

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO SECTIONS)
OF THE IDAHO BAR COMMISSION)
RULES (I.B.C.R.))
_____)

ORDER

The Board of Commissioners of the Idaho State Bar having presented proposed changes to the Idaho Bar Commission Rules (I.B.C.R.), and the Idaho Supreme Court having reviewed and approved the recommendations;

NOW, THEREFORE, IT IS ORDERED that the I.B.C.R. as they appear in the Idaho State Bar Rule Book and on the Idaho State Bar website be, and they are hereby, amended as follows:

RULE 200. Definitions. Unless otherwise expressly provided, the following terms have the following meanings as used in the rules relative to admissions:

- (a) **Active Practice of Law.** The practice of law following admission to practice before the highest court of any state or territory of the United States or the District of Columbia as a licensed active member of a jurisdiction in which the Applicant is admitted, the equivalent of an active member as defined in I.B.C.R 301, meaning the attorney is permitted to practice law in the state while so licensed.
- (b) **Admissions Rules.** Idaho Bar Commission Rules 200 through 229.
- (c) **Applicant.** A person requesting admission to practice law in Idaho.
- (d) **Application.** Application for ~~bar examination and~~ admission to practice law in Idaho.
- (e) **Approved Law School.** A law school which is fully or provisionally approved by the American Bar Association pursuant to ABA Standards and Rules of Procedure for Approval of Law Schools, as amended.
- (f) **Attorney Applicant.** An Applicant for admission under Rule 205.
- (g) **Bar.** The Idaho State Bar.
- (h) **Bar Counsel.** Legal counsel for the Board of Commissioners of the Bar.
- (i) **Bar Examination.** The current version of the updated uniform bar examination developed by the NCBE released on or after July 2026.
- (j) **Board.** The Board of Commissioners or the duly elected governing body of the Bar.
- (k) **CF Committee.** The Character and Fitness Committee as provided in Rule 209.
- (l) **Executive Director.** The chief administrative officer of the Bar.
- (m) **Experienced Attorney Applicant.** An Applicant for admission to practice law under Rule 206.
- (n) **Foreign Legal Consultant.** An Applicant who is licensed to practice law in a foreign jurisdiction as an attorney or counselor at law or the equivalent under Rule 207.
- (o) **House Counsel Applicant.** An Applicant for admission to practice law under Rule 225.

- (p) **NCBE.** The National Conference of Bar Examiners.
- (q) **RA Committee.** The Reasonable Accommodations Committee as provided in Rule 213.
- (r) **Request.** A request for reasonable accommodations for testing.
- (s) **Student Applicant.** An Applicant for admission that has not been admitted to practice law in any jurisdiction.
- (t) **Supreme Court.** The Supreme Court of the State of Idaho.
- (u) **Uniform Bar Examination (UBE).** ~~All Idaho Bar Examination components taken in the same administration of the exam. A UBE score may be portable to other jurisdictions that have adopted UBE rules.~~ The bar examination developed by the NCBE consisting of the Multistate Essay Examination, the Multistate Performance Test, and the Multistate Bar Examination.

RULE 203. Application for Admission.

- (a) **Form and Content of Application.** Applications shall be on forms prescribed by the Board and shall include authorizations and releases to enable the Board to obtain information concerning the Applicant. All forms of authorization and release executed by the Applicant shall terminate:
- (1) Upon the Bar's receipt of notice of withdrawal of the Application;
 - (2) Upon the Applicant's receipt of notice that the Bar has denied the Application; or
 - (3) Upon admission to the Bar.
- (b) **Time for Filing Application.**
- (1) Except as provided in subsections (2) and (3) below, Applications must be received by the Bar no later than March 1 for the July bar examination and October 1 for the February bar examination.
 - (2) Late Applications will be accepted on or before April 15 for the July bar examination and on or before November 15 for the February bar examination. No Applications shall be accepted after the late Application deadline.
 - (3) A Bar Examination score transfer Applicant, UBE sScore tTransfer Applicant, Experienced Attorney Applicant, or House Counsel Applicant may file an Application at any time.
- (c) **Fees.** Applications for bar examination and admission must include all the required fees.
- (1) **Application Fees.**
 - (A) Student Applicant: \$600
 - (B) Attorney Applicant: \$800
 - (C) Experienced Attorney Applicant: \$1200
 - (D) House Counsel Applicant: \$800
 - (2) **Additional Fees.**
 - (A) Late Application Fee. The late Application fee is \$200.
 - (B) Investigation Fee. In the event the Board or CF Committee determines that an investigation of any Applicant beyond the usual investigation provided for in Rule 208 is required, the Board or CF Committee may require the payment of an additional investigation fee, including but not limited to, the cost of any record or document required by the Board or CF Committee related to its investigation of the Applicant. The Board and CF Committee shall not proceed with further investigation and the

