

Tab 2

Memorandum

To: Access to Justice Commission
From: Alison L. Paul and Michelle Potts
Date: July 31, 2014
Re: Summary of Economic Impact of Legal Aid Report

Introduction. The Montana Justice Foundation has provided special funding for the Montana Legal Services Association to research, produce, publish and distribute an Economic Impact Study and Report. This report aims to better understand the direct and indirect economic impact of statewide civil legal aid services. This report will be instrumental in all statewide efforts to expand access to civil legal representation. MLSA requests that the Access to Justice Commission sponsor the study, not as a financial sponsor but rather as a philosophic sponsor. The report will benefit the Commission's work to promote civil legal aid, and can be used to build a complete picture of the benefit of all civil legal aid in Montana.

Timing. In the spring of 2014, MLSA approached Justice Beth Baker as Chair of the Access to Justice Commission to seek the Commission's support for an Economic Impact Report. It was determined that the best route for consideration was through the Policy and Resources Committee and then on to the full Commission. In the interim, a special funding opportunity came up with MJF and the deadline fell before the next Policy and Resources Committee meeting. After careful consideration of the benefits of applying for funding and starting the study for use in the 2015 legislative session, and with the encouragement of both Justice Baker and MJF, MLSA applied for the MJF special funding prior to the Access to Justice Commission could consider the proposal.

Now MLSA has secured funding from MJF to complete the study and report, and has made progress toward completing the report for the upcoming 2015 legislative session. Both Justice

Administrative Office

616 Helena Ave., Ste 100
Helena, MT 59601
Toll Free: (800) 666-6124
Phone: (406) 442-9830
Fax: (406) 442-9817

Statewide HelpLine Number ☎ 1-800-666-6899

Websites:
www.MontanaLawHelp.org
www.mlsa.org

Funded in part by:

Montana Justice Foundation
&



Beth Baker as Chair of the Access to Justice Commission and the Montana Justice Foundation have supported the idea of an economic impact report on civil legal aid in Montana. The Policy and Resources Committee has recommended that the full Access to Justice Commission vote to sponsor the economic impact report on civil legal aid. MLSA requests that the Commission sponsor the economic impact report. If the Access to Justice Commission charges MLSA to conduct the study, the report will be of use for the Commission in multiple venues, including the possibility of expanded funding for civil legal aid, as it seeks to increase access to justice in Montana. The report will also be of use in the upcoming request for funding for the Court Self-Help program.

Description of the Study and Report. The Economic Impact Study and Report will gather and present data demonstrating the contribution of legal aid to the Montana economy. Of course, legal assistance is not provided to individuals for the purpose of stimulating the Montana economy, but rather to provide access to the civil justice system regardless of ability to pay. However, in serving the civil legal needs of low-income individuals, legal aid providers obtain thousands of dollars for their clients. Often, these are benefits which flow into Montana, strengthening the state and local economies. In many cases, benefits obtained also reduce the financial burden on the state to provide for the needy and give some financial stability for households and neighborhoods.

The Economic Impact Study and Report will bring together all of MLSA's relevant data and produce a rigorous, dollars-and-cents analysis of the contribution of civil legal aid to the overall Montana community. The study will help illustrate that the greater the investment in civil legal aid, the greater the return to the community and the lower the risk of social costs to the community. Based on data from past MLSA clients, the study will report on direct savings to civil legal aid clients as a result of legal intervention. These are dollars people then spend in our communities: child support awards, housing-related awards, food assistance, social security benefits, and client tax refunds. The study will also use current economic models to project the cost savings to society based on prevention of foreclosures, prevention of evictions, and advocacy for domestic violence clients.

Because of the timing of the upcoming legislative session, the study has needed to progress quickly and the report will be based on data from only MLSA's civil legal aid. The study and report format, however, will lend itself to adding data from other civil legal aid programs in Montana as that data becomes available.

Collaboration and Academic Support. In order for the Economic Impact Report to have the gravitas and mathematical accuracy necessary to impact statewide policy, MLSA has obtained the consulting services of Dr. Scott Rickard, who is the Director of the Center for Applied Economic Research at MSU-Billings. In this manner, MLSA is following in the footsteps of many states and civil legal aid organizations throughout the nation who have also engaged in an analysis of the economic impact of civil legal aid to their communities. Dr. Rickard will guide the application of economic theory to address the practical issues of provision of civil legal aid in Montana by providing advice on how to (1) select variables for specific concepts; (2) provide structure for more detailed conclusions; (3) produce numerical estimates for some of the parameters; and (4) use the analysis to interpret MLSA's case management data according to core economic theory.

