

## The Future of the Bar Exam: Key Changes in 2024 and What to Expect in 2025



### The Evolving Landscape of the Bar Exam: Key Changes in 2024 and Anticipated Developments for 2025

The legal profession is undergoing significant transformations, particularly in the realm of bar admissions. The years 2024 and 2025 mark pivotal periods with substantial modifications to the bar examination process and alternative pathways to licensure. This comprehensive overview delves into the major changes implemented in 2024 and explores the anticipated developments for 2025, providing valuable insights for law students, educators, and legal professionals.

#### I. Major Changes to the Bar Exam in 2024

1. **Approval of Additional Pathways to Licensure by the ABA** In May 2024, the Council of the American Bar Association (ABA) Section of Legal Education and Admissions to the Bar approved new pathways to licensure. This decision reflects a growing recognition of the need for diverse methods to assess the competencies of aspiring attorneys, moving beyond the traditional bar examination.
2. **Oregon's Apprenticeship Program: Supervised Practice Portfolio Examination** Oregon introduced the Supervised Practice Portfolio Examination, an apprenticeship program allowing applicants to complete a 675-hour paid apprenticeship under a qualified, supervising Oregon-licensed lawyer. This initiative has garnered popularity among students and employers, offering a practical, hands-on approach to legal training.
3. **California's Proprietary Bar Exam Development** On October 22, 2024, the California Supreme Court approved the state bar's plan to develop a proprietary bar exam in collaboration with Kaplan North America. This new exam, set to launch in February 2025, aims to be administered both remotely and in-person, reflecting a shift towards flexible testing modalities.
4. **Expansion of the NextGen Bar Exam Adoption** Throughout 2024, 20 additional jurisdictions approved the adoption of the National Conference of Bar Examiners' (NCBE) NextGen bar exam by at least 2028, bringing the total to 29 out of 56 jurisdictions. The NextGen bar exam is scheduled to debut in July 2026, with the NCBE also incorporating Family Law into the exam content after reconsideration.
5. **Nevada's Three-Stage Assessment for Bar Licensure** Nevada approved a unique three-stage assessment process for bar licensure, comprising a 100-question multiple-choice test post-third semester, a one-day in-person performance exam after graduation, and 40 to 60 hours of supervised practice. This approach aims to provide a comprehensive evaluation of candidates' competencies.

#### II. Anticipated Developments in 2025

1. **Launch of California's Multiple-Choice Bar Exam** In February 2025, California will introduce its multiple-choice bar exam developed in partnership with Kaplan North America. The exam is designed for both remote and in-person administration, marking a significant shift in testing methodology. While innovative, experts anticipate potential challenges in exam delivery during the initial phase.
2. **Recommendations from the Committee on Legal Education and Admissions Reform (CLEAR)** By mid-2025, the Committee on Legal Education and Admissions Reform, comprising nine state supreme court chief justices and three state court administrators, is expected to deliver recommendations on legal education, the bar admissions process, and addressing the declining number of attorneys in public-interest law. This initiative aims to foster collaboration between courts, legal educators, and bar examiners to ensure the competence of law graduates.
3. **Progression of the NextGen Bar Exam Development** The NCBE will advance its work on the NextGen bar exam, set to debut in July 2026, by focusing on content development and establishing passing scores. In May 2025, a national

standard-setting study involving approximately 90 legal experts, including judges, practicing attorneys, and legal educators, will convene to contribute to this process.

4. **Increased Adoption of the NextGen Bar Exam**More jurisdictions are expected to adopt the NextGen bar exam. In October 2024, 32 jurisdictions hosted the NextGen prototype exam, with 10 additional jurisdictions observing. By mid-December 2024, 29 jurisdictions had committed to the new exam, indicating a trend towards widespread adoption.
5. **Potential Increase in Bar Preparation Program Costs**As bar preparation providers retool their programs to align with the NextGen bar exam, there may be an increase in costs associated with these programs. The retooling process involves significant investment in developing new materials and training methods to meet the updated exam requirements.
6. **Expansion of Alternative Pathways to Licensure**Following the success of Oregon's Supervised Practice Portfolio Examination, other states, including Utah and Minnesota, are exploring and potentially approving alternative pathways to licensure. These initiatives reflect a broader movement towards diversifying the routes to legal practice.
7. **Implementation of Nevada's Three-Part Plan**Nevada is expected to authorize its three-part plan for bar licensure in 2025, with implementation for graduates in 2027. This plan includes a multiple-choice test, a performance exam, and supervised practice, aiming to provide a holistic assessment of candidates' abilities.
8. **Consideration of Special Licensing Rules to Attract Rural Practitioners**Some jurisdictions may consider adopting special licensing rules to make rural practice more attractive, following Arizona's lead. These measures aim to address the shortage of legal professionals in rural areas by providing incentives and streamlined pathways for practice in these regions.

