



PRESIDENT'S PAGE

BY Judith A. Gundersen

NextGen Developments: The First NextGen Jurisdictions and Events Galore

We recently shared the exciting news that Arizona, Connecticut, Iowa, Kentucky, Maryland, Missouri, Nebraska, Oregon, and Wyoming announced that they will adopt the NextGen bar exam, the first jurisdictions to do so. Maryland, Missouri, and Oregon intend to first administer the exam in July 2026; Arizona, Iowa, Kentucky, Nebraska, and Wyoming's first administrations are scheduled for July 2027. Connecticut has not yet finalized its first administration date. As jurisdictions announce their plans, we will update the list of participating jurisdictions on the NextGen page of our website.¹

We are very excited to welcome the first NextGen jurisdictions and ensure their path to and through the inaugural exam administration is smooth. We are pleased with our progress on all fronts, including item development and exam delivery. With the exam debut less than three years away, we know stakeholders want as much information as possible to help examinees and

law schools prepare and to allow Courts and Boards to make critical decisions. Please watch for additional important exam-related announcements early in 2024.

Updates to NextGen Exam Content and Current Exam Availability

In late October we announced two important changes to plans for the NextGen bar exam. First, we announced that family law will be added to the list of foundational concepts and principles to be tested on the NextGen exam beginning with the July 2028 administration. The addition of family law is in response to feedback from jurisdiction high courts and was enacted after careful consideration by the NCBE Board of Trustees.

We also announced that the current bar exam will remain available to jurisdictions through the February 2028 administration. This means the current exam and the NextGen exam will be offered concurrently for two full years, which helps

ensure a smooth transition for all jurisdictions.

NextGen Exam Outreach

Fall has meant a very packed calendar of NextGen travel and outreach for me and NCBE staff, as well as volunteer leaders. We launched a new series of quarterly, justices-only online roundtables; the first saw 71 justices from 37 jurisdictions participate. We have several additional trips planned through the end of the year and will continue with the justices-only online meetings.

And we have numerous law-school-related engagements in the months ahead. We recognize that law school staff and faculty are on the front lines of preparing students for bar exam success, and we want to ensure that all remain informed about NextGen developments.

Some Courts have asked us if we are trying to make the exam easier or harder, and the answer is: neither. Our goal is—and always has been—to make the exam faithful to testing



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the knowledge and skills necessary for entry-level practice in a changing profession. We aim to give Courts and Boards the best possible assessment tool to help them make admissions decisions. And we remain committed to developing an exam that is fair to all examinees—valid, accessible, and free from bias. We do that using a multipronged approach that includes using a diverse group of content experts, using industry standards for development, and gathering and analyzing performance and timing data. These are only some of the steps we take. I invite all stakeholders to subscribe to our NextGen website; you can read up on our processes and receive future updates as they become available.

July 2023 Exam Results

The national MBE mean for this summer's administration was broadly consistent with last July's: a slight tick up.² The same was true of MPRE scores.

NCBE sends pass/fail reports to the ABA-accredited law schools on behalf of 17 jurisdictions. We create the reports and send them to law schools in batches as participating jurisdictions release their scores. Law schools receive a report from each of the participating jurisdictions, which shows bar passage information for their graduates who sat in that jurisdiction. We

provide this service to jurisdictions and law schools free of charge. Law schools use these reports to complete their Standard 509 law school disclosures³ mandated by the ABA Section on Legal Education and Admissions to the Bar, which is the accrediting agency for law schools on behalf of the US Department of Education. We encourage jurisdictions to contact NCBE if they are interested in this service.

NCBE Educational Events, Policy Committee Meetings, and Outreach

In September, NCBE welcomed eight new bar administrators to Madison for orientation, training, discussion, and community building. In addition to our Madison-based crew, many of our remote team also traveled to the home office to assist with training and to get to know new administrators. The time together provides a great opportunity for the group to make close contacts with admissions staff in other jurisdictions who they can reach out to for advice or brainstorming if needed.