Conclusion. MLSA hopes the Access to Justice Commission will recognize the value of the Economic Impact Report to the Commission's charge to consider a variety of sources for building funding support for civil legal aid. The Access to Justice Commission's non-fiscal support of the Economic Impact Report would expand the impact of the Economic Impact Report. Ultimately, the Report will seek to inform grantmakers, community members, policymakers and other stakeholders of the economic benefits of legal aid, not just for low-income individuals but for the entire state of Montana. It is believed that the Report will bolster attempts for funding to increase direct representation to clients in need of civil legal assistance – as it has in other states.

With the recommendation from the Policy and Resources Committee, MLSA requests that the Commission sponsor the economic impact report on civil legal aid in Montana.

Tab 3

Year	Category	Value
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
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2011
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2013
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2017
2018
2019
2020

THE JUSTICE GAP IN MONTANA: AS VAST AS BIG SKY COUNTRY

ACCESS TO JUSTICE COMMISSION OF THE MONTANA SUPREME COURT

167,000 Montanans with low and moderate income have at least one civil legal problem per year that impacts their basic legal needs for safety, health, shelter, food, education, and work.

WHAT PREVENTS PEOPLE FROM SECURING LEGAL ASSISTANCE?

- * Cost of services.
- * Lack of free and reduced fee legal assistance. (A family of four living 25% above poverty (\$29, 812/yr.) would most likely be ineligible for civil legal aid).
- * Lack of full representation, advice, mediation, and pro se assistance available.
- * Shortage of in-person services, intensified by long distances.
- * Lack of access to information about services.
- * Difficulty using phone and Internet services.

- ◆ **Many Montanans simply cannot afford to hire an attorney.** This fact, coupled with a severe shortage of free and reduced cost legal assistance, is the major reason tens of thousands of low and moderate income persons throughout the state cannot obtain the legal help they need.
- ◆ Currently in Montana there are a total of 20 to 25 attorneys employed to help the 167,000 citizens needing assistance with significant legal problems. These attorneys are **able to assist less than one in ten of the Montanans who need help** with their legal problems.
- ◆ MLSA recently lost nearly a third of its federal funding when the federal Legal Services Corporation reallocated funding based upon updated Census data. **The majority of states appropriate state funding for civil legal assistance. Montana does not.**

Montana populations with the greatest need for legal services include domestic violence victims, persons with mental illness, Native Americans, older Montanans, and veterans.

GOALS FOR ADDRESSING GAPS AND BARRIERS

- ◆ Increase availability and types of free legal assistance in rural areas.
- ◆ Increase the subject areas in which legal assistance is available.
- ◆ Increase the amount of in-person services available.
- ◆ Increase the awareness of services for eligible individuals and service providers.
- ◆ Increase the collaboration between legal providers and other service providers.
- ◆ Recognize that additional staff and pro bono attorneys, staff and volunteer mediators, and other staff that can provide and coordinate legal assistance are essential to improve access to justice for low and moderate

See the full report at <http://courts.mt.gov/content/supreme/boards/a2j/docs/>

Contact the Access to Justice Commission

523-3920, kkuykendall@mtjustice.org

Tab 4

Guide to Montana Bar Admissions

The following information is a brief summary of the process for admission to the State Bar of Montana and any variation in the information will defer to the Rules of the Board of Bar Examiners, Rules of Admission and the Rules of the Character & Fitness Commission.

The Commission on Character and Fitness and the Board of Bar Examiners were created by the Supreme Court to oversee admission of new attorneys to the State Bar of Montana. The Bar Admissions Administrator works for both of these groups and is administratively connected to the State Bar of Montana. The information below is designed to help you complete the application for admission to the State Bar of Montana. Questions should be directed to Marie Connolly, the Bar Admissions Administrator, by phone at (406) 447-2204 or email to mconnolly@montanabar.org.

THE CHARACTER AND FITNESS COMMISSION

The Montana Rules of Admission require that you are certified by Montana's Character & Fitness Commission before you can sit for the bar exam or be admitted to the Montana Bar. The NCBE performs a background investigation on behalf of the Commission, but does not determine certification for admission to the Montana Bar. The Commission will not certify you for admission until receipt of the NCBE investigative summary, which takes at least 90 days after submission of your application. Therefore, it is critical you respond to requests for information from both the Bar Admissions Administrator and the NCBE as quickly as possible as failure to do so will delay your certification. Incomplete applications will not be considered and complete applications do not assume certification.

"Certification" as used in the Rules of the Character & Fitness Commission refers to permission to sit for the Montana bar examination and be admitted to the practice of law in Montana. Your certification to sit for the exam or be admitted by transferred UBE score will be determined by the Commission on Character and Fitness after a thorough review of your application and findings of the Commission's investigation. You have an ongoing responsibility to **keep your application current**. This includes, but is not limited to, any changes to the application previously submitted, such as changes in employment, address, and most notably, any matter relating to character & fitness. Certification letters are typically mailed by hard copy thirty days prior to the examination. **No applicant may sit for the exam or be admitted to the State Bar of Montana until they have received certification from the Character & Fitness Commission. Failure to provide a complete application to the Montana Bar and to the NCBE in a timely manner may delay or prevent certification.** Certification may be delayed or revoked by the Commission at any time prior to admission.