## 9. Reevaluation of Character and Fitness Processes

Jurisdictions are anticipated to reconsider the character and fitness evaluation process to ensure a more equitable and transparent system. Current practices have been criticized for their lack of consistency and potential bias against candidates with mental health histories or nontraditional backgrounds. Updated approaches may focus on balancing public protection with fairness to applicants.

## 10. Emphasis on Competency-Based Licensing Models

In 2025, the legal industry is expected to see a shift toward competency-based models for bar licensure. These models assess practical skills and knowledge more comprehensively than traditional exams. States experimenting with portfolio-based assessments and experiential learning opportunities, such as Utah's and Oregon's programs, are likely to expand these initiatives based on initial feedback and success rates.

## Historical and Broader Context of Bar Exam Evolution

The bar exam has historically been a gatekeeper for the legal profession, but its design has long been debated. Critics have argued that the exam focuses too heavily on rote memorization and timed test-taking rather than practical legal skills. Reform efforts over the past two decades have sought to align bar licensure with the realities of modern legal practice, particularly as technology and client needs evolve.

### A Global Perspective

Outside the United States, alternative licensure systems provide intriguing points of comparison. For instance, in countries like the United Kingdom, candidates undergo rigorous apprenticeship programs (training contracts) combined with exams. Japan emphasizes a unified bar exam following extensive preparatory education. These models could serve as inspiration for future changes in the U.S., encouraging a more holistic approach to licensure.

## Challenges and Controversies

While the changes in 2024 and anticipated developments in 2025 are promising, they come with challenges:

1. **Cost and Accessibility**  
New exams and pathways may increase costs for both candidates and bar examiners. Programs like the NextGen bar exam require retooling by preparation providers, which may lead to higher fees for students.
2. **Uniformity vs. Jurisdictional Independence**  
A tension exists between the push for uniform national standards (e.g., the NextGen bar exam) and the autonomy of individual jurisdictions to develop their own solutions.
3. **Adapting Legal Education**  
Law schools must adapt their curricula to align with new licensure requirements, which could strain resources, particularly at smaller institutions.
4. **Perceptions of Rigor**  
Traditionalists argue that alternative pathways might dilute the perceived rigor of bar licensure. Balancing innovation with maintaining public confidence in legal competence is crucial.

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## Future Trends and Innovations

1. **Integration of Technology**  
The use of artificial intelligence (AI) and virtual simulations may become a feature of bar exams. For example, scenario-based simulations could test candidates' abilities to research and draft legal documents under realistic conditions.
2. **Focus on Specialized Practice Areas**  
Exams may evolve to include tailored pathways for specialized fields, such as intellectual property or immigration law, reflecting the increasing complexity of legal practice.
3. **Support for Underrepresented Groups**  
Reform efforts may include initiatives to increase diversity in the legal profession, such as targeted mentorship programs or alternative pathways aimed at reducing barriers for marginalized communities.

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## FAQs

### **1. What is the NextGen bar exam, and why is it significant?**

The NextGen bar exam is a redesigned test debuting in 2026 that emphasizes practical skills and integrates subjects more holistically, moving away from traditional rote memorization.

### **2. How do alternative licensure pathways like Oregon's apprenticeship program work?**

These programs allow candidates to complete supervised, practical training under licensed attorneys instead of taking the traditional bar exam, focusing on hands-on experience.

### **3. What are the potential costs of the upcoming bar exam changes?**

While new models aim to improve accessibility, they may lead to higher preparation program fees due to the need for updated materials and methods.

### **4. How do international bar exams differ from those in the U.S.?**

Countries like the UK and Japan emphasize apprenticeship or unified exams that combine theory with practical skills, offering a more integrated approach.

### **5. Will these changes improve access to justice?**

The reforms aim to address attorney shortages in rural and public-interest areas by creating flexible pathways and incentives for practice in underserved regions.

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## **Summary Takeaways**

The legal profession is at a crossroads, with the bar exam undergoing its most significant transformation in decades. The 2024 changes and anticipated developments for 2025 highlight a move towards modernized, flexible, and inclusive pathways to licensure. While challenges remain, these innovations promise to reshape the landscape of legal education and bar admissions, ensuring that the next generation of attorneys is better equipped for the demands of modern legal practice.

For aspiring lawyers and stakeholders, staying informed and adapting to these changes will be essential for success in the evolving legal field.

**Don't be a silent ninja! Let us know your thoughts in the comment section below.**

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