

Frequently asked Questions Related to the September 2020 Exam Administration (Last updated 8/28/20)

The Minnesota Board of Law Examiners understands the significant impact that COVID-19 and recent events are having on applicants to the Minnesota bar. The purpose of this document is to provide additional guidance and to address issues related to the test administration related to the September 2020 examination. This document will be updated as the Board office receives additional requests for clarification.

1. Will Minnesota administer the Uniform Bar Examination on September 9 and 10, 2020?

Minnesota intends to administer the September 2020 bar exam at RiverCentre in St. Paul, unless federal/state/local public health orders or recommendations prevent us from holding the exam.

2. I selected the September examination, but have decided that I would prefer to take the examination in February. Can I still transfer to February 2021 or July 2021?

On August 6, 2020, the Board posted an announcement advising applicants that the Board is empathetic to the evolving circumstances related to this summer's examinations. The Board provided additional information related to the Supervised Practice Rules and links to the FAQs and Preparedness Plan, and requested that applicants advise the Board by August 21, 2020, if the applicant wanted to transfer to February 2021 or July 2021. The Board noted that it would waive the carry-over fee and that applicants would not need to resubmit their applications. Applicants may view the entire announcement through their applicant portal.

Rule [12J\(2\)](#) of the Rules for Admission to the Bar discusses additional mechanisms for carry-over. If you did not elect to transfer prior to August 21, 2020, but have had a change in circumstance since that time that impacts your ability to sit for the examination, the Board encourages you to contact the Board office to discuss your situation.

Please also see Question 12.

3. My friend who sat for the July exam said that they received additional instructions related to the procedures for the day. Will the September examinees be receiving similar instructions?

Yes. We will be providing similar instructions approximately one week prior to the examination. The reason for providing these instructions in close proximity to the examination is because the situation related to COVID continues to change and we continue to review our protocols to make sure that we are following the current guidance from the Minnesota Department of Health and the Center for Disease Control.

4. Other jurisdictions have provided the option for temporary practice. Can I practice in Minnesota before taking the examination?

On Monday, April 20, 2020, the Minnesota Board of Law Examiner filed a [Petition](#) with the Court seeking rule amendments to the Student Practice Rules that will permit recent graduates to practice under a supervising attorney. On Friday, June 5, 2020, the Court adopted the Board's proposed changes, effective July 1, 2020. Additional information can be found [here](#).

5. I do not feel comfortable sitting for an in-person exam at this time. Is Minnesota offering an online exam?

No. Minnesota carefully evaluated the available options and determined that it would not be administering the online examination at this time. You may delay your examination if you do not wish to sit for an in-person examination at this time. You may also review the Supervised Practice Rules to determine if that would be an appropriate option for you.

6. My employer is not familiar with the supervised practice rules and is not sure if she wants to participate. Can I have her contact the Board office to discuss?

Yes.

7. What additional precautions will be taken for the safety of applicants?

The Board has modified processes to provide as few contacts between individuals as possible. Social distancing will be followed and masks are required. Applicants are encouraged to review the Board's [Preparedness Plan](#) for additional information.

8. Can I wear a face shield? What are the requirements for the mask?

Applicants may wear a face shield in addition to a mask. Applicants may not wear a face shield instead of a mask.

The Board is requiring masks of all applicants, proctors, and employees in compliance with the Governor's Emergency Executive Order 20-81. **Please review the state guidelines for acceptable masks and note that the masks designed to facilitate easy exhaling and masks that incorporate holes, vents, or visible gaps in the design are not sufficient.**

<https://www.health.state.mn.us/diseases/coronavirus/facecover.html>

Applicants unable to wear a mask were able to request testing accommodations.

9. What could cause the Board to cancel the examination or further limit seating?

The Board will follow any recommendations from MDH related to restrictions and will comply with any federal, state, or local directives.

While public gathering restrictions in place at the time of the exam may allow us to host an exam, public health orders or recommendations may require spacing between test

takers and proctors/staff to such an extent that a seating shortage occurs. We have developed contingencies based upon our September applicant pool, but the relevant public health orders or recommendations could change too close to the exam date for our contingencies to be effective.

10. What happens if the September administration of the UBE is cancelled?

We would automatically transfer your application to the February 2021 exam. Applicants can opt out of this default position by notifying our office that you do not wish to take the next exam. You will also be permitted to transfer to the July 2021 examination. If the examination is cancelled and you opt out of transferring your examination to the February 2021 or July 2021 exam, you may request that we refund your application fee. If you elect a refund, you will need to reapply if you wish to take the examination in the future.

11. If I have to travel to take the Minnesota bar exam, and I cannot make it to the exam because of travel restrictions, will my application be transferred to the next exam?

Rule 12J provides instructions for carrying over your application to the next examination. Restrictions on travel because of COVID-19 would be a basis to carry-over your examination. We will waive your carry-over fee if this situation applies.

12. If I have COVID-19 or am advised that I have been exposed to COVID-19 and am required to self-isolate during the dates of the examination, will I be able to carry-over to the next examination?

Yes. Applicants who are not able to truthfully sign the COVID-19 Screening Form should not come to the testing site. Any applicant who has COVID-19 or who has been exposed to COVID-19 and is currently required to self-isolate will be permitted to carry-over their application to the next exam. The Board will waive the carry-over fee for any applicant who needs to carry-over to the February 2021 or July 2021 examination due to current COVID-19 diagnosis or self-isolation requirements. Please contact the Board office for additional information.

