



Oregon State  
Board of  
Bar Examiners

# OREGON BAR ADMISSION INFORMATION

BAR EXAMINATION  
FREQUENTLY ASKED QUESTIONS

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## ANSWERS TO QUESTIONS ABOUT THE BAR ADMISSIONS PROCESS

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### General

**1. Who must take the bar examination?**

There are several pathways to becoming a lawyer in Oregon. If you are not licensed to practice law in any jurisdiction at the time that you apply, you will likely be required to take the Oregon bar examination. If at the time of your application you have already taken the Uniform Bar Examination (UBE) in another jurisdiction, you may not need to take the Oregon bar examination depending upon the timing of your prior UBE examination and whether you obtained a score that qualifies as passing in Oregon. For more information is available here:

[www.osbar.org/docs/admissions/UBE-FAQ.pdf](http://www.osbar.org/docs/admissions/UBE-FAQ.pdf)

Some people may qualify for admission to practice based upon reciprocity admission from another jurisdiction. Others may qualify in a specialized category, as a house counsel, law teacher, military spouse, or out-of-state active pro bono.

Each of method for admission has specific eligibility requirements. Some types of admission, such as house counsel, have limits of the scope or duration of the license to practice law. Applicants interested in these other types of admission, are advised to carefully review the rules. The rules are available here:

[www.osbar.org/docs/rulesregs/admissionsJuly1.pdf](http://www.osbar.org/docs/rulesregs/admissionsJuly1.pdf)

### Preparing for the Exam

*The Oregon bar exam is a two-day exam. It is administered twice each year, in February and July.*

**2. What are the recent pass rates for the examination?**

The following table shows the percentage of applicants who passed on their **first attempt**:

2014		2015		2016	
Feb	July	Feb	July	Feb	July
80%	71%	69%	68%	69%	62%

The following table shows the overall percentage of persons who passed:

2014		2015		2016	
Feb	July	Feb	July	Feb	July
66%	65%	64%	66%	60%	58%

**3. Are there review courses that are available to prepare for the examination?**

Yes. The Board does not endorse any one course, but you may find a list of courses on our website at this link: <http://www.osbar.org/admissions/examprep.html> You may also wish to contact your law school for information and recommendations.

**4. Can I see exam questions that were given in prior years?**

Sample MBE, MPT, MEE and MPRE questions are available on the website for the National Conference of Bar

Examiners (NCBE) by going to [www.ncbex.org](http://www.ncbex.org) and clicking on the topic NCBE Exams for a drop-down menu addressing each type of exam.

## The MBE, MPT, MEE and MPRE

### 5. *What is the MBE?*

The **MBE** consists of 200 multiple choice questions, covering the following topics: civil procedure, constitutional law, contracts, criminal law and procedure, evidence, real property, and torts. This is a six-hour examination, divided into morning and afternoon sessions of three hours each.

If an applicant is required to take the Oregon bar examination but has taken the MBE as part of a non-UBE state's bar examination, that state's score may not be substituted for taking the MBE portion of the Oregon bar examination.

### 6. *What is the MPT?*

The **MPT** (Multistate Performance Test) is designed to test an applicant's analytical and communication skills. The MPT requires that the applicant: (1) sort detailed factual materials and separate relevant from irrelevant facts; (2) analyze statutory, case, and administrative materials for applicable principles of law; (3) apply the relevant law to the relevant facts in a manner likely to resolve a client's problem; (4) identify and resolve ethical dilemmas, when present; (5) communicate effectively in writing; and (6) complete a lawyering task within time constraints.

The MPT consists of two 90-minute items. The materials for each MPT include a **File** and a **Library**.

The **File** consists of source documents containing all the facts of the case. The specific assignment the applicant is to complete is described in a memorandum from a supervising attorney. The File might also include transcripts of interviews, depositions, hearings or trials; pleadings; correspondence; client documents; contracts; newspaper articles; medical records; police reports; or lawyer's notes. Relevant as well as irrelevant facts are included. Facts are sometimes ambiguous, incomplete, or even conflicting. As in practice, a client's or supervising attorney's version of events may be incomplete or unreliable. Applicants are expected to recognize when facts are inconsistent or missing and are expected to identify sources of additional facts.

The **Library** may contain cases, statutes, regulations, or rules, some of which may not be relevant to the assigned lawyering task. The applicant is expected to extract from the Library the legal principles necessary to analyze the problem and perform the task. The MPT is not a test of substantive knowledge; the Library materials provide sufficient substantive information to complete the task.

You can find additional information about the MPT, including summaries of recent MPTs, at [www.ncbex.org](http://www.ncbex.org).

### 7. *What is the MEE?*

The **MEE** (Multistate Essay Examination)

is a collection of six 30-minute essay questions drafted by the NCBE. The typical essay question is designed to raise a few major legal issues, each of which will have a number of sub-issues. It may cover more than one area of law, although generally the major part of any one question is devoted to a single area of law.