THE APPLICATION PROCESS

- All applications must be completed using the National Conference of Bar Examiner's Character & Fitness Application. There is no separate application for Montana.
- Follow the instructions on the Application Checklist carefully. Two original applications must be mailed by the application deadline with supporting documents and fees.
- Applications must be postmarked by March 15 for the July exam and October 1 for the February exam. You are welcome to send your supporting documents ahead of your application and the materials will be held until your application is received. Notify Marie if you cannot obtain all supporting documents in time to send them with the application; however, you will not be certified to sit for the exam unless your file is complete, so start requesting your documentation as early as possible.
- Once your application has been reviewed, you will be contacted (usually by e-mail) to advise whether your file is complete or if documents are missing. You will also be provided with a memo that includes the exam schedule, examinee instructions, laptop and exam payment deadlines, etc.
- Become familiar with the information provided on the Admissions link on the State Bar's website (www.montanabar.org). It is updated regularly and has links to the rules, forms and payment of fees.

SUPPORTING DOCUMENTS:

A number of documents are required to be submitted with your application. The Application Checklist identifies which of these documents need to be supplied to the NCBE with your application and which need to be provided to the State Bar. Some documents may take time to acquire, so request them early; documents may arrive separately if mailed from a third-party. Incomplete applications will delay certification from the Character & Fitness Commission and may require the applicant to defer to the next scheduled admissions cycle.

INVESTIGATION PROCESS:

- 1) The initial review is done by the Bar Admissions Administrator (BAA). If there are concerns, the file may be reviewed by Bar counsel and/or referred to a subcommittee of the Character & Fitness Commission (CAF).
- 2) The subcommittee reviews all information provided by the applicant, the NCBE and any other source it deems necessary.
- 3) The subcommittee then advises the BAA of their decision to either certify the applicant unconditionally or conditionally or to deny the applicant.
- 4) A conditional admittee is granted admission under the terms of a stipulated agreement to meet certain requirements. The term of the conditional admission is typically 3 years, but can be extended or terminated by the Commission.
- 5) If an applicant is denied by the subcommittee, the applicant has an opportunity to provide an answer. The subcommittee again decides whether to certify the applicant unconditionally or conditionally or to deny the applicant.
- 6) If the subcommittee again recommends a denial, the file is reviewed by the remaining members of the Commission, who decide whether to certify the applicant unconditionally, conditionally or to deny the applicant.
- 7) If the remaining members decide to deny certification, the applicant may request a hearing before the full Commission.
- 8) This is a simplified explanation of the process outlined in the Rules of Procedure of the Commission on Character and Fitness, which are the definitive resource for all matters involving certification for admission.

THE BOARD OF BAR EXAMINERS

THE UBE/MLS SCHEDULE:

The Montana Bar exam is always held the last Tuesday and Wednesday of February and July.

Tuesday - the Multistate Essay in the morning and the Multistate Performance Test in the afternoon.

o The MEE is a 3-hour exam with 6 questions.

o The MPT is a 3-hour exam with 2 questions.

Wednesday - the MBE consisting of 200 multiple-choice questions.

The Montana Law Seminar is held the day after the administration of the Montana bar exam.

Thursday – the Montana Law Seminar

UBE & MLS FEES

All certified applicants must have their examination and Montana Law Seminar fees paid in full by the deadlines provided by the Bar Admissions Administrator. These fees are for administration of the UBE and MLS **and are separate from and in addition to the application fees** you paid with your original application. Fees can be paid online, by check or by calling the Bar Admissions Administrator at (406) 447-2204 with credit card information.

- Uniform Bar Examination (UBE) \$300
- Montana Law Seminar (MLS) \$150

SCORE TRANSFERS

It is the APPLICANT'S SOLE RESPONSIBILITY to have previous examination scores certified to the Bar Admissions Administrator.

UBE Score: A UBE score is a requirement for admission to the State Bar of Montana. Applicants who have earned a UBE score and are seeking to transfer the score to Montana must request a UBE score transfer from the NCBE to Montana. More information about the UBE and a link to request transcript services is available on the NCBE website.

MPRE Score: To qualify for admission, an applicant must obtain a MPRE scaled score of 80 or higher from any testing site within three years prior to taking the Montana Bar Examination or no later than nine months after notification of successful completion of the Montana Bar Examination. For UBE transfer applicants, a MPRE score earned within 3 years of the date of the exam in which the UBE score was earned will qualify for admission. Montana does not administer the MPRE, but information about MPRE test dates, deadlines, preparation and study materials are available on the NCBE website.

