

Minnesota Board of Law Examiners

ANNUAL REPORT



2024

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Background

The Minnesota Board of Law Examiners (Board) is responsible for ensuring that those who are admitted to the bar in Minnesota have the necessary competence and character to justify the trust and confidence of clients, the public, and the legal profession. The Board accomplishes this task by investigating bar applicants' character and fitness for admission, administering the bar examination, and reviewing the eligibility of applicants who apply on motion to Minnesota.

Board Members

The Board is comprised of nine members, including seven lawyer members and two public members. The Minnesota Supreme Court appoints all members to the Board. Each member is appointed for a three-year term, and each may be reappointed for two additional terms.

The Chief Justice appoints a Minnesota Supreme Court Justice as the liaison between the Court and the Board. Justice G. Barry Anderson served in this role from 2013 until his retirement in May 2024. Justice Karl Procaccini has been the Board's liaison since that time.

2024 Board Members

John M. Koneck, President, Fredrikson & Byron, P.A., Minneapolis

Hon. Juan Hoyos, Secretary, 4th District Judge, Minneapolis

Patricia Y. Beety, General Counsel League of MN Cities, St. Paul

Brian A. Bell, Dorsey and Whitney, Minneapolis

Thomas H. Boyd, Winthrop & Weinstine, P.A., Minneapolis

Wilbur W. Fluegel, Fluegel Law Office, Minneapolis

Ann M. Johnson, Public Member, Mankato

Mark S. Kuppe, Public Member, St. Paul

Cheryl M. Prince, Hanft Fride Law Firm, Duluth

Executive Director: Emily Eschweiler

The Board met nine times in 2024. Each Board meeting consists of a public portion of the meeting, followed by a confidential agenda. Rule 3C and Rule 14 govern which matters are public and which are confidential. Most of the Board's work relates directly to applicant files and is confidential under Rule 3C(1)(b) and Rule 14 of the Minnesota Rules for Admission to the Bar. During the public meetings in 2024, the Board discussed the

financial report, proposed rule amendments, the NextGen UBE examination, the Board's work on the Court's Alternative Pathways Implementation Committee, and articles related to bar admissions. In addition to the Board meetings, some members of the Board attended the National Conference of Bar Examiners Annual Bar Admissions Conference in Chicago, Illinois for additional training. Board members also participate in committee meetings and character and fitness interviews.

Board Committees

In addition to the Board's commitment to its regular meetings, Board members are also asked to serve on committees of the Board, which meet on a regular basis. The standing committees in 2024 included:

- Rules & Policy Committee
- Budget and Operations Committee
- Character and Fitness Policy Committee
- Character and Fitness Interview Committee
- Conditional Admission Committee
- Bar Exam Committee
- Long Range Planning Committee

Bar Admissions Advisory Committee (BAAC)

Rule 19 of the Rules for Admission to the Bar establishes an advisory committee comprised of three members appointed by the Minnesota State Bar Association (MSBA), the deans of the three Minnesota law schools and their additional representatives, and members of the Board, which meets to discuss matters related to bar admissions. The BAAC did not meet in 2024 but is scheduled to meet in January 2025.

Board Staff

The Board employs a staff of 12.5 FTE. The Director, Managing Attorney, Staff Attorney, Finance/IT Administrator, and two Office Assistants also work for the Board of Continuing Legal Education, the Board of Legal Certification, and the Lawyer Registration Office. In addition, the Board's staff includes an Attorney for Character and Fitness, a Bar Admissions Administrator, three Application Coordinators, and three Paralegals.

2024 Year in Review

The Board administered both the February 2024 and July 2024 bar examinations at St. Paul's RiverCentre. Examinees taking the examination under non-standard testing conditions were tested at a separate location, also in St. Paul. 822 examinees sat for the examination in 2024. The Board office coordinated two admission ceremonies for the Court. The May 2024 Admission Ceremony for successful February 2024 examinees was held in the Minnesota Supreme Court Courtroom. The October 2024 Admission Ceremony for successful July 2024 examinees took place in the House Chambers at the Minnesota State Capitol.

On March 12, 2024, the Minnesota Supreme Court issued an Order related to the Board's Competency Study. The Court accepted the Board's recommendation to adopt the NextGen exam. Beginning July 1, 2025, and each year thereafter, the Board must file a report with the Court advising on the status of proposed rule revisions and standard setting. Unless otherwise recommended by the Board, the first administration of the NextGen exam will be July 2027.

The Court also formed an Alternative Pathways Implementation Committee. The Court appointed 29 members and three ex-officio members to this Committee in August 2024, and appointed Tom Boyd as the Chair. The Committee began meeting in the fall of 2024. The Court also asked the Board of Law Examiners to staff this committee. The Implementation Committee is to file its report with recommendations for rule amendments related to an alternative curricular-based pathway for assessment on or before July 1, 2026. The Implementation Committee has also been asked to look at a supervised practice pathway and to make recommendations on or before July 1, 2027.

In April, the Board recognized the retirement of Carol Martens, who had worked for the Board for more than 40 years.

Following a comprehensive review process in 2023 that included reviewing feedback from applicants, information on the processes in other jurisdiction, and review by an outside consultant, the Board at its December 2023 meeting approved changes to the Testing Accommodations forms and policy. These changes were published to the website in January 2024 and effective as of the July 2024 examination. These changes have improved and streamlined the process, especially for repeat applicants seeking the same testing accommodations as previously granted by the Board for a prior examination.

Board staff also deployed a repeat applicant application that allows for individuals who have applied in the last two years to provide updates instead of completing the entire application. Board staff began work on a character and fitness questionnaire portal that will allow references to respond through a secure website instead of submitting paper responses. Work on this project is anticipated to complete in 2025. Board staff also began a comprehensive review of the Board's website to ensure accessibility for individuals with visual impairments and to remediate any documents not accessible by a screen reader.

In July, the Board filed a Petition with the Court to expand the Supervised Practice Rules to allow recent graduates to practice under the supervision of a qualifying lawyer for up to 24 months (instead of the previous 18 months) and to allow individuals who did not achieve a passing score on the examination to participate as long as the supervising attorney is aware of their examination status. The Court put the matter out for public comment. On September 24, 2024, the Court issued an Order adopting the changes, effective October 1, 2024.

