

In the  
**Indiana Supreme Court**



Case No. 18S-MS-586

**Order Creating a Study Commission  
on the Future of the Indiana Bar Examination**

In October 1931, the Indiana State Board of Law Examiners administered the first Indiana bar examination. Since that time, the bar examination has continued to evolve through the years. Today, the Indiana bar examination is a two-day examination consisting of three portions: the Multistate Bar Examination (“MBE”), a 200-question standardized multiple choice examination created and graded by the National Conference of Bar Examiners (“NCBE”), the Multistate Performance Test (“MPT”), also created by the NCBE, and the Indiana Essay Exam, six written essays on certain Indiana law topics not otherwise covered by the MBE. The bar examination is offered twice yearly, once in February and once in July.

In recent years, there have been significant changes in bar admissions. Many states, including Indiana, have witnessed significant, and, in some cases, unprecedented declines in bar examination passage rates. Meanwhile, the Uniform Bar Examination (“UBE”) has been adopted by over thirty jurisdictions and is being considered by still others.

We find that these recent developments warrant an in-depth analysis of the Indiana bar examination to determine whether changes in the format or content of the examination should be made.

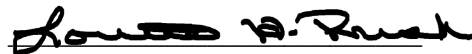
A *Study Commission on the Future of the Indiana Bar Examination* is hereby created to evaluate current trends and issues and make recommendations regarding the future of the Indiana bar examination. A list of the *Study Commission* members is attached. In conducting its work, the Study Commission should address the particular matters below, in addition to any other matters it believes relevant to its charge:

1. Whether Indiana should modify what is deemed to be a passing score on the Indiana bar examination.
2. Should Indiana continue the practice of scaling the written portion (Indiana Essay Examination and Multistate Performance Test) of the Indiana bar examination to the multiple-choice portion (Multistate Bar Examination) of the bar examination.
3. Whether Indiana should continue to use the same grading scale to grade the written portion of the Indiana bar examination.
4. Whether any changes should be made to the number of subjects tested on the Indiana Essay Examination.

5. Should any changes be made to the appeals process for applicants who are unsuccessful on the Indiana bar examination.
6. Whether the present content and format of the Indiana bar examination has a disparate impact on any groups.
7. Should Indiana adopt the Uniform Bar Examination (“UBE”).

The Study Commission is directed to provide an initial written report, with findings and recommendations, to the Court not later than December 1, 2019.

Done at Indianapolis, Indiana, on 12/4/2018.



Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

**STUDY COMMISSION**  
**ON THE FUTURE OF THE INDIANA BAR EXAMINATION**

1. **Chair: The Honorable Randall T. Shepard**, Chief Justice of Indiana (ret.)
2. **Vice-Chair: The Honorable Nancy H. Vaidik**, Chief Judge, Indiana Court of Appeals
3. **Attorney Jon Laramore**, Indianapolis, Indiana
4. **Attorney John Maley**, Indianapolis, Indiana
5. **Attorney Yvette LaPlante**, Evansville, Indiana
6. **Attorney Leah Seigel**, Indianapolis, Indiana
7. **Attorney Cathleen Shrader**, Fort Wayne, Indiana
8. **The Honorable Kenton Kiracofe**, Wells Circuit Court
9. **The Honorable Cristal Brisco**, Magistrate Judge, St. Joseph Circuit Court
10. **Dean Andrew Klein**, Indiana University McKinney School of Law
11. **Dean Austen Parrish**, Indiana University Maurer School of Law
12. **Dean Nell Jessup Newton**, Notre Dame School of Law
13. *Ex Officio*: **Bradley Skolnik**, Executive Director, Office of Admissions and Continuing Education
14. *Ex Officio*: **Justin Forkner**, Chief Administrative Officer, Indiana Supreme Court