Applicant may not be admitted until the additional investigation fee is paid and the investigation of the Applicant's character and fitness is completed.

(C) **Administrative Fees.** The Board may assess additional administrative fees to be paid by Applicants for test-taking options.

(3) **No Refunds.** No refund, in whole or in part, shall be made of any fee.

(d) **Withdrawal.** An Application may be withdrawn at any time prior to the first day of the Bar Examination. Experienced Attorney Applicants, House Counsel Applicants and Bar Examination UBE sScore tTransfer, and UBE score transfer Applicants may withdraw their Application at any time before admission. Once an Application is withdrawn, a new Application and required fees must be submitted.

RULE 217. Bar Examination.

(a) **Examination Required.** Except as otherwise provided in Section II of the Idaho Bar Commission Rulesthis Rule, all Applicants, ~~except Experienced Attorney Applicants and House Counsel Applicants,~~ must take the Idaho ~~bar~~ Bar Examination.

(b) **Idaho Bar Examination.** ~~The Idaho bar examination consists of the National Conference of Bar Examiners (NCBE) prepared exams including six Multistate Essay Examination (MEE) questions, two Multistate Performance Test (MPT) questions and the Multistate Bar Examination (MBE). If all components of the Idaho bar examination are taken in the same examination administration and given according to the standards established by the NCBE, the examination qualifies as the Uniform Bar Examination (UBE).~~

(eb) **Transfer of UBE or MBE Bar Examination Score.** An Applicant may transfer:

(1) ~~A Applicants for admission by examination may transfer a UBE scaled score of 270 or above earned during the July 2023 bar exam or any exam thereafter from in another UBE jurisdiction if taken within the last 37 months; or~~

(2) ~~An Applicant may transfer an MBE score from any jurisdiction if taken within the last 37 months prior to the date of the Idaho bar examination for which they are applying. Applicants who failed a prior Idaho bar examination may transfer an MBE score from a prior Idaho bar examination if taken within the last 37 months prior to the date of the bar examination for which they are applying. An Applicant who elects not to transfer a prior score and chooses to sit for that MBE may not subsequently substitute a prior score on that bar examination. Applicants who transfer an MBE score are not eligible to receive a transferable UBE score. A bar examination score earned in another jurisdiction administering an NCBE bar examination that is equal to or greater than the Bar Examination passing score set forth in the Bar Examination Grading Standards and Procedures adopted by the Supreme Court.~~

(dc) **Certificate Permitting the Bar Examination.** The Executive Director shall provide the Applicant with a certificate permitting the Applicant to take the Bar Examination if:

(1) No Rule 211 written objection has been filed; and

(2) The Applicant meets the Bar Examination and admission requirements.

(ed) **Entry to Bar Examination.** No Applicant shall be permitted to take the Bar Examination unless a valid certificate duly issued by the Bar is presented.

(fe) **Validity.** A certificate permitting Bar Examination shall be valid only for the Bar Examination for which it is issued.

(gf) **Supervision of Examinations.** Bar Examinations shall be supervised by the Board through the Executive Director. The Executive Director may appoint proctors and monitors to conduct each Bar Examination. No extra time shall be given for an Applicant who is late for any session of the Bar Examination.

(hg) **Bar Examination Code of Conduct.** Applicants shall abide by the rules and instructions governing the administration of the Bar Examination.