In October 2024, Board staff administered a Prototype of the NextGen UBE examination to a pool of candidates selected by the NCBE. The participants in the prototype were primarily July 2024 examinees. The Board thanks the participants and the University of St. Thomas for allowing the Board to use their law school to administer this examination. The data collected will be invaluable to the success of the NextGen UBE.

Board staff began work on transitioning from the current version of the bar examination to the NextGen bar examination in July 2027. Board staff published Frequently Asked Questions to the Board's website.

Board staff and Board members also spoke at each of the Minnesota law schools about the admission process, addressing questions related to the examination and the character and fitness investigation. The Board also publishes information to the Board's website and routinely updates the FAQ section based on questions the office receives.

Board staff also participated in national organizations related to bar admission. Emily Corson, Bar Admissions Administrator, was appointed Chair-Elect of the Conference of Bar Admissions Administrators in 2024. Natasha Melchionne, Managing Attorney, is the Chair of the Membership Resources Committee for the CBAA. Emily Eschweiler, Executive Director, is the Chair of the CBAA's Long-Range Planning Committee.

Applicants to the MN Bar

All Applicants

New lawyers are admitted to the Bar in Minnesota by taking and passing the Uniform Bar Examination (UBE) or applying by motion. All applicants to the Minnesota Bar must submit proof that they have received a scaled score of at least 85 or higher on the Multi-State Professional Responsibility Examination (MPRE). The Board received 1,368 applications in 2024, 152 more than in 2023, a 12.5% increase. The total number of exam applicants increased by 94 in 2024 compared to 2023, or an 11.7% increase. The total number of motion applicants increased by 58 compared to 2023, or a 14% increase. A table comparing the applications between 2015 and 2024 is provided on the next page.

Between 2015 and 2024, motion applications have increased from 282 to 472, a 67% increase. This is primarily driven by Minnesota’s low cut score for the bar examination and transfer of examination results from applicants who do not meet the eligibility requirement for the jurisdiction where they sat for the examination.

2023 to 2024 Stats

- + 11.7% Exam Applicants
- + 14% Motion Applicants

Graph 1 below shows the number of exam and motion applicants for years 2015-2024. The accompanying table provides the data shown in the graph.

Graph 1: Motion and Exam Applicants 2015 – 2024

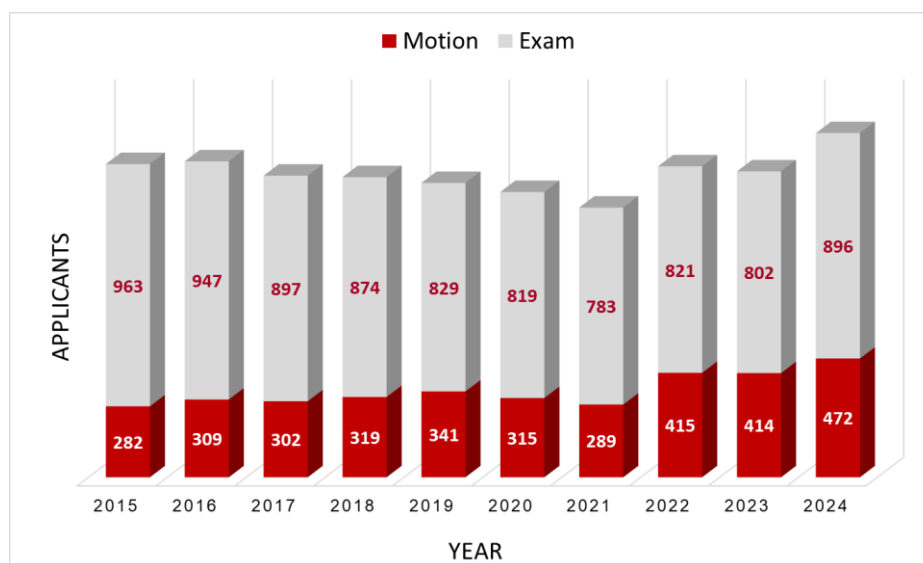


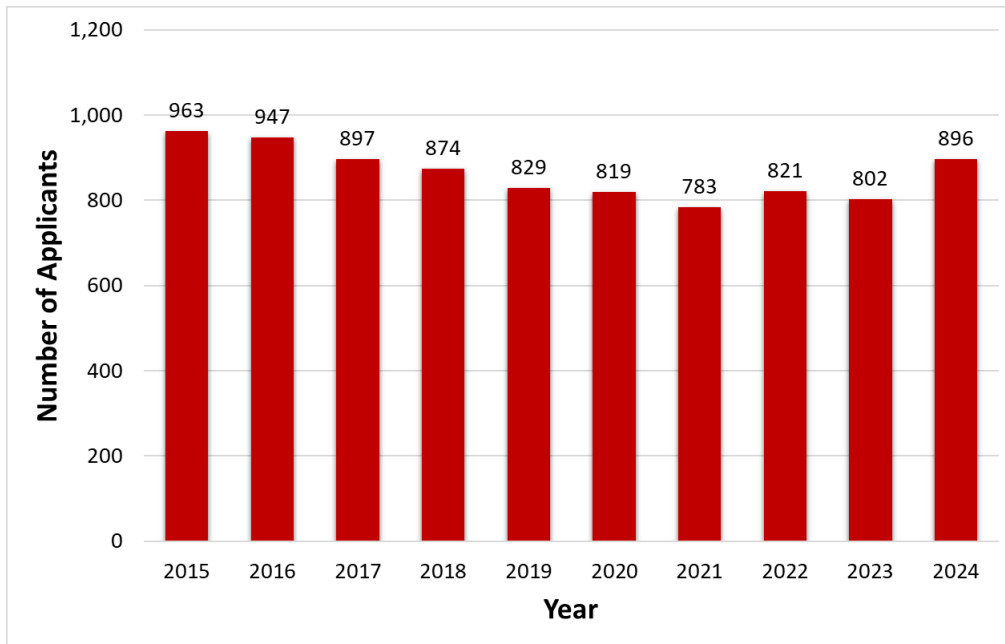
Table 1: Motion and Exam Applicants 2015 - 2024

Year	Motion Applications	Exam Applicants	Total
2015	282	963	1,245
2016	309	947	1,256
2017	302	897	1,199
2018	319	874	1,193
2019	341	829	1,170
2020	315	819	1,134
2021	289	783	1,072
2022	415	821	1,236
2023	414	802	1,216
2024	472	896	1,368

Bar Exam Applicants

Since 2014, Minnesota has administered the Uniform Bar Examination (UBE), comprised of two 90-minute performance tests, six 30-minute essay questions, and 200 multiple choice questions. The test is developed by the National Conference of Bar Examiners and has been adopted by 41 jurisdictions. Scores achieved in other UBE jurisdictions may be used to seek admission in Minnesota or in any of the other UBE jurisdictions. Each jurisdiction sets its own cut score – the score required for admission in that state. In 2024, UBE cut scores ranged from 260 to 270. Minnesota’s cut score is 260. The UBE is offered twice per year in February and July. The number of exam applicants in Minnesota had been dropping since 2014, but 2024 saw an increase of 94 from 2023. **Graph 2** below shows the number of exam applicants for years 2015-2024. **Table 1** above provides the data shown in the graph.