DEFERRALS & NO SHOWS

Deferral: If you are unable to sit for the examination, **prior to the exam** you are required to submit a written addendum to your application requesting a deferral. After three deferrals, an applicant must submit a new application and pay the application-filing fee. **Dismissal:** If an applicant fails to appear for examination without first completing an Addendum/Deferral form, the application will be dismissed and the applicant will be required to file a new application with the application fee. Find the form and pay the fee online.

LAPTOP OR HANDWRITE?

All essay answers (the MEE and MPT) may be handwritten in blue books that we provide or by using a laptop pre-registered with ExamSoft's SofTest® software. There is a separate fee payable to ExamSoft for using your laptop, but it is completely voluntary and any examinee may choose to handwrite their exam rather than use a laptop. A laptop examinee may choose to handwrite once the exam begins, but a hand-writer cannot decide to use a laptop after laptop registration has closed. ALL examinees who utilize the laptop option should be prepared to hand write in case of power outages or laptop problems.

UNIFORM BAR EXAMINATION – EXAM CONTENT

The **Uniform Bar Examination (UBE)** consists of three separate exam components administered together in a single exam administration; six MEE questions, two MPT items, and the MBE. All three exams are developed by the National Conference of Bar Examiners (NCBE) and are uniformly administered, graded, and scored by user jurisdictions resulting in a portable score. The NCBE provides excellent information, study aids and preparation information regarding each of these exams.

The Multistate Essay Examination (MEE) is developed as a six-question essay test to be administered in one three-hour test session. The purpose of the MEE is to test the examinee's ability to (1) identify legal issues raised by a hypothetical factual situation; (2) separate material which is relevant from that which is not; (3) present a reasoned analysis of the relevant issues in a clear, concise, and well-organized composition; and (4) demonstrate an understanding of the fundamental legal principles relevant to the probable solution of the issues raised by the factual situation. The particular areas covered on the MEE vary from exam to exam, and valuable MEE information and preparation material are available on the NCBE website.

The Multistate Performance Test (MPT) is a three-hour examination, with two 90-minute skills questions covering legal analysis, fact analysis, problem solving, resolution of ethical dilemmas, organization and management of a lawyering task, and communication. The MPT is designed to test an examinee's ability to use fundamental lawyering skills in a realistic situation. Each test evaluates an examinee's ability to complete a task that a beginning lawyer should be able to accomplish. More information and study aides for the MPT can be found on the NCBE's website.

The Multistate Bar Examination (MBE) is a 200-question multiple-choice test that is administered in two three-hour test sessions. The purpose of the MBE is to assess the extent to which an examinee can apply fundamental legal principles and legal reasoning to analyze given fact patterns. The exam is divided into morning and afternoon testing sessions of three hours each, with 100 questions in each session. The questions on the MBE are distributed between the following topics: constitutional law, contracts, criminal law and procedure, evidence, real property and torts. Subject matter outlines and more information on the MBE can be found on the NCBE's website.

MONTANA LAW SEMINAR

All applicants, whether by transferred UBE score or by examination, must register and attend the **Montana Law Seminar (MLS)**, which is offered the Thursday following the February and July bar exam. The Montana Law Seminar is a Supreme Court-required course that will focus on the structure of the legal system in Montana, the unique aspects of Montana law and the accepted mores and culture of practicing law in Montana. The Seminar is directed specifically to those seeking admission to the Bar, and only those who are applying for admission to the State Bar of Montana are eligible to attend. The MLS is not a CLE program, nor will CLE credits be awarded. An applicant may delay attendance at the MLS, but may not be admitted to the Montana Bar until attendance at the Seminar has been confirmed. Dress is casual. **Attendance at the MLS is a prerequisite to admission.**

GRADING & SCORING

The MEE and MPT answers will be graded on a scale of zero to six, with six being the highest qualifying score and zero being the lowest possible score. The scores from each segment of the exam will be converted to the 400-point UBE scale and combined with the MBE scaled scores. The MEE and MPT scores are scaled to the MBE, with the MBE weighted 50%, the MEE 30%, and the MPT 20%. The lowest passing combined score for Montana is 270. *NOTE: The application and investigation process is confidential and the Board of Bar Examiners does not know the identities of applicants until after pass/fail decisions are final.*

RESULTS

Test Results will be sent by US Mail within 8 weeks to the last known address we have on file for you. Those who pass the exam will receive instructions for swearing-in and admission. If you do not pass the exam, you need not reapply but will receive copies of your MEE and MPT exams and your MBE score along with instructions for retaking the next scheduled exam.

