

RULES OF THE SUPREME COURT OF KENTUCKY

ADMISSION OF PERSONS TO PRACTICE LAW

SCR 2.080 Bar examinations

(1) The Board of Bar Examiners shall examine such applicants as are certified to it as provided in Rule 2.040. The examination shall cover a period of two days and may cover the following subjects:

- (a) Administrative Law and Administrative Procedure
- (b) Conflict of Laws
- (c) Contracts
- (d) Constitutional Law
- (e) Business Entities (corporations, partnerships and/or others)
- (f) Criminal Law and Procedure
- (g) Civil Procedure
- (h) Domestic Relations
- (i) Property (real and/or personal)
- (j) Federal Taxation
- (k) Torts
- (l) Uniform Commercial Code (sales, secured transactions and/or negotiable instruments)
- (m) Estates (wills and/or trusts)
- (n) Evidence
- (o) Such other subjects as the Board may select from among questions proposed by the National Conference of Bar Examiners.

Prior to or at the time of the examination, each applicant shall certify that he or she has successfully completed a course of study in law school in the subject of ethics, and that if admitted to practice, the applicant will adhere to the Code of Ethics prescribed by the Supreme Court. The Character and Fitness Committee of the Kentucky Office of Bar Admissions may, in exceptional cases, waive the requirement that an applicant have successfully completed a course of study in law school in the subject of ethics.

(2) The Board may cover the subject matter in any manner that it sees fit, including or not including the multi-state essay examinations, multi-state performance examinations and/or multi-state Bar examinations.

(3) The Board of Bar Examiners shall, thirty (30) days before each examination, report to the Supreme Court the method by which the examination shall be administered.

(4) An applicant must pass both the essay and Multistate (MBE) portions of the examination. A general average of 75% or higher on the essay portion of the examination shall be deemed a passing score on the essay portion of the examination. A scaled score of 132 or higher on the Multistate (MBE) portion of the examination shall be deemed a passing score on the Multistate portion of the examination. After failing to pass five (5) Kentucky Bar Examinations, an applicant shall not be permitted to sit for the Kentucky Bar Examination. An applicant who has failed only one portion of the exam must only reapply to sit for the failed portion; however, a passing score on one portion of the exam may only be used for a period of three years to exempt the applicant from retaking that portion of the examination. An applicant who has taken the Multistate (MBE) examination in another jurisdiction within three years of the date of the Kentucky examination may transfer a score of 132 or higher and need only sit for the essay portion of the examination. In situations where the applicant has first passed the Kentucky essay portion of the examination, subsequently has taken the Multistate (MBE) examination in another jurisdiction, and wishes to be admitted by transferring in a score of 132 or higher that applicant must first file an update form

for a character and fitness re-certification as prescribed in SCR 2.062.

(5) The Board of Bar Examiners at the beginning of the first session shall give each applicant a numbered envelope. The applicant shall write his/her name upon a slip of paper, seal the name in the envelope and return the envelope to the Secretary of the Board. All papers will then be signed by the applicant only with the number upon his/her envelope. When the applicant has completed answering the questions on any given subject, he/she shall deposit his/her written answers thereto with the Secretary of the Board.

(6) The papers containing the questions and written answers given by applicants will be preserved by the Secretary of the Board for a period of one year from the time that the application for admission has passed upon by the Supreme Court, and longer if so ordered by the Court.

(7) Upon recommendation of the Board of Bar Examiners, the Supreme Court may appoint qualified members of the bar, to be known as Bar Examination Graders, to assist the Examiners in the grading of examination papers. Persons so appointed shall hold those positions for terms of one year and until the appointment of their successors.

HISTORY: Amended by Order 2009-12, eff. 1-1-2010; prior amendments eff. 1-1-02 (Order2001-2); adopted by Order 88-2, eff. 1-1-89