Graph 2: Exam Applicants 2015 – 2024



The following tables, **Tables 2** and **3**, show the number of examinees who sat for and passed the February 2024 and July 2024 bar examinations, by law school, along with the passage rate for those taking the examination for the first time in Minnesota. **Table 4** contains the same data as combined totals by year.

Table 2: February 2024 vs. February 2023 Bar Exam Passage Rates

Law School	Feb 2024 Sat	Feb 2024 Passed	Feb 2024 Overall Passage	Feb 2024 First Time Passage	Feb 2023 Sat	Feb 2023 Passed	Feb 2023 Overall Passage	Feb 2023 First Time Passage
U of MN	14	9	64.29%	75.00%	10	9	50.00%	75.00%
St. Thomas	38	19	50.00%	54.55%	40	15	37.50%	56.25%
Mitchell Hamline	65	26	40.00%	61.29%	78	40	51.25%	70.73%
Other Schools	55	30	54.55%	65.63%	34	14	41.18%	45.00%
Total All Schools	172	84	48.84%	62.82%	165	74	44.85%	61.73%

Table 3: July 2024 vs. July 2023 Bar Exam Passage Rates

Law School	July 2024 Sat	July 2024 Passed	July 2024 Overall Passage	July 2024 First Time Passage	July 2023 Sat	July 2023 Passed	July 2023 Overall Passage	July 2023 First Time Passage
U of MN	159	149	93.71%	94.19%	130	115	88.46%	90.40%
St. Thomas	147	11	75.51%	79.39%	143	111	77.62%	84.80%
Mitchell Hamline	193	157	81.35%	87.35%	148	111	75.00%	87.18%
Other Schools	151	127	84.11%	89.63%	114	86	75.44%	78.95%
Total All Schools	650	544	83.69%	87.90%	541	425	78.56%	85.53%

Table 4: 2024 vs. 2023 Overall Bar Exam Passage Rates

Law School	2024 Sat	2024 Passed	2024 Overall Passage	2024 First Time Passage	2023 Sat	2023 Passed	2023 Overall Passage	2023 First Time Passage
U of MN	173	158	91.33%	93.71%	140	120	85.71%	89.92%
St. Thomas	185	130	70.27%	77.46%	183	126	68.85%	81.57%
Mitchell Hamline	258	183	70.93%	83.25%	226	151	66.81%	82.91%
Other Schools	206	157	76.21%	85.03%	148	100	67.57%	73.04%
Total All Schools	822	628	76.40%	84.96%	706	499	70.68%	81.99%

Table 5 and **6** below contain the overall passage rate for all February and July examinees and first-time examinees, by law school, for the last four years. **Graphs 3** and **4** provide this same data in a visual format that displays trends over the last four years.

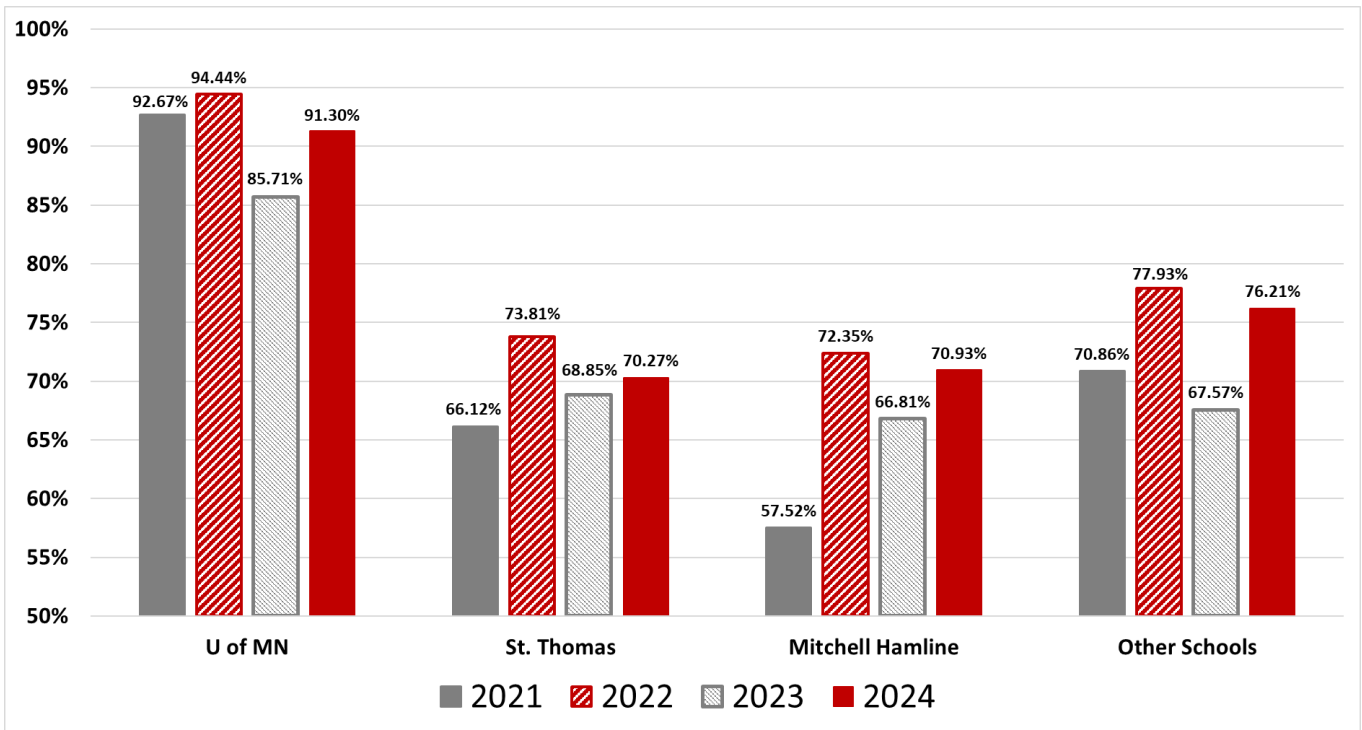
Table 5: Overall Passage Rates from 2021 to 2024