FOR ADDITIONAL INFORMATION: The Rules of the Montana Board of Bar Examiners, Character & Fitness Commission Rules and the Rules of Admission are the definitive source of information regarding the Bar Examination and admission to the Bar. Copies of these rules as well as information about admission to the State Bar of Montana can be found at <http://www.montanabar.org>. Information and study guides specific to the Uniform Bar Examination or the separate components (the MEE, MPT and MBE) can be found on the NCBE website at <http://www.ncbex.org>.

VOLUNTARY LAW-RELATED PRO BONO ACTIVITY STATEMENT

The provision of pre-admission pro bono services is not a condition to become licensed for law practice in Montana. Montana's Character & Fitness Commission will not consider the Voluntary Law-Related Pro Bono Activity Statement during the certification process. The Voluntary Law-Related Pro Bono Activity Statement is designed to provide an opportunity for applicants to voluntarily disclose pro bono activities and to express specific interests or training needs in the provision of post-admission *pro bono publico* services. Once admitted to practice law in Montana, you will be asked on an annual basis to complete a similar reporting form.

MONTANA APPLICATION COMPLETION CHECKLIST

IMPORTANT NOTE:

The Montana Rules of Admission require that you are certified by Montana's Character & Fitness Commission before you can sit for the bar exam or be admitted to the Montana Bar. The NCBE performs a background investigation on behalf of the Commission, but does not determine certification for admission to the Montana Bar. The Commission will not certify you for admission until receipt of the NCBE investigative summary, which takes at least 90 days after submission of your application. Therefore, it is critical you respond to requests for information from both the Bar Admissions Administrator and the NCBE as quickly as possible as failure to do so will delay your certification. Incomplete applications will not be considered and complete applications do not assume certification.

This is a list of requirements to be completed after the online NCBE Character & Fitness Application is finalized. Print the checklist for future reference. Supporting documents should be mailed simultaneously with the online submission of your application. However, documents coming from other sources may be mailed separately.

Print TWO Complete Applications:

Please submit all forms that print with your application. The application will only include forms that are necessary for your application.

- Complete Method of Payment (For NCBE: page *i* of Application).
- Sign and notarize three Authorization and Release Forms for each application.
- Sign and notarize Acknowledgement of Complete Application.
- If you completed Form 1 (Military Service), attach a copy of your report of separation.
- Sign and notarize Form 7 (Authorization to Release Medical Records), if applicable.
- Retain a copy for your records.
- To Revise Finalized Application - Use the Revisions Form to report any errors or omissions on your finalized online application. DO NOT make manual changes to your printed application; use this form to note any changes and attach it to the front of your application. Use this form ONLY if your application has NOT yet been mailed to a jurisdiction or to NCBE. Any revisions mailed to the NCBE must also be mailed to Montana Bar Admissions.
- To Amend Finalized Application - It is your responsibility to update your application while it is pending. Use the amendment forms to report any errors, omissions, changes, or updates to your application. Use these forms ONLY if your application has already been mailed to a jurisdiction or to NCBE. Any amendments mailed to the NCBE must also be mailed to Montana Bar Admissions.

After signing **two original applications**, follow the instructions below to submit an original to the NCBE and an original to the Montana Bar with the required documents and fees for each:

MAIL TO NCBE: ALL APPLICANTS:

Original Application - One complete signed and notarized **original** of the character and fitness application including the authorization and release forms, attestation page, and all other required forms. Mail to the following address with the NCBE investigation fee:

**NCBE Intake Department
302 South Bedford Street
Madison, WI 53703-3622**

MAIL TO MONTANA: ALL APPLICANTS:

- **Original Application** - One completed and notarized **original** of the application including all required forms that were mailed to the NCBE.
- **ID – Two color photocopies** of your current driver’s license. A valid U.S. Federal or State-issued photo ID that contains a name, date of birth, gender, expiration date and a tamper-resistant feature will be accepted in lieu of a drivers’ license. This should be the same ID you will use to register for the bar exam and the Montana Law Seminar.
- **Official law school transcript or degree certification** - Arrange for your official law school transcript to be sent directly to the Bar Admissions Administrator. This document must verify that you hold a JD degree from an ABA accredited law school.
- **Two completed fingerprint cards & Fingerprint Declaration Form.** Fingerprints must be taken by a law enforcement official or authorized agency and mailed with a completed declaration form. *(Follow link for Fingerprint Declaration Form and sample fingerprint card.)*
- **Credit report.** A complete credit report dated within 30 days of the submission of the application. *(Follow link to free credit report gov. site.)*
- **Montana Application Cover Page.** *(Follow link to Application Cover page.)*
- **Application Fee:** A personal check or money order made payable to the State Bar of Montana. *(\$400 for attorney applicants; \$150 for student applicants)*

SUBMIT BY PAPER OR ELECTRONICALLY: ALL APPLICANTS (optional)

- **Law-Related Pro Bono Activity Statement (optional)** . For online electronic submission [click here](#). To download a hard copy of the Statement for mail submission, [click here](#).

