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Judy Aldan

IN THE
SUPREME COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN RE ADOPTION OF THE NEXT GENERATION BAR EXAMINATION

SUPREME COURT NO. 2024-ADM-0017-MSC

**NOTICE OF INTENT TO ADOPT THE
NEXT GENERATION BAR EXAMINATION IN 2026**

- ¶ 1 The Supreme Court has the responsibility of regulating admission to the Commonwealth Bar Association to ensure that candidates possess the requisite knowledge and skills to effectively represent the interests of the public and the legal community. NMI CONST. art. IV, § 9. Since 2014, the Commonwealth has administered the Uniform Bar Examination (“UBE”), a standardized, twelve-hour test designed to assess fundamental legal principles applicable to many jurisdictions across the United States.¹ The bar exam also includes two essay questions based on local law, the Local Content Essays (“LCE”).
- ¶ 2 The National Conference of Bar Examiners (“NCBE”) recently undertook a comprehensive, multi-year review of the existing bar exam structure to modernize the exam and align it with the true demands of the legal profession. NCBE, NEXTGEN BAR EXAM, <https://nextgenbarexam.ncbex.org> (last visited Oct. 21, 2024). As a result, the NCBE developed the “NextGen Bar Exam,” which is designed to better integrate testing of both substantive law and practical skills. *Id.* The NextGen Bar Exam will focus on assessing competencies essential for newly licensed lawyers, such as legal research, client communication, and negotiation, while reducing the emphasis on rote memorization of specific legal doctrines. *Id.* The exam will be shorter, at nine hours, compared with the current twelve-hour UBE, but will still be administered across two days. *Id.* Where the current bar exam must be completed by hand, the NextGen Bar Exam will be administered electronically. *Id.*
- ¶ 3 NCBE has announced that the NextGen Bar Exam will begin to replace the UBE starting in July 2026, introducing the updated format concurrently with the UBE for two years before the UBE will be made unavailable for any jurisdiction to use as a test for law licensure. *Id.* The Court has carefully studied the new format and consulted with legal educators and practitioners. After these deliberations, the Court has been recommended to adopt the NextGen Bar Exam for all future candidates for admission. This

¹ The Commonwealth does not engage in reciprocity with UBE jurisdictions, but administers the full UBE by utilizing all three of its components: the Multistate Essay Examination, Multistate Performance Test, and Multistate Bar Examination. Sitting for the Commonwealth Bar Exam does not provide examinees with a UBE score that is portable to other jurisdictions.

determination is in line with the Commonwealth's goal of maintaining a high standard of competency and ethics for all practicing attorneys and a continuing interest in reaching full reciprocity with UBE jurisdictions when practicable in the future. All jurisdictions which administer the UBE must transition to the NextGen Bar Exam by July 2028, when the UBE is phased out permanently. We are left with a decision of not *whether*, but *when*, to adopt the NextGen Bar Exam.

¶ 4 The Court hereby announces its intention to adopt the NextGen Bar Exam, alongside the LCE, as the primary assessment for candidates seeking admission to the Bar of the Commonwealth, beginning with administration of the July 2026 exam. This decision means that the NextGen Bar Exam will fully replace the UBE as the Commonwealth's method of evaluating the qualifications of applicants for admission to the bar. The Court is satisfied that the NextGen Bar Exam will provide a sound basis for assessing the competency of all bar applicants and is eager to be an early adopter of the exam.

¶ 5 This intention to adopt is contingent upon an update to the Commonwealth Rules of Admission over the coming year, consistent with the Supreme Court's powers under Article IV, Section 9 of the NMI Constitution, to reflect the adoption of the NextGen Bar Exam.

DATED this 25th day of October, 2024.

/s/

ALEXANDRO C. CASTRO
Chief Justice

/s/

JOHN A. MANGLOÑA
Associate Justice

/s/

PERRY B. INOS
Associate Justice