### 8. *What is the MPRE?*

The **MPRE** is a national ethics examination prepared by the NCBE.

It is scored and analyzed by ACT.

The MPRE consists of 60 multiple choice questions based on the ABA Model Rules of Professional Conduct and the ABA Model Code of Judicial Conduct.

The Oregon Board of Bar Examiners does not administer or grade the MPRE. A **separate** application is required for the MPRE. More information is available at [www.ncbex.org](http://www.ncbex.org).

An applicant who is required to take the Oregon bar examination must take and pass the Oregon bar examination and the MPRE **within 24 months** of one another in order to qualify for admission to the Bar of the State of Oregon. The date that an examination is given shall be the date on which it is “taken and passed” if the applicant is successful.

An applicant may take the MPRE **at any testing center** (not just an Oregon center). The 24 months may be 24 months **before** taking the bar examination in Oregon or 24 months **afterward**. An applicant need not have graduated from law school to take the MPRE, and the MPRE may be taken an unlimited number of times.

## The Essay Examination

### 9. *What subject areas are tested?*

Each applicant shall be examined as to requisite general learning in subjects tested in the UBE:

- (a) Business Associations (Agency and Partnership; Corporations and Limited Liability Companies)
- (b) Civil Procedure
- (c) Conflict of Laws
- (d) Constitutional Law
- (e) Contracts (including Article 2 [Sales] of the Uniform Commercial Code)
- (f) Criminal Law and Procedure
- (g) Evidence
- (h) Family Law
- (i) Real Property
- (j) Torts
- (k) Trusts and Estates (Decedents’ Estates; Trusts and Future Interests)
- (l) Article 9 (Secured Transactions) of the Uniform Commercial Code

### 10. *What types of questions should I expect?*

The essay portion of the examination consists of six 30-minute questions. Some questions may include issues in more than one area of law. The particular areas covered vary from exam to exam.

The questions are based upon generally accepted fundamental legal principles rather than local case or statutory law.

**11. What is expected in an answer?**

A good answer should demonstrate your ability to reason and analyze, an understanding of the facts, a recognition of the issues included, a knowledge of the applicable principles of law, and the reasoning by which you arrive at your conclusions. The value of your answer depends not as much upon your conclusions as upon the presence and quality of the elements mentioned above.

Clarity and conciseness are important, but make your answer complete. Do not volunteer irrelevant or immaterial information.

The examination does not seek a recitation of legal rules by rote, but rather a demonstration of knowledge of legal principles and the ability to think and reason by applying those principles to the facts, so as to come to a logical and coherent conclusion. A frequently-voiced complaint is that the essay questions present too many issues to permit full discussion within the time allotted. While the examiners do not seek superficial answers, they likewise do not expect law review articles. The purpose of the bar examination is to test minimum legal competence, not to identify and rank the best legal scholars. In this respect, the bar examination differs from law school examinations.

Experience has shown that the fairest means for measuring minimum legal competence is to give applicants an opportunity to discuss more than just a few issues per question. If too few issues are presented, an applicant who misses even one of the issues may be unduly penalized. A bar examination question must be sufficiently broad to

afford all applicants a fair opportunity to demonstrate competence in the subject tested, despite differences in the approach and coverage accorded the subject by the different law schools.

It is a frequent error for applicants to discuss only what they believe to be the main and decisive issues without proceeding further. Prudent applicants will discuss all legitimate issues raised by the question, but without creating issues by assuming or adding facts not given. Each answer should include as full and complete a discussion on all of the legitimate issues as time and space will permit.

**11. Is there a word or character limit to my answers?**

No. However, there is not an inherent value to writing a long answer and you should be mindful of allocating your time among the number of questions to be answered within the allowed time. In doing so, be sure to take sufficient time to study the question and analyze the issues before beginning to write a response.

**Grading the Examination**

**12. Is grading done without knowledge of an applicant's identity?**

Yes. Throughout the grading process, anonymity of the applicants is maintained. All answers are identified by applicant ID numbers. These numbers are matched with the named applicants only after all grading is final.

**13. How are the MPT's graded?**

Two MPT questions are administered as part of the Oregon bar examination. All answers to the MPT's are reviewed at the grading session. Each answer is then given to another grader without the original score being made known to the second grader. A second grader then reads and assigns a score to the answer. The two grades are then compared and, if the grades assigned are the same, that becomes the final score. If the two scores are not the same, the answer is given to a third grader who reads and assigns a score. The three graders then discuss the answer and, through review and discussion of the answer and the score, a final score is assigned.

**14. How is the MEE graded?**

The essay answers are graded by the examiners at a grading session. The grading session is timed to start just prior to the anticipated return of MBE scores.

At the conclusion of the grading sessions, the Board compiles a list by applicant number of those who it will recommend to the Supreme Court as passing the examination.

NCBE scores the MBE component of the exam. The MEE and MPT scores are scaled to the MBE and the total score is calculated by NCBE.