STUDENT APPLICANTS (In addition to submissions above):

- **Law School Dean Certificate** - This form from the Law School Dean is required to be submitted at the time of application. The final transcript showing that the applicant has earned a JD is due within 30 days prior to the scheduled bar examination.
- **Law school application** - Arrange for a copy of your law school application to be mailed directly by the law school to the Bar Admissions Administrator.
- **Copy of other bar applications** - If you have ever applied for admission in any other jurisdiction(s), arrange for the admissions authority to transmit a copy of your application, regardless of whether or not you obtained admission.

ATTORNEY APPLICANTS (In addition to submissions above):

- **Copy of previous bar applications**- If you have ever applied for admission in any other jurisdiction(s), arrange for the admissions authority to transmit a copy of your application, regardless of whether or not you obtained admission. The application should be the one required for the character and fitness background check (not just the demographic information allowing you to sit for the examination.) **If the application is not available or has been destroyed**, ask the admissions authority to complete the linked form and provide documents available (if any).

Mail the application and all attachments to the following address:

**Montana Bar Admissions
7 West Sixth Ave.
PO Box 577
Helena, MT 59624**

NOTE: Application must be postmarked by October 1 for February Exam or March 15 for July Exam. Late applications will be accepted only if so ordered by the Montana Supreme Court. There is an additional \$100 late filing fee if the Court grants a late application petition. If you have questions regarding the Montana application process, please visit the Montana State Bar at <http://www.montanabar.org>.

INFORMATION ABOUT ADMISSION TO THE MONTANA BAR

ELIGIBILITY for ADMISSION:

To be eligible for admission, you must:

1. Have earned a JD from an ABA accredited law school;
2. Have been certified by the Commission on Character & Fitness;
3. Have submitted a qualifying MPRE score;
4. Have submitted a qualifying UBE score (whether by exam or transfer);
5. Have attended the Montana Law Seminar;
6. Have paid your license tax and dues to the State Bar of Montana.

Application for Admission:

Whether applying for admission by exam or transfer of UBE score, all applicants must complete the online **NCBE Application for Montana**. A signed original application must be mailed to the Montana Bar Admissions office, with the **Montana Application Cover Page**, all documents required on the **Montana Application Checklist** and the Montana application fee. A second signed original application must be mailed to the NCBE with their investigation fee. Also included with the Montana application materials is the Voluntary Law-Related Pro Bono Activity Statement as well as a link to complete the Statement electronically. You are required to have an email address as email will be our primary communication method with you. The **Guide to Montana Bar Admissions** provides detailed information about how to apply for admission to the Montana Bar, links to forms, instructions and the application.

Upcoming Dates for Uniform Bar Exam & Montana Law Seminar:

July 2014 - Exam: July 29-30, MLS: July 31st, University Center, UM Campus, Missoula-
Application Deadline: Postmarked by March 15, 2014

February 2015- Exam: February 25-26, MLS: February 27th, Great Northern Hotel, Helena-
Application Deadline: Postmarked by October 1, 2014

Fees, Deadlines & Bar Exam Information: For both exam applicants and UBE transfer applicants, the deadline for the February administration is October 1st and the deadline for the July administration is March 15th. Applications must be postmarked or hand-delivered to the Bar Admissions Administrator on or before the stated deadline. Late applications will not be accepted without a Court Order approving late filing. If the Montana Supreme Court grants a petition for late application, a late filing fee will be charged in addition to the application fee. To pay application fees, send a check or money order with the completed application or **pay application fees online** and mail a copy of the confirmation of payment with your completed application. **NOTE:** A separate application fee is charged for the NCBE Character & Fitness Application. The NCBE Application (page *i.*) includes categories for Law Student Registration and Foreign Educated or Foreign-Licensed Attorneys. Montana does not at this time accept early applications for law students or recognize foreign applicants. All applicants are required to hold a JD from an ABA accredited school.

The Uniform Bar Exam (UBE): Montana will accept the transfer of a score of 270 or greater from a qualified UBE exam within three years of the date of application. All UBE applicants are required to complete the application process outlined above through the NCBE and meet the requirements set forth in the **Rules for Admission** to the State Bar of Montana. **Follow this link for more information about the Uniform Bar Exam.**

The Montana Law Seminar (MLS): Before being admitted to the practice of law in Montana, all applicants must attend the Montana Law Seminar (MLS). **The MLS is given the day following each February and July bar exam at the site of the bar examination.**

Register & Pay Fees for the UBE & the MLS: Registration for the Montana Law Seminar and/or the Uniform Bar Exam is open only to applicants to the Montana State Bar. *These fees are not refundable and applicants may wait until they have been certified by the Commission on Character & Fitness before submitting the fee.* Please register and **pay online** or send a check or money order to Montana Bar Admissions at PO Box 577, Helena, MT 59624.

