

CURRICULAR PATHWAY RULES

Overview and Tentative Proposed Amendments

OVERVIEW

Implementation of the proposed Curricular Pathway for admission to the Minnesota Bar will require some amendments to the [Rules for Admission to the Bar](#) (Rules), which are promulgated by the Minnesota Supreme Court (Court). The eligibility provisions of Rule 4A require that an applicant either pass the bar exam pursuant to Rule 6 or show that they qualify for admission without examination pursuant to Rule 7. Rule 7 currently allows applicants to apply on motion based on years of practice in another jurisdiction or to transfer certain out-of-state bar exam scores to Minnesota. To implement the Curricular Pathway, a new non-exam provision will need to be added to Rule 7, the citations to Rule 7 in Rule 4A will need to be updated to include it, and minor provisions in Rule 7 will need to be renumbered.

Aside from updating Rule 12 to list the application fees once determined, the remaining Rules will not change. Rule 4A currently includes additional requirements related to legal education (for most applicants and this program, obtaining an ABA-approved J.D. degree), passing the MPRE, and showing good character and fitness, which will all remain and be required of Curricular Pathway participants in the same way as any other Rule 7 applicant.

The Implementation Committee anticipates that the specific procedures and requirements for the Curricular Pathway will be set forth in a separate set of regulations for the program. It is not feasible to include these detailed and lengthy provisions in the Rules, and Court-approved rules also require petition and approval by the Court for every change. The Implementation Committee has determined that the level of specificity and flexibility required to implement this novel program is best achieved by creating a set of Board-administered regulations to complement the Rules. A brief overview of relevant sections of the Rules is provided below. The full language is available at the above link.

RULE 4. GENERAL REQUIREMENTS FOR ADMISSION

- A. Eligibility for Admission.**
- B. Application for Admission.
- C. Evidence of Graduation (Conferral of Degree).
- D. Additional Filing When Admitted Elsewhere.
- E. Applicant Without MPRE Score.
- F. Additional Information Required.
- G. Continuing Obligation to Update Application.
- H. Required Cooperation.

- I. Repeat Examinee.
- J. Incomplete Application.
- K. Withdrawal of Application.

RULE 5. STANDARDS FOR ADMISSION

- A. Essential Eligibility Requirements.
- B. Character and Fitness Standards and Investigation.

RULE 6. ADMISSION BY EXAMINATION

[Subsections Omitted]

RULE 7. ADMISSION WITHOUT EXAMINATION

- A. Eligibility by Practice.
- B. Eligibility for Admission by MBE Score.
- C. Eligibility for Admission by UBE Score.
- D. Transfer of MBE or UBE Score.
- E. MBE Score Advisory.
- F. No Waiver of Time Requirements.
- G. Eligibility After Unsuccessful Examination.

TENTATIVE PROPOSED RULE AMENDMENTS

Edits to Rule 4A (Eligibility for Admission)

(4) Passing score on the written examination under Rule 6 or qualification under Rules 7A, 7B, 7C, 7D, 7E, 8, 9, or 10. An applicant eligible under Rule 4A(3)(b) but not under Rule 4A(3)(a) or 4A(3)(c) must provide satisfactory evidence of a passing score on the written examination under Rule 6 and is not eligible for admission under Rules 7A, 7B, 7C, 7D, 7E, 8, 9, or 10;

Notes: The other relevant requirements of Rule 4A are a J.D. degree from an ABA-approved law school, passing the MPRE, and good character and fitness. The ineligibility language about Rule 4A(3)(b) applies only to non-ABA graduates.

New Provision (7E) in Rule 7 (Admission Without Examination)

D. [Reserved for provision to accept NextGen UBE score transfers]

E. Eligibility for Admission by Curricular Practice Portfolio. An applicant may be eligible for admission without examination under Rule 4A(4) if the applicant has successfully completed all requirements of the Board's Curricular Practice Portfolio (CPP) Program and

has received certification of program completion from the Board pursuant to Section 5 of the CPP Program Regulations.

(1) **Applications and Deadlines.** Participation in the CPP Program shall be governed by the eligibility, application, and approval provisions set forth in Sections 3 and 4 of the CPP Program Regulations. Participants must comply with all interim progress and program completion deadlines in Section 9 of those regulations. Applicants for admission pursuant to this rule must submit an application for admission pursuant to Rule 4B as required in Section 4.3 of those regulations and provide confirmation at the time of submission of their continued eligibility for the CPP Program, continued participation in it, and satisfaction of the progress benchmarks in Section [TBD] of those regulations. Late applications or reapplication pursuant to this rule will not be accepted.

(2) **Program Requirements.** The Board will certify an applicant's completion of the CPP Program pursuant to Section 5 of the CPP Program Regulations only if the applicant has complied with all applicable provisions of those regulations, including by providing satisfactory evidence of the following requirements:

(a) A certification from the law school conferring the applicant's J.D. degree pursuant to Rule 4A(3)(a) that the applicant (i) successfully completed all foundational coursework requirements of Section 5.2, (ii) successfully completed all experiential coursework requirements of Section 5.3, and (iii) maintained academic good standing throughout law school as defined in Section 2.

(b) Written legal work of the applicant, submitted to the Board in compliance with Sections 6 and 7, that was evaluated by the Board and determined to demonstrate minimum competence pursuant to Sections 8 and 10.

(c) Written materials and supervisor attestation regarding the applicant's interactions with clients, submitted to the Board in compliance with Sections 6 and 7, that were evaluated by the Board and determined to demonstrate minimum competence pursuant to Sections 8 and 10.

(d) Written materials regarding the applicant's observations and analysis of professional responsibility topics, submitted to the Board in compliance with Sections 6 and 7, that were evaluated by the Board and determined to demonstrate minimum competence pursuant to Section 8 and 10.

(3) **Insufficient Submissions or Noncompliance.** A determination that an applicant has failed to satisfactorily complete a required Curricular Practice Portfolio Program requirement is a final decision of the Board and does not afford the applicant the appeal and hearing rights set forth in Rule 15.

[Renumber administrative provisions in Rules 7D-7G as 7F-7I]