Law School	2021	2022	2023	2024
U of MN	92.67%	94.44%	85.71%	91.33%
St. Thomas	66.12%	73.81%	68.85%	70.27%
Mitchell Hamline	57.52%	72.35%	66.81%	70.93%
Other Schools	70.86%	77.93%	67.57%	76.21%
Total All Schools	69.41%	77.94%	70.68%	76.40%

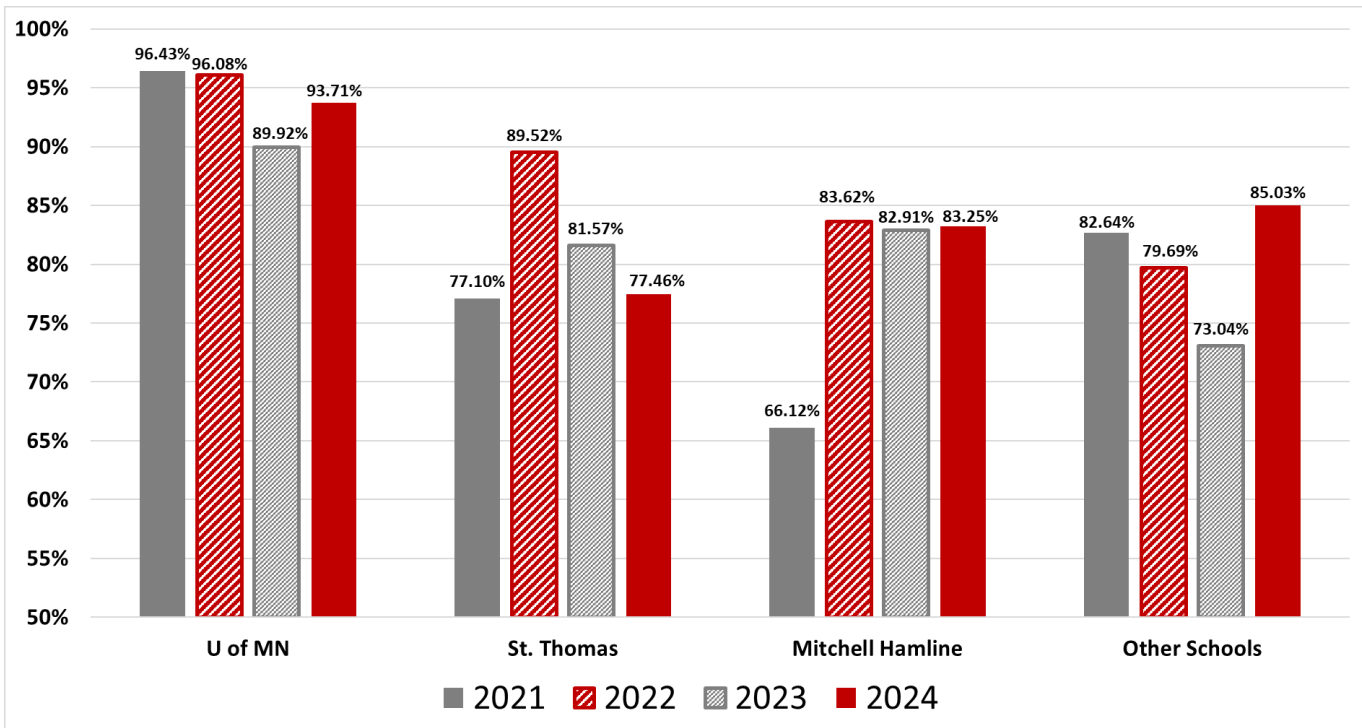
Table 6: First Time Passage Rates from 2021 to 2024

Law School	2021	2022	2023	2024
U of MN	96.43%	96.08%	89.92%	93.71%
St. Thomas	77.10%	89.52%	81.57%	77.46%
Mitchell Hamline	66.12%	83.62%	82.91%	83.25%
Other Schools	82.64%	79.69%	73.04%	85.03%
Total All Schools	79.51%	86.56%	81.99%	84.96%

Graph 3: Overall Passage Rates by Law School from 2021 to 2024



Graph 4: First Time Passage Rates by Law School from 2021 to 2024



Test Accommodations

The Board grants test accommodations in accordance with the Americans with Disabilities Act, as amended, and in compliance with the Minnesota Human Rights Act. Accommodations are afforded to qualified applicants with disabilities who are otherwise eligible to take the Minnesota bar examination. Reasonable modifications are made in the administration of the examination, as appropriate.

An applicant seeking test accommodations must submit medical documentation of their disability, objective information as to how the disability impacts their functional ability to take the examination under standard testing conditions, and documentation of any history of accommodations in school and on standardized tests. Board staff then makes every effort to arrive at a test accommodation that meets the documented needs of the applicant while preserving the integrity of the exam and adhering to reasonable standards of test administration, relying on information provided by the applicant as well as the Board's outside consultants.

Requests for accommodations are considered and determined on a case-by-case basis after Board staff reviews the records and personal statements submitted by the applicant, reviews past accommodations, and in many cases, after referring the information for review by a medical expert. If Board staff has questions related to the requested accommodation, an inquiry may be made to the applicant. Testing accommodations are designed to provide applicants with equal access to the examination, not a better or worse opportunity than applicants taking the examination under standard test taking conditions.

When requests for accommodations are referred to one or more of the Board's expert medical evaluators, the evaluator prepares a written report providing a summary of the diagnostic information provided by the applicant's treating provider, and detailing the nature and extent of impairment, and the reasonableness of the requested accommodation. The evaluator offers an opinion as to what the evaluator considers to be the appropriate accommodation. After reviewing the medical evaluator's report and the information submitted by the applicant, the Director issues a written determination to grant, deny, or modify the applicant's request for test accommodations.

