

**NEW YORK STATE BAR ASSOCIATION
RESOLUTION ADOPTED BY HOUSE OF DELEGATES
NOVEMBER 1, 2014**

WHEREAS, on October 6, 2014 the New York Court of Appeals issued a Request for Comment on a proposal of the State Board of Law Examiners to replace the current New York bar examination with the Uniform Bar Examination for the administration of the July 2015 administration of the bar examination, with a comment deadline of November 7, 2014; and

WHEREAS, the New York State Bar Association's Committee on Legal Education and Admission to the Bar undertook a [peripheral](#) review of the proposal, the use of the Uniform Bar Examination in other states, and the possible benefits of the Uniform Bar Examination; and

WHEREAS, concerns have been expressed with respect to the too-short comment period; the advantages and disadvantages to New York State residents, the New York Legal profession and their clients of such a change; the lack of New York-specific studies; the lack of a disparate impact analysis of the effect on the profession and the public; the impact on test-takers of the requirement of passage of both the Uniform Bar Examination and the New York Law Exam; the lack of pre-testing of the questions that would appear on the New York Law Exam; and the fact that many current law students have selected curricula and bar review courses based upon the current examination; and

WHEREAS, the Committee has concluded that the proposal requires a fair and reasonable time for study and discussion of the impact associated with a dramatic change to the bar examination and recommends that a decision on the implementation of the Uniform Bar Examination in New York be delayed until further study as to disparate impact, bar pass rates and costs can be completed;

NOW, THEREFORE, IT IS

RESOLVED, that the New York State Bar Association approves the report and recommendations of the Committee on Legal Education and Admission to the Bar; and it is further

RESOLVED, that the Association urges that the Uniform Bar Examination not be administered in July 2015; and it is further

RESOLVED, that the Association urges that this proposal be reviewed to address the concerns expressed above and that there be an additional comment period to allow sufficient time to address the comments in the Association's report with notice being given to all interested bar associations, including minority bar associations; and it is further

RESOLVED, that if after appropriate review and consultation it is determined to implement the Uniform Bar Examination, such implementation not take place until adequate notice of a minimum of two years is provided to enable law schools and then-current law students to prepare for the bar examination; and it is further

RESOLVED, that the President of the Association is directed to submit the report and recommendations to the Court of Appeals as the Association's comments in accordance with the Request for Comment and to urge the Board of Law Examiners to review the concerns expressed and conduct the needed studies, and is authorized to take such other and further action as necessary to prevent implementation in July 2015.