13. I did not apply by the deadline, but my circumstances have changed. Can I still apply?

The filing deadline has passed. The Board is accepting applications for the February 2021 examination. Please see Rule [6](#) for deadlines.

14. Is there a separate deadline for the September examination?

No. The September administration of the examination is a way for the Board to accommodate as many registered July 2020 applicants as possible. Following the April Board meeting, the Board posted information to the website that anyone planning to sit for the examination this summer should apply by the filing deadline. The filing deadline has now passed.

15. My doctor has advised that I should avoid groups of more than 10 people. What type of accommodations is the Board making to test in smaller groups?

For every bar exam, we plan for appropriate spaces to accommodate applicants requiring reasonable accommodations. As noted in the Board's May 20, 2020, correspondence, any applicant who had not already contacted the Board to request an accommodation should have provided the required documentation no later than June 1, 2020. <https://www.ble.mn.gov/bar-exam/test-accommodations/>

If your situation has changed and you believe that there are new circumstances that you would like for the Board to take into consideration, you may submit a request through your portal. The Board office was able to accommodate late requests for the July examination and will try to work with applicants for the September examination as well. Applicants may transfer to a later examination if that option is a better option for the applicant.

16. Will the July exam and the September exam be the same?

The NCBE is providing materials for three examinations instead of one this summer. Minnesota administered the July 28 and 29, 2020, administration and will be administering the September 9 and 10, 2020, administration. Each will be a separate event. Both will result in a valid UBE score. Both examinations will be scaled and equated by the NCBE in the same way as every other administration of the UBE.

17. When will I know my results if I sit for the September exam? When will I be admitted if I pass and meet the character and fitness requirements?

We anticipate that the results for the September examination will be posted to applicant portals on November 6, 2020.

18. Can I sit for both the July and the September UBE?

No. Due to limited seating, applicants may only sit for one summer administration.

19. If I sit for the September exam and do not pass, will I be able to submit my application for February 2021?

We anticipate that applicants will receive their scores on November 6, 2020, which would provide time to submit an application for the February 2021 exam.

20. The May 20, 2020, correspondence states that applicants will be required to “verify that they are not symptomatic as of the date of the exam and that they have not experienced symptoms of COVID-19 within the 14 days prior to the exam.” Can you please clarify what this means?

Applicants will need to self-affirm that the following:

- I have not tested positive for COVID-19, or if I have previously tested positive for COVID-19, I have received medical clearance that I no longer need to be in isolation.
- To my knowledge, I have not been in close contact to someone currently diagnosed with COVID-19 within the last 14 days.
- I have not had any COVID-19 symptoms in the last 14 days: chills, new cough, muscle pain, sore throat, shortness of breath or difficulty breathing, fever of 100.4 degrees or higher, or new loss of taste or smell.
- No member of my household has tested positive for COVID-19 or experienced the symptoms outlined above within the last 14 days.
- I have not traveled to or from any area outside of the United States with active spread of COVID-19 within the past fourteen (14) days.
- I have complied with any quarantine related travel restrictions imposed by the state of Minnesota.
- I will arrive at the bar exam wearing my own mask; I will continue to wear my mask at all times during the examination, with the following exceptions: if I am asked to briefly remove the mask to verify identity, to take a sip of water, to adjust my mask, or similar brief period; I agree to remain at least 6 feet from another individual when not wearing a mask.
- I agree that if at any time during the examination I experience any symptoms listed above that I will excuse myself from the test site and will not return.

. The Board office will update you through your portal if any changes are made.

21. What will I be required to acknowledge to sit for the examination?

The Board is taking steps to reduce the risk of exposure to COVID-19. However, any time an individual leaves their home, there is risk. To ensure that examinees understand the risks, the Board will ask that examinees acknowledge the following:

I understand that an inherent risk of exposure to COVID-19 exists in any place where people are present. I will comply with the health and safety instructions provided by the Board of Law Examiners to assist in reducing the risk of exposure and transmission. If I am not comfortable with sitting for the examination despite the enhanced safety measures, I may elect to transfer my application to a later examination.

The Court and the Board have provided additional options for applicants who do not wish to sit for an in-person examination at this time, including supervised practice, transfer to a future examination, and an increased refund amount.

22. The Court issued its decision on the Supervised Practice Rules on June 5, 2020, after I had already made my selection for the examination. I have talked to my employer and based on the revisions to the Supervised Practice Rules that

become effective July 1, 2020, I would like to sit for the July 2021 examination instead of taking the examination this summer. Can I make this request?

Yes. If the Court's determination on the Supervised Practice Rules influences your decision, you are welcome to submit a written request through your applicant portal requesting to carry-over your application to the February 2021 or July 2021 examination. It is very important that we have accurate numbers for seating for the September examination. Please submit your written request on or before August 21, 2020, to request transfer to the February 2021 or July 2021 examination and waiver of the carry-over fee.

23. My situation has changed and I no longer wish to be licensed in Minnesota. Can I request a refund?

Rule 12I provides additional details on the process for requesting a refund. The Board has taken additional steps to provide options to individuals based on the exceptional circumstances this year. Requests for refund received on or before August 14, 2020, will receive the additional amount outlined in the May 20th letter even though the request is being made after the June 3, 2020, deadline.

24. I have a question not addressed above. How can I obtain additional information?

If the question is specific to your situation or application, please post the question through your applicant portal and your processor will reply. If the question is a broader question, you are welcome to send that question to ble@mbcle.state.mn.us. Thank you for continued patience.