An applicant whose request is modified or denied may appeal the decision by requesting an expedited hearing. The Board President or a designated Board member conducts the expedited hearing by telephone. The President considers the evidence in the record as well as the evidence presented at the hearing, and issues a brief written decision, within five business days. An applicant who is not satisfied with the expedited hearing decision may appeal the final decision to the Supreme Court under Rule 17.

The Board continues to see a significant increase in the number of applicants who seek and receive testing accommodations to sit for the Uniform Bar Examination in Minnesota. The Board and its staff have attended conferences discussing test accommodations, heard from national experts, and routinely review materials related to test accommodations. The Board staff has also met with the three Minnesota law schools, had conversations with staff in other jurisdictions, and has carefully considered feedback provided by various parties, including applicants to the Minnesota bar.

In 2023, the Board worked with an outside consultant to review the Board's test accommodations policy, instructions, and forms. As a result of this work, the Bar Exam Committee met and discussed changes to the forms and process to simplify and streamline the application, to reduce the paperwork required for repeat applicants, and to provide applicants and potential applicants with additional guidance on the Board's processes. The Board approved form and process changes in December 2023, effective with the July 2024 examination.

Typical Accommodations Granted in 2024:

- Additional testing time
- Testing in a private or semi-private room
- Off-the-clock breaks



Table 7: Testing Accommodations Statistics for 2015 to 2024

Exam Year	Total Exam Applicants	Number of Applicants Requesting Test Accommodations	Percentage of Applicants Requesting Test Accommodations
2015	963	41	4.26%
2016	947	44	4.65%
2017	902	49	5.43%
2018	890	59	6.63%
2019	837	48	5.73%
2020	786	40	5.09%
2021	831	59	7.10%
2022	844	57	6.75%
2023	785	76	9.68%
2024	901	98	10.88%

Recent Test Accommodation Determinations

The Board received a total of 2,530 applications for examinations taking place in 2022, 2023, and 2024. Of those, 231 (9.1%) included requests for test accommodation. Of those requests, 179 test accommodation requests were granted in whole or in part (77%) and 35 were denied (15%). No test accommodation determination was made on 17 files. Reasons for “no determination” include improperly filed paperwork that the applicant did not cure when provided an opportunity to do so, requests granted through an informal “green card” process that did not require a formal test accommodation application, or withdrawal from the examination or request to carry forward examination fees to a future examination prior to the determination being made.

Individual decisions related to test accommodation are confidential. Common factors that are seen in requests that are denied include:

- **No history of test accommodations on high-stakes exams**
- **Insufficient objective evidence of functional impairment in real-world settings**
- **Lack of comprehensive diagnostic testing and/or rationale provided by treating provider**

Laptop Testing

Since February 2003, examinees have been permitted to write the performance test and essay portions of the examination using their own laptop computer. Examinees are required to download blocking software to their computers, which prevents the applicant from accessing any other program or files during the examination. An additional fee of \$100 is charged to examinees to offset the increased costs associated with the use of laptops. Table 8 shows the number of applicants that chose to handwrite the exam or utilize their laptops to take the exam for the previous five years. The Board does not provide laptops, and applicants who do not wish to use their own laptop may elect to handwrite the examination.

Table 8: Number of Examinees Using Laptops

Exam Method	2020	2021	2022	2023	2024
Laptop	723	718	730	683	797
Handwritten	25	34	18	23	25
Total	748	752	748	706	822
Percentage by Laptop	96.66%	95.48%	97.59%	96.74%	96.96%

Application on Motion

Rules 7, 8, 9, 10, and 11 allow certain applicants to apply for licensure in Minnesota on motion (without sitting for the exam in Minnesota), provided the applicant meets the Rule requirements. Applicants who are admitted on motion are required to meet all the other requirements to practice law in Minnesota, including a positive character and fitness determination and a determination that they meet all other eligibility criteria.

In 2024, 422 individuals were admitted on motion without examination, compared to 392 in 2023, an increase of 7.6% and the most recently admitted in a single year. The difference between application numbers and admission numbers is partially due to the timing of when the applications were received and recommended for admission after completion of the Board’s review, which sometimes takes place in different calendar years. The sections below provides additional detail regarding various types of motion applicants.

Graph 5: Number of Admissions on Motion

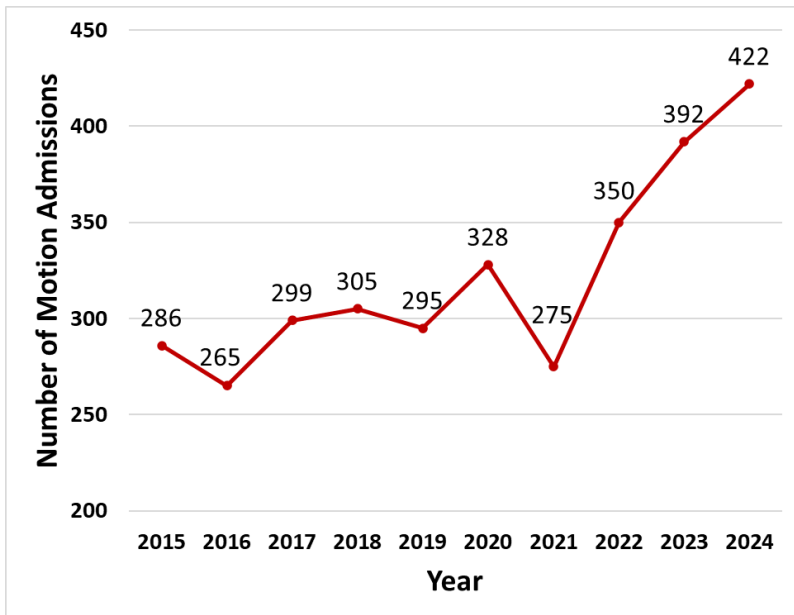


Table 9: Number of Admissions on Motion

Year	Number of Admissions
2015	286
2016	265
2017	299
2018	305
2019	295
2020	328
2021	275
2022	350
2023	392
2024	422

Rule 7

Rule 7A permits applicants to be admitted without examination in Minnesota if they are licensed and in good standing in another jurisdiction and have the requisite years of practice. In 2024, 124 applications were submitted under Rule 7A, compared to 113 in 2023. During 2024, 116 Rule 7A applicants were admitted, which is an increase from 99 Rule 7A admissions in 2023.