Defer to the next scheduled admission cycle: An applicant's failure to appear for examination without first requesting a deferral in writing will result in the application being dismissed. After three deferrals, an applicant shall submit a new application and pay the application filing fee. To defer to the next exam, send the completed **Addendum/Deferral form** to the Bar Admissions Administrator with a check or you may **pay the \$20 fee online.**

Reciprocity: Montana does not have reciprocity and there is no admission on motion. All applicants are required to sit for the Bar exam or may transfer a UBE score of 270 or higher earned within 3 years from the date of application.

ADA Accommodation Requests: If you have a medical, physical, or cognitive disability, you may request that the bar examination be administered under reasonable special conditions to accommodate your needs. You must make your request via the **Special Accommodations Request Form**. An applicant who claims a disability and who seeks an accommodation on the bar examination must submit a request for the accommodation with supporting documentation by the application deadline. Applications for accommodations not submitted by the application deadline will not be considered, except where the disability occurs after the application filing deadline.

Uniform Bar Exam (UBE) Scores: It is the applicant's responsibility to have UBE scores from another jurisdiction certified to the State Bar of Montana. *ALL applicants are required to sit for the Uniform Bar Exam (the MEE, MPT and MBE) or meet the requirements to transfer a UBE score.* To have your UBE score certified to Montana, contact the National Conference of Bar Examiners at <http://www.ncbex.org/about-ncbe-exams/ube/ube-transcript-services/>.

Multistate Bar Exam (MBE) Scores: Montana no longer accepts transferred MBE scores and all examinees must sit for the MEE, MPT and MBE in a single exam cycle to earn a UBE score.

Multistate Professional Responsibility Exam (MPRE) Scores: A MPRE score of 80 or better earned within 3 years is not required prior to sitting for the UBE, but is required prior to

admission to the Montana Bar. Montana does not give the MPRE, but information about registration and testing locations for the MPRE is available on the NCBE's website. It is the applicant's responsibility to have MPRE scores from another jurisdiction certified to the State Bar of Montana. Contact the NCBE at <http://www.ncbex.org/multistate-tests/mpre/mpre-score-reporting-services/> to request your certified score be provided to Montana. A qualifying score must be certified to the Bar Admissions Administrator no later than nine (9) months after notification of successful completion of the Montana Bar Examination.

Certified Application Requests: To request that a copy of your Application for Admission to Montana be provided to another jurisdiction, please **complete this request form** or send a written request and a \$15 check or money order to Bar Admissions Administrator, State Bar of Montana, P.O. Box 577, Helena, MT 59624. *Note: Application files are maintained for five years after which, if no litigation is pending concerning the application, the file may be destroyed.*

Bar Review Course: The Montana Board of Bar Examiners is not affiliated with any bar review course. The National Conference of Bar Examiners is responsible for development of the MEE, MPT and MBE, and we encourage applicants to review the **NCBE website** for study materials as well as mock exams and other exam preparation. Consult the Board of Bar Examiners' rules and review the information provided by the Bar Admissions Administrator and the National Conference of Bar Examiners.

**MONTANA BAR ADMISSION
VOLUNTARY LAW-RELATED PRO BONO ACTIVITY STATEMENT**

Information and Instructions

Montana places a high value on [Rule 6.1](#) of the Montana Rules of Professional Conduct which states in part, “Every lawyer has a professional responsibility to provide legal services to those unable to pay.” This professional obligation takes effect upon your admission to the Bar. In order to fully prepare for the practice of law, aspiring lawyers are encouraged to gain volunteer experience.

The provision of pre-admission pro bono services is not a condition to become licensed for law practice in Montana. Montana’s Character & Fitness Commission will not consider the Voluntary Law-Related Pro Bono Activity Statement during the certification process. The Voluntary Law-Related Pro Bono Activity Statement is designed to provide an opportunity for applicants to voluntarily disclose pro bono activities and to express specific interests or training needs in the provision of post-admission *pro bono publico* services. Once admitted to practice law in Montana, you will be asked on an annual basis to complete a similar reporting form.

The hours reported for law related pro bono activity should meet the goals of Rule 6.1 of the Rules of Professional Conduct. Thus, the substantial majority of law-related services should be provided without fee or expectation of fee to:

- (1) persons of limited means; or
- (2) charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means.

Additional law-related services may be provided through:

- (1) delivery of law-related services to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization’s economic resources or would be otherwise inappropriate; or
- (2) participation in activities for improving the law, the legal system or legal profession.

