. Bar based on a UBE score obtained in a different jurisdiction.¹⁶ Among other requirements, the applicant must have attained a scaled UBE score of at least 266.¹⁷ The applicant also must have graduated from an ABA-approved law school, or received at least twenty-six credit hours from an ABA approved law school in subjects tested on the UBE.¹⁸ An applicant must apply within five years of attaining the UBE score.¹⁹

Importantly, recent rule changes mean that a score earned on the MBE is no longer eligible for applications for admission by score transfer. This means that applicants seeking admission through score transfer can no longer do so if the score they earned was in a jurisdiction that administers only the MBE, and not the UBE. As of May 2022, the non-UBE jurisdictions are California, Delaware, Florida, Georgia, Hawaii, Louisiana, Michigan,²⁰ Mississippi, Nevada, Pennsylvania,²¹ South Dakota, Virginia, and Wisconsin.²²

This is a significant change for D.C.-area lawyers seeking to waive into D.C. from an adjoining jurisdiction. As a practical matter, the rule change means that applicants who earned a passing score on Maryland's administration of the UBE can seek admission in D.C. based on UBE score transfer (assuming they meet all other eligibility criteria), but applicants who obtained an MBE score from, and are barred only in, Virginia are no longer eligible to seek admission in D.C. based on MBE score transfer.

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These recent rule changes have made admission to the D.C. Bar more challenging. Graduating law students and lawyers seeking admission to the D.C. Bar should carefully review the revised rules and consider their options in light of the July 2022 exam's limited seating capacity and new score transfer limitations now in effect.

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- 1 D.C. Bar, *July 2022 Bar Exam Update*, <https://admissions.dcappeals.gov/allnews.action>.
2 D.C. App. R. 46(c)(1).
3 The February 2022 exam offered 525 total seats, and the February 2021 exam offered 665 seats. *See* D.C. Bar, *February Bar Exam Announcement*, <https://admissions.dcappeals.gov/feb-2022-exam-announce>; D.C. Bar, *Notice of the February 2021 Bar Examination Results*, <https://admissions.dcappeals.gov/february-bar-exam-results>.
4 D.C. App. R. 46(c)(7)(A).
5 *Id.*
6 *Id.*
7 *See* Nat'l Conf. of Bar Examiners, *Jurisdictions That Have Adopted the UBE*, <https://www.ncbex.org/exams/ube/>.
8 D.C. App. R. 46(c)(3)–(4).
9 D.C. Bar, *July 2022 Bar Exam Update*, <https://admissions.dcappeals.gov/allnews.action>.
10 D.C. Bar, *Notice of Successful Applicants – July 2021 Bar Exam*, <https://admissions.dcappeals.gov/allnews.action>.
11 D.C. Bar, *July 2022 Bar Exam Update*, <https://admissions.dcappeals.gov/allnews.action>.
12 *Id.*
13 *Id.*
14 *Id.*
15 The rules offer two other pathways to admission: applications based on membership in another jurisdiction's bar for at least three years; and, provided the application was submitted *by March 31, 2022*, applications based on a qualifying MBE score obtained in another jurisdiction by July 2021 and membership in that jurisdiction's bar. D.C. App. R. 46(b)(1)(B)(iii)–(iv).
16 D.C. App. R. 46(d)(3).
17 D.C. App. R. 46(d)(3)(A).
18 D.C. App. R. 46(d)(3)(D).
19 D.C. App. R. 46(d)(3)(B).
20 Michigan has adopted the UBE effective February 2023. Nat'l Conf. of Bar Examiners, *Adoption of the Uniform Bar Examination* (Feb. 22, 2022), <https://www.ncbex.org/pdfviewer/?file=%2Fdmsdocument%2F196>.
21 Pennsylvania has adopted the UBE effective July 2022. *Id.*
22 Nat'l Conf. of Bar Examiners, *List of UBE Jurisdictions*, <https://www.ncbex.org/exams/ube/list-ube-jurisdictions>.