Rule 7B permits applicants to be admitted without examination in Minnesota if they have received a scaled score of 145 or above on an MBE taken within the past three years as part of another jurisdiction's bar exam, if they passed and were admitted in that jurisdiction. The Board received 26 Rule 7B applications in 2024, compared to 17 applications in 2023. In 2024, 21 applicants were admitted under Rule 7B, compared to 18 in 2023. Because most jurisdictions now administer the UBE, few applicants elect this pathway for admission.

Rule 7C permits applicants to be admitted without examination in Minnesota if they have received a scaled score of 260 or above on a certified Uniform Bar Exam (UBE) taken in another jurisdiction. Applicants do not need to be admitted where they achieved the UBE score. Over the past five years, 67% of Rule 7C applicants transferred a UBE score to Minnesota that was not considered a passing score by the jurisdiction where they took the exam. Of the 41 UBE jurisdictions, 33 have a cut score between 266 and 270. The Board received 118 applications from North Dakota examinees, all of whom passed that exam because North Dakota also has a UBE cut score of 260. The North Dakota applicants have a median UBE score of 289, compared to a median score of 263 for the remaining Rule 7C applicants.

Graph 6: Rule 7 Admissions

**Rule 7 Applications –
2023 to 2024**

- 7A: 17.2% increase
- 7B: 16.7% increase
- 7C: 6.4% increase

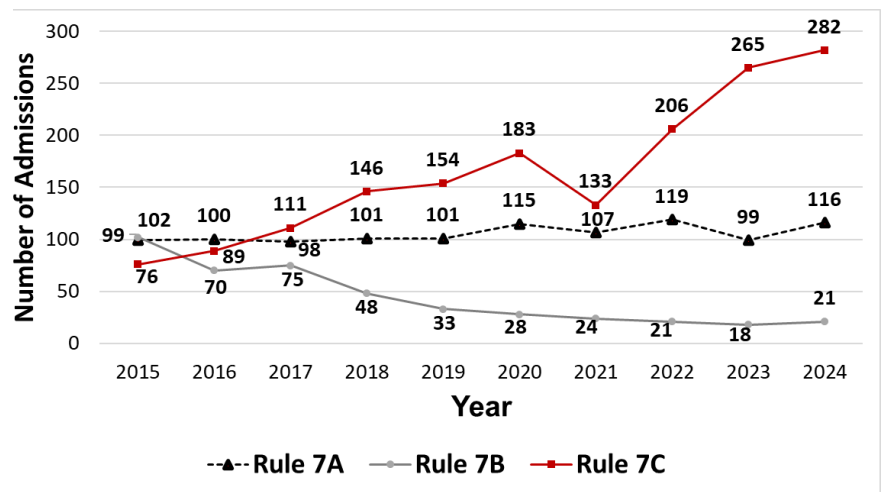


Table 10: Rule 7 Admissions

Year	Rule 7A Admissions	Rule 7B Admissions	Rule 7C Admissions	Total Rule 7 Admissions
2015	99	102	76	277
2016	100	70	89	259
2017	98	75	111	284
2018	101	48	146	295
2019	101	33	154	288
2020	115	28	183	326
2021	107	24	133	264
2022	119	21	206	346
2023	99	18	265	382
2024	116	21	282	419

Graph 7 and **Table 11** show the distribution of UBE scores transferred as part of Rule 7C applications during the past five years. **Graph 8** and **Table 12** show Rule 6 (Minnesota examinees) passage rate data for reference.

Graph 7: Distribution of UBE Scores from Rule 7C Applicants 2020-2024

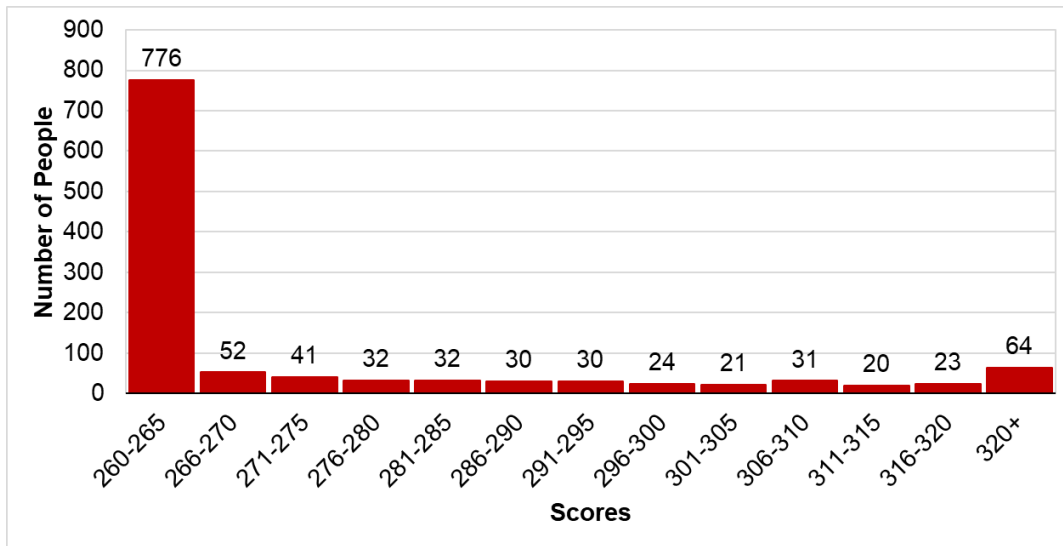


Table 11: Distribution of Passing UBE Scores from Rule 7C Applicants 2020-2024

Scores	260 to 265	266 to 270	271 to 275	276 to 280	281 to 285	286 to 290	291 to 295	296 to 300	301 to 305	306 to 310	311 to 315	316 to 320	320+
Number of Score Transfers	776	52	41	32	32	30	30	24	21	31	20	23	64