***The MBE weighting is 50%***  
***The MEE portion weighting is 30%***  
***The MPT portion weighting is 20%***

**15. Are the MEE answers ever reviewed/regraded?**

Yes. Prior to the release of examination results, the Board of Bar Examiners reviews all applicant essay answers for those applicants whose overall score places them in the top 15% of unsuccessful applicants after the initial grading is complete.

**Examination Results**

**16. When are the examination results announced?**

Examination results are generally announced about five to six weeks after the examination. You will be advised at the examination of the anticipated release date and, if possible, the date for the admission ceremony.

**17. How can I find out if I passed?**

**MPRE:**

You will be asked on the MPRE application form the states to which you wish your score sent. The Board will be notified if you have your score sent to Oregon.

*The passing score on the MPRE for Oregon is a scaled 85.*

*MPRE scores are directly reported to the applicant.*

**MBE/MPT/Essay Exam:**

The Board of Bar Examiners will send you a letter advising whether you passed or failed the examination.



A list of the **successful** applicants also is made public by posting:

- The list at the Supreme Court's offices in Salem;
- The list on the Supreme Court's website at [www.ojd.state.us.or](http://www.ojd.state.us.or);
- The list on the OSB's website at [www.osbar.org](http://www.osbar.org);
- At the Board of Bar Examiners' offices in Portland.

**18. Can I find out how I did on the examination?**

**Successful Applicants:**

**Successful** applicants cannot review their MBE/MPT/MEE examinations or find out their scores on the examination. Again, MPRE scores are directly reported to the applicant.

**Unsuccessful Applicants:**

Following the release of the results, if you are **unsuccessful**, you will receive a printed or typewritten copy of the MEE and MPT examination questions, the extent NCBE gives permission to reproduce the copyrighted materials.

Upon timely request, you may:

(1) be informed of your total scaled score on the UBE, the scaled score earned on the MBE, the combined scaled score earned on the MEE and the MPT, and the scaled score required to pass the Oregon bar examination; and

(2) inspect and obtain at your expense copies of your handwritten or

typewritten answers, essay questions, and raw scores; and all other grading and exam materials authorized by the Board and the NCBE to disclosed solely to the applicant.

**19. Is there any limit on how many times I can take the exam?**

No.

**Confidentiality**

**20. Is my application file confidential?**

Yes. The Board of Bar Examiners is prohibited from disclosing any of its records, except as directed by the Supreme Court. The only items that are made public are the names of all applicants and the names of the applicants who successfully pass the examination.

**Character and Fitness**

**21. What standard is applied by the Board in determining whether I qualify on moral character grounds to be an attorney?**

An applicant has the burden of proving that he or she is a person of good moral character. ORS 9.220; RFA 6.05.

**22. Why does the application ask about mental health counseling or treatment of applicants?**

The Board understands that mental health counseling or treatment is a normal part of many persons' lives and that such counseling or treatment does

not of itself disqualify an applicant from the practice of law. However, the Board is obligated to determine whether any applicant, at the time of the application, suffers from a mental or emotional condition that currently affects or if untreated could affect the applicant's ability to practice law in a competent and professional manner.

**Again, your records are kept confidential.**

**23. Who makes the final decision?**

In all instances, it is the Oregon Supreme Court that makes the final decision as to whether an applicant should be admitted, admitted conditionally, or denied admission.

**Special Accommodations**

**24. Can special examination arrangements be made if I am disabled?**

Yes, applicants with disabilities may seek special accommodations.

Applicants can obtain the forms to request special accommodations from our Forms Library on our website at <http://www.osbar.org/admissions>. These forms further explain the information required from applicants.

Learn more about "The Americans with Disabilities Act Amendments Act of 2008" (ADAAA) at

[http://www.eeoc.gov/laws/statutes/adaaa\\_info.cfm](http://www.eeoc.gov/laws/statutes/adaaa_info.cfm)

**Bar Admission**

**25. If I am in arrears on payment of child support - will that have any effect on my admission?**

Applicants are advised to be aware of the provisions of ORS 25.750 as Oregon State Bar membership may be affected by this law.

**Additional Information**

**26. Whom do I contact if I have other questions?**

You may phone, email or write the Board's staff at:

**Oregon State Board of Bar Examiners  
Oregon State Bar  
P.O. Box 231935  
Tigard, OR 97281-1935**

(503) 620-0222 - Oregon State Bar,  
Ext. 364  
In-State Toll-Free Line:  
1-800-452-8260  
Ext. 364

Fax #'s: (503) 598-6990 (Main)  
(503) 598-6984

E-Mail: [admissions@osbar.org](mailto:admissions@osbar.org)

Hours: 8:00 a.m. to 4:30 p.m. \*  
(Monday through Friday)

**\* HOWEVER, AT TIMES, BECAUSE OF WORK RESPONSIBILITIES, THE ADMISSIONS OFFICE IS CLOSED.**

**Web Page:**  
[www.osbar.org/admissions](http://www.osbar.org/admissions)