We sponsor new administrators to come to Madison each year, usually in the fall, for an orientation session. Bringing new admissions staff together to learn and create a network of colleagues and resources sits at the heart of our mission to promote fairness, integrity, and

best practices in admission to the legal profession. A big thank you to all new administrators who attended and to Christine Kenefick, Deputy Director of the New York State Board of Law Examiners and Council of Bar Admission Administrators (CBAA) chair, who joined them in Madison to share her knowledge of and vast experience in bar admissions. New administrators and staff visited NCBE from California, Illinois, Kansas, Missouri, Nevada, New Jersey, Utah, and West Virginia. (See page 44 for more on this event.)


In early December, we gathered eight NCBE policy committees in Washington DC. (The committees meeting were Character and Fitness Investigations, Communications and Outreach, Diversity and Inclusion, Education, Multistate Essay Examination / Multistate Performance Test, Multistate Professional Responsibility Examination, Technology, and Uniform Bar Examination.) We welcomed, for the second time since the inaugural multi-committee event last year, over 90 NCBE volunteers (judges, justices, bar examiners, admissions staff) from across the country to gather for their individual committee meetings and to network and learn about other NCBE committees' work.

In August and early November, NCBE held two educational events

for jurisdiction bar administrators and their staff. In mid-August, we welcomed 105 attendees in Denver, Colorado, for the NCBE and CBAA Annual Meeting. (See page 40.) And in early November, 113 CBAA members met in Washington DC for the CBAA Fall Meeting. NCBE sponsors these conferences on behalf of the CBAA, allowing attendees to participate in committee meetings and programming relevant to bar admissions. The fall meeting featured a morning devoted to current character and fitness issues.

Finally, NCBE team members attend other legal education/admissions stakeholders' conferences and meetings, such as AccessLex's

LexCon, the ABA Section's quarterly Council meetings, and the Association of American Law Schools' Annual Meeting. We all work together for the good of the profession; clear, consistent communication between us is important. We appreciate being able to attend their events and participate in their programming.

Now that the holiday season is upon us, I extend warm wishes to you all. 

Until the next issue,



Judith A. Gundersen

Notes

1. NCBE, "NextGen (July 2026)," *available at* <https://www.ncbex.org/exams/nextgen>.
2. NCBE, "Bar Exam Results by Jurisdiction," *available at* <https://www.ncbex.org/statistics-research/bar-exam-results-jurisdiction>.
3. American Bar Association, "Standard 509: Required Disclosures," *available at* https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2023-2024/23-24-standards-ch5.pdf.

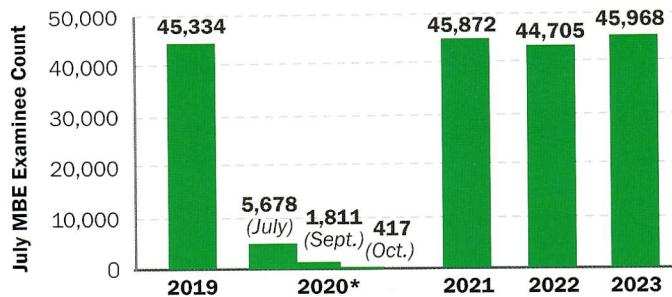
FACTS & FIGURES

July 2023 MBE

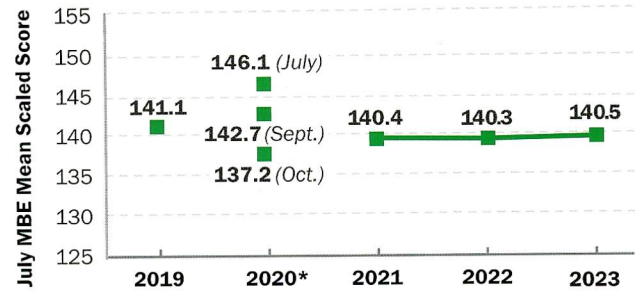
July 2023 MBE Examinees: **45,968**

July 2023 MBE Mean Score: **140.5**

Number of July MBE Examinees, 2019–2023



July MBE Mean Scaled Scores, 2019–2023



*Due to the COVID-19 pandemic, the July 2020 MBE was administered on three separate dates: July 29, September 10, and October 1. The results shown are for in-person examinees only; approximately 29,000 additional examinees sat for a remotely administered exam using NCBE materials in October 2020. Comparability to other years' results may be limited due to the lower examinee count.