Graph 8: Distribution of Passing Rule 6 (MN Examinees) Scores 2020-2024

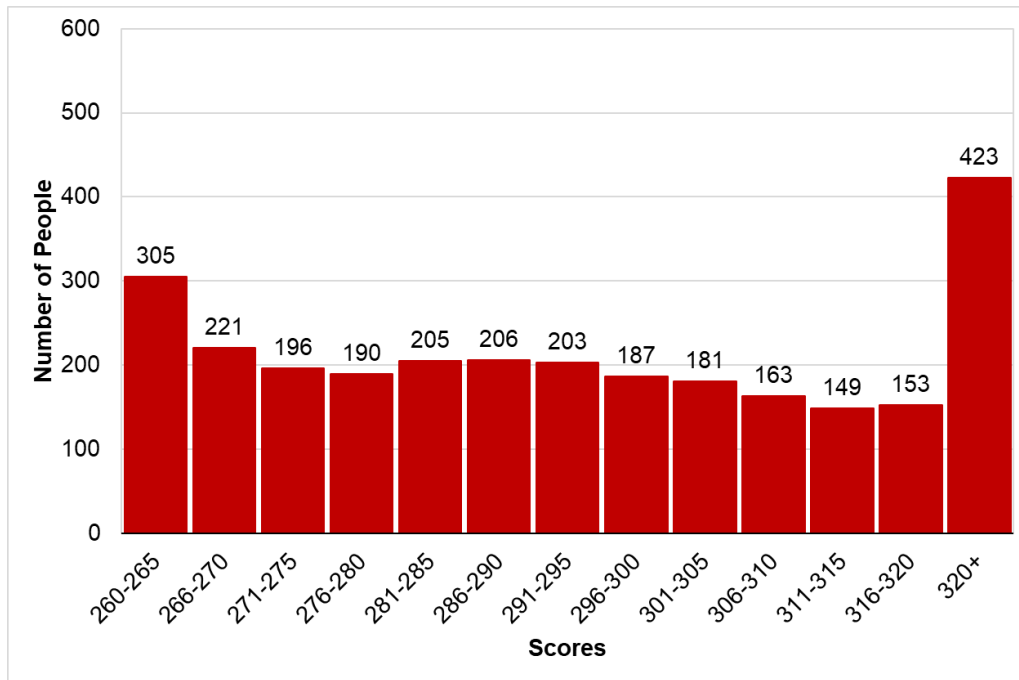


Table 12: Distribution of Passing Rule 6 (MN Examinees) Scores 2020-2024

Scores	260 to 265	266 to 270	271 to 275	276 to 280	281 to 285	286 to 290	291 to 295	296 to 300	301 to 305	306 to 310	311 to 315	316 to 320	320+
Number of Score Transfers	305	221	196	190	205	206	203	187	181	163	149	153	423

Rules 8, 9, 10, and 11

Rule 8 permits a lawyer licensed in another jurisdiction who has accepted legal employment with a Minnesota legal services program to obtain a temporary license (valid for 15 months) to practice law in Minnesota for the legal services program.

Rule 9 and Rule 10 licenses permit the admission of lawyers who are employed in Minnesota solely for a corporation or other non-law firm entity and who limit their practice to representation of the corporation or other entity. Under Rule 9 and Rule 10, applicants must have at least three years of active and lawful practice in another jurisdiction during the past five years. If a lawyer licensed under Rule 9 or 10 leaves employment with the corporation which sponsored the application, the license is no longer valid. Rule 9 permits house counsel applicants to be licensed on a temporary basis.

Rule 11 allows a lawyer admitted and practicing law in a country other than the United States to apply for a Foreign Legal Consultant License. This license permits the individual to advise clients on the law of the country in which the foreign legal consultant is admitted as a lawyer, counselor at law, or equivalent. A foreign legal consultant cannot represent individuals in matters outside of the limited scope of the Foreign Legal Consultant License, unless the lawyer is licensed as a house counsel foreign legal consultant. Foreign legal consultants who are admitted as house counsel may practice law for the corporate entity without the restrictions that apply to private foreign legal consultants. **Table 13** shows the number of applications compared to admissions pursuant to Rules 8, 9, 10, and 11 from 2016 to 2024.

Table 13: Applications vs. Admissions Rule 8, 9, 10, 11

Year	Rule 8 Apps	Rule 8 Admissions	Rule 9 Apps	Rule 9 Admissions	Rule 10 Apps	Rule 10 Admissions	Rule 11 Apps	Rule 11 Admissions
2016	4	2	2	1	3	3	2	0
2017	5	6	1	1	5	6	1	2
2018	4	3	1	1	4	3	1	3
2019	2	3	3	2	3	2	0	0
2020	0	0	0	0	6	1	1	1
2021	2	2	1	1	6	7	1	1
2022	3	2	0	0	3	1	2	1
2023	3	1	0	0	1	2	2	3
2024	1	2	2	1	0	0	1	0

Applicant Character & Fitness

Investigation Process

The Board of Law Examiners conducts an investigation of the background of each applicant to the bar. The focus of the investigation is to determine whether an applicant demonstrates the ability to meet the Rule 5A essential eligibility requirements to practice law.

Board staff relies on policies and written procedures to ensure that character and fitness investigations are conducted in a thorough, fair, efficient, and consistent manner. Full and complete disclosure is important. Applications that raise serious character and fitness

concerns are brought to the Board for review. The more serious the misconduct in the applicant's past, the more evidence of rehabilitation the applicant will be required to provide. Dishonesty is the most frequent reason for denial of a bar application. Failure to provide thorough responses is the most frequent reason for delay.

For most applicants taking the bar examination, the Board completes its investigation by the time the bar examination results are published. There are some applicants each examination cycle who wait until the results are released before providing responses to inquiries that Board staff previously posted. This may result in applicants who are unable to attend the admission ceremony. In 2024, 83.3% of successful February applicants and 94.7% of successful July applicants were cleared in time to participate in the admission ceremony. Applicants who did not clear character and fitness prior to the admission ceremony either failed to respond to Board requests in a timely manner or had more serious issues in their file that warranted further investigation or consideration. In addition, some applicants did not qualify to attend the ceremony because they had not yet submitted a qualifying MPRE score.

During the Character & Fitness process, the Board views favorably any measures taken by applicant to proactively address concerns.

Chemical Dependency and Mental Health Conditions

Board inquiries into mental health and chemical dependency issues are narrowly focused to meet the Board's responsibility to protect the public and to determine whether an applicant currently meets the essential eligibility requirements. The Board recognizes the stresses that law school and other factors may place on applicants and encourages applicants to seek psychological counseling or treatment whenever the applicant believes it beneficial to do so and most circumstances do not require disclosure. The Board's inquiry focuses on conduct, not condition. The Board views the decision to seek treatment as a positive factor in evaluating applications and regularly recommends admission of applicants who have addressed their issues and who have the current ability to meet the essential eligibility requirements to practice law.