For student bar applicants not yet licensed to practice law, “law-related services” include:

- (a) Direct legal services under supervision of a licensed attorney or legal services provider;
- (b) Similar volunteer law-related services that do not constitute the practice of law, provided that such services are designed primarily to address the legal needs of persons of limited means. Examples of qualifying services include, but are not limited to, services as a volunteer for a self-help legal clinic, domestic violence program, Court Appointed Special Advocates (CASA) program, or providing community legal education; or
- (c) Services provided to and under the direct supervision of a court-based program designed to facilitate the resolution of cases involving self-represented litigants of limited means.

I am a **law student** applicant and, within the last three years preceding my application, I have provided law-related services that do not constitute the practice of law but are designed primarily to address the legal needs of persons of limited means.

Estimated Number of Hours

I am a **law student** applicant and, within the last three years preceding my application, I have provided services to and under the direct supervision of a court-based program designed to facilitate the resolution of cases involving self-represented litigants of limited means.

Estimated Number of Hours

I am **law student** applicant and, in addition to any hours above, within the last three Years preceding my application, I have also provided hours participating in volunteer activities for improving the law, legal system or legal profession.

Estimated Number of Hours

To all applicants: If admitted to the Montana Bar, do you wish to receive information about training and pro bono opportunities upon admission?

Yes, I would like to receive the information and am providing additional details below.

No, I do not want to receive pro bono information.

What is your area of pro bono interest(s)? _____

What additional training would you like to see offered specific to future pro bono work? _____

Are you interested in being paired with a mentor to guide you in providing pro bono services? _____

Are there additional support services that would assist you in providing pro bono services in your practice or employment? _____

Consent to Release Information

Consent: By checking this box, I understand that the State Bar of Montana and the Montana Supreme Court may use non-identifying information provided in this form for data collection purposes. If admitted to the Montana Bar, I authorize these entities or a legal services provider approved by the Montana Access to Justice Commission to provide me with information about training, updates, and pro bono opportunities.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

I prefer to receive the information via email. Email address: _____

Signature: _____ Date: _____

Tab 5

Law School Partnerships Committee – Proposal Summary

Recommend that the Montana Supreme Court direct its Pro Bono Coordinator and the State Bar of Montana to develop a process to give applicants for the bar examination the opportunity to voluntarily submit a statement of any pro bono law-related activities they have performed as of the date of their application, with the guarantee that neither the data in the statement nor the refusal to submit a statement will affect the applicant's candidacy for admission in any way. The reporting period for student applicants should cover the three years prior to the application, and the reporting period for lawyers should cover at least one year prior to the application.

The voluntary statement should serve three purposes:

1. to inform bar applicants of the high value Montana places on the obligation imposed by Rule 6.1 of the Rules of Professional Conduct and to notify them that admitted attorneys are encouraged to submit similar reports annually;
2. to gather non-identifying information and data about pro bono opportunities available to law students and about volunteer services already being provided by bar applicants in order for the Court and the State Bar to evaluate pro bono activities generally and to develop resources for pro bono attorneys; and
3. to provide bar applicants with an opportunity to indicate their interest in receiving information about training and their willingness to be contacted about pro bono opportunities upon admission to the bar.

FILED

September 16 2014

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. AF 11-0765

IN RE THE APPOINTMENT OF)
MEMBERS OF THE ACCESS TO)
JUSTICE COMMISSION)

ORDER

FILED

SEP 16 2014

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

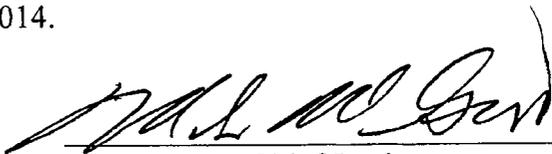
On September 18, 2012, this Court appointed the initial members of the Access to Justice Commission for staggered three-year terms. On September 30, 2014, six of the initial two-year terms will expire. Several members have indicated their willingness to serve for a new, three-year term. Commissioner Teri Mazer has resigned from the Commission. In accordance with the Court's Order of November 15, 2013, Professor Andrew King-Ries will resume his position as a member of the Commission representing the University of Montana School of law. The Court extends its thanks to Professor Hillary Wandler, to Teri Mazer, and to Senator Rick Ripley for their service on the Commission. With the consent of the appointees,

IT IS ORDERED that the following members are reappointed to the Commission for a three-year term ending September 30, 2017: Jennifer Brandon, Aimee Grmoljez, Rep. Chuck Hunter, Hon. Kurt Krueger, and Hon. Michele Snowberger.

IT IS FURTHER ORDERED that Amy Blixt, with the Missoula County Justice Court, is appointed to fill the term of Teri Mazer, ending September 30, 2016.

The Clerk is directed to provide copies of this order to each newly-appointed, current, and outgoing member of the ATJC and to the State Bar of Montana.

Dated this 16th day of September, 2014.



Chief Justice



Patricia Cotter

Michael E. Wheat

James Joseph [unclear]
[unclear]

John Rice
Justices