MBE STANDARD DEVIATIONS

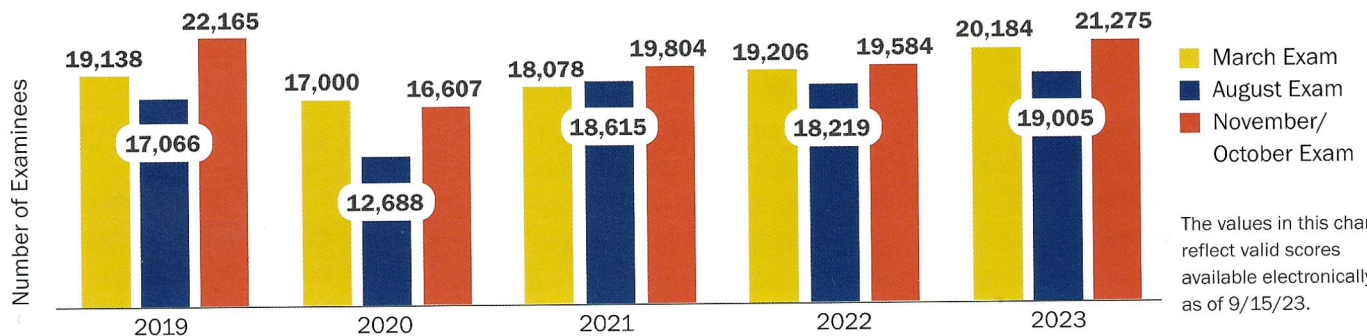
| | July |
|------|--|
| 2019 | 16.9 |
| 2020 | 15.8 (July), 15.0 (Sept.), 17.8 (Oct.) |
| 2021 | 17.8 |
| 2022 | 17.0 |
| 2023 | 17.1 |

MBE scores are reported on a scale ranging from 0 to 200. The values reflect valid scores available electronically as of 9/21/23.

August & November 2023 MPRE

August 2023 MPRE Examinees: **19,005** • November 2023 MPRE Examinees: **21,275**

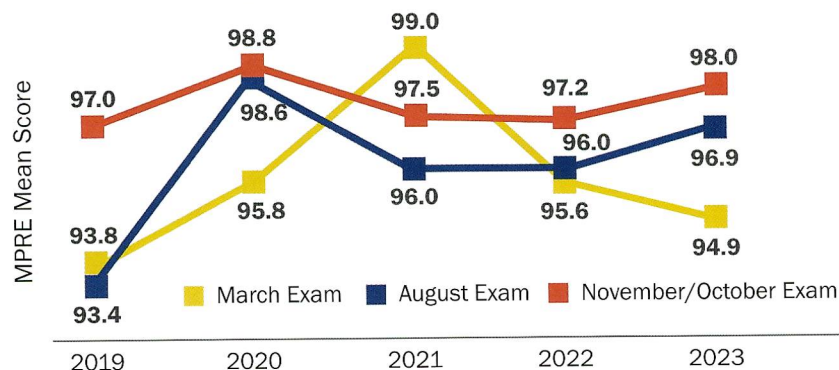
Number of MPRE Examinees, 2019–2023



The values in this chart reflect valid scores available electronically as of 9/15/23.

August 2023 MPRE Mean Score: **96.9** • November 2023 MPRE Mean Score: **98.0**
(score scale 50–150)

MPRE Mean Scores, 2019–2023



MPRE STANDARD DEVIATIONS

| | March | August | November/October |
|------|-------|--------|------------------|
| 2019 | 17.9 | 17.5 | 18.3 |
| 2020 | 18.5 | 18.3 | 18.8 |
| 2021 | 18.7 | 19.1 | 19.3 |
| 2022 | 18.6 | 18.5 | 19.3 |
| 2023 | 19.2 | 19.7 | 18.8 |

MPRE scores are reported on a scale ranging from 50 to 150. The values reflect valid scores available electronically as of 9/15/23 for the August MPRE and 12/5/23 for the November MPRE.

Comparability of results may be limited due to fluctuations in examinee counts.