Mental Health Evaluations

The Minnesota Bar Application includes several paragraphs explaining that written policies and procedures are not intended to discourage mental health treatment. When an applicant discloses, or the Board's investigation identifies conduct that suggests a mental or neurological condition that appears likely to prevent the applicant from fulfilling the essential eligibility requirements for the practice of law as set forth in Rule 5A, the

Board may refer the applicant for a comprehensive psychological evaluation. Such referrals are rare and when requested, are conducted at the Board's expense.

Conditional Admissions

Rule 16 permits the Board to conditionally admit applicants whose past conduct raises concerns under Rule 5, but whose current record of conduct evidences a commitment to rehabilitation and an ability to meet the essential eligibility requirements for the practice of law. An applicant may be placed on conditional admission for issues such as current criminal probation, financial irresponsibility (e.g. failure to pay taxes or child support), or recent conduct related to substance abuse, chemical dependency, or mental health.

Conditional admission occurs with the consent of the applicant and permits the applicant to begin practicing law while continuing in his or her program of rehabilitation. Conditional admission terms depend on the reason for conditional admission, but may include documented payment plans and timely payment, working with a mentor, compliance with the terms of probation, or submitting to urinalysis. The period of conditional admission ranges from six to 60 months. The conditional license status is confidential and is not disclosed to the public.

Conditional Admissions 2015 – 2024

108 Lawyers Entered into
Conditional Admission

100 Lawyers Successfully
Completed

Adverse Determinations

When the Board concludes that an applicant has failed to meet their burden to prove their good character and fitness to practice law, the Board issues an adverse determination providing the grounds for its decision. Applicants may request a hearing before the full Board and present additional evidence. If the applicant does not do so, the adverse determination becomes final and the application is denied. If the Applicant does request a hearing, an in person hearing is scheduled before the Board during which the applicant may present witnesses and additional evidence as to their ability to meet the essential eligibility requirements. Applicants bear the burden of providing evidence that they meet the requirements. Following the hearing, the Board issues written findings. Applicants who are dissatisfied with the hearing results may appeal those results to the Supreme Court.

Pro Hac Vice

Out-of-state lawyers admitted to practice in the trial courts of any other jurisdiction and who have been retained to appear in a particular case pending in a district court in Minnesota may appear in the matter at the discretion of the district court upon a written application to appear as counsel *pro hac vice*. Before applying, the out-of-state lawyer must carefully review Rule 5 of the General Rules of Practice.

Effective June 1, 2021, the Minnesota Supreme Court implemented a new process for out-of-state lawyers seeking *pro hac vice* admission in Minnesota. The revised Rules set out a two-step process. The Minnesota Board of Law Examiners handles Step 1 on behalf of the Minnesota Supreme Court. Applicants must file an electronic application, submit a certificate of good standing from the jurisdiction in which the lawyer primarily practices, and submit electronic payment in the amount of \$450, unless the matter qualifies for waiver under Rule 5.02(b) of the General Rules of Practice. All fees received are allocated to the Lawyer Services Advisory Council. LSAC received \$276,300 in 2024, an increase from \$243,000 in 2023.

In 2024, a total of 632 applications were processed. The application totals by year through from 2021 to 2024 are listed in **Table 14**.

Table 14: Number of Pro Hac Vice Applications by Year

Year	Total Applications	Fee Exempt
2021	315	100
2022	591	89
2023	545	5
2024	632	18

Supervised Practice

The Board oversees the process for certifying student practitioners, supervised practitioners, and law student observers. Board staff processes requests that are received from Minnesota and out-of-state law schools daily. There are three types of certification requests. One is for certification as a Law Student Practitioner, for a student currently enrolled in law school who will be supervised by a lawyer to perform work in a practice

placement, such as an externship, or as part of a clinical law course. Another is for a Student Observer, for a law student to observe the work of a licensed attorney, which may include confidential matters. Lastly, the law school may request a graduate to be certified as a Supervised Practitioner so they can work with a supervising lawyer after graduation for up to 24 months as long as they are not admitted in another jurisdiction. In 2024, there were 451 law students who submitted their initial request for certification. This is a slight decrease from 462 in 2023. There were 67 Supervised Practitioners certified in 2024, which is an increase from 50 in 2023. In 2024, the Rules were amended to allow Supervised Practitioners to continue for 24 months instead of 18 months and to allow those who had not achieved a passing score on the examination to continue as long as their supervising attorney was aware of their examination status.

Funding

Board revenues are generated from bar application fees and from a \$29 per lawyer allocation from the Lawyer Registration fee. **Table 15** shows the 2024 fees received by category, compared to the fees received in the previous four calendar years. Total revenue in 2024 increased by \$150,488, or 7.8%, compared to 2023.

Table 15: BLE Revenue for Calendar Years 2020-2024

Type of Fee	2020	2021	2022	2023	2024
Lawyer Registration Fees	\$872,571	\$885,991	\$876,402	\$885,587	\$888,126
Bar Exam Fees	\$531,050	\$495,000	\$521,800	\$506,900	\$570,100
Motion Application Fees	\$349,100	\$318,700	\$463,375	\$459,050	\$537,450
Misc. Fees (including laptop and Rule 8-11 Fees)	\$95,120	\$92,700	\$96,018	\$83,861	\$90,210
Total	\$1,847,841	\$1,792,391	\$1,957,595	\$1,935,398	\$2,085,886

Conclusion

The Board continued to reliably administer the bar examination and to conduct the entire admission process in a fair and conscientious manner by processing each application as expeditiously as possible following standard processes.

The Board continues to educate lawyers and prospective lawyers on the bar application process and provide transparency on the types of circumstances that will lead to delay. The Board looks forward to continuing the work it has begun on studying the bar examination and alternative methods of licensure to ensure that those who are licensed maintain the high standards set by the Court.

Dated: June 27, 2025

/s/ John M. Koneck
JOHN M. KONECK
PRESIDENT, BOARD OF LAW EXAMINERS

/s/ Emily J. Eschweiler
EMILY J. ESCHWEILER
DIRECTOR, BOARD OF LAW EXAMINERS