(1) An Applicant shall not:

(A) Falsify any documentation required for admission to the Bar Examination;

(B) Read questions on the Bar Examination prior to the announcement to begin the Bar Examination;

(C) Utilize unauthorized notes, books, recordings, electronically retrievable data or other unauthorized materials while taking the Bar Examination;

(D) Use answers or information from other Applicants while taking the Bar Examination;

(E) Provide answers or information to other Applicants while taking the Bar Examination;

(F) Remove from the Bar Examination room, during or after the Bar Examination, questions, answer sheets or other any materials relating to any part of the Bar Examination;

(G) Continue to answer questions after the announcement to stop is given;

(H) Communicate the substance of any question to other Applicants still taking the Bar Examination;

(I) Communicate the substance of any question to persons who are employed by or associated with bar review courses;

(J) Disregard instructions given by the Bar and proctors or monitors prior to and during the course of the Bar Examination or cause generalized disruption of the Bar Examination;

(K) Identify themselves by submitting their identification numbers or names on a response to any question or attempt to influence the grading of their Bar Examinations in any manner; or

(L) Otherwise compromise the security or integrity of the Bar Examination.

(2) Applicants who violate this Code of Conduct, or who knowingly assist another Applicant in a violation, shall be given an automatic failing score on the entire Bar Examination. The circumstances of such violation may be considered by the Board as grounds for barring the Applicant from retaking the Bar Examination.

~~(i) **Handling of Bar Examination Papers.** At the beginning of each bar examination session, the Applicants shall be given a copy of the questions to be answered at that session. Applicants typing answers to the essay questions shall utilize the secure software approved by the Board. Written answers to the essay questions shall be written in ink on paper supplied by the Board. All questions must be labeled and numbered as instructed.~~

(jh) **Grading of the Bar Examination.** Bar Examinations, including any incomplete Bar Examination, shall be graded and reviewed under the direction of the Board in accordance with the Bar Examination Grading Standards and Procedures adopted by the Supreme Court.

(1) **Identification.** An identification procedure which ensures anonymity of all Applicants shall be used throughout the grading process.

(2) **Passing Score.** A passing ~~sealed~~ score on the Bar Examination shall be approved by the Board and the Supreme Court and set forth in a sealed score of not less than 67.5% of the highest possible sealed score as provided by the Bar Examination Grading Standards and Procedures adopted by the Supreme Court.

- (ki) **Bar Examination Certification.** The Board shall certify all eligible Applicants to the Supreme Court for admission.
- (hj) **Request for Copies.** Applicants who failed the Bar Examination may review:
- (1) Their Bar Examination grades scores and answers; and
 - (2) ~~The essay questions and suggested analyses.~~ Any model grading materials the NCBE authorizes for distribution to examinees.
- (mk) **Bar Examination Records.** Bar Examination papers documents shall be maintained by the Bar for at least 120 days after the Bar Examination, after which time the papers documents may be destroyed without further notice to the examinee.

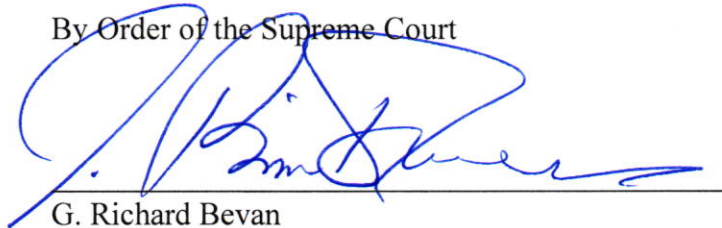
IT IS FURTHER ORDERED, that this order and these amendments shall be effective May 1, 2026.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Bar Commission Rules.

IT IS FURTHER ORDERED, that notice of this Order shall be published for three consecutive weeks on the Idaho State Bar's website and in its weekly E-Bulletin, and that, as soon as practicable, a summary of the amendments effected by this Order shall be published in one issue of *The Advocate*.


DATED this 21st day of February, 2025.

By Order of the Supreme Court



G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST:



Melanie Gagnepain, Clerk