

Initial Attorney Licensure Without Bar Exam

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Issue

Describe programs or policies that enable law school graduates to be initially admitted to practice law without needing to pass a state bar exam.

Summary

Individuals seeking licensure to practice law in a state must apply to that state's bar examination committee and meet certain qualifications pertaining to matters such as character and fitness, professional ethics, and legal competency. Traditionally, the legal competency component includes passing the respective state's bar examination, but at least six states have implemented programs or processes for licensure without passing this exam (Arizona, New Hampshire, Oregon, South Dakota, Utah, and Wisconsin). Of them, only South Dakota's is in statute.

The examination alternative programs generally involve a law school-based program with specified curriculum and experiential requirements or a supervised employment program with a review of performed work. The specific requirements, including eligibility to participate, vary by state.

Separately, Wisconsin allows graduates of the two law schools in the state to be admitted through "diploma privilege," meaning that if they complete specified coursework and meet minimum credit and grade point average requirements, they may be licensed to practice without taking the bar exam.

(Note: certain other states, such as [Minnesota](#) and [Washington](#), are in the process of implementing a program or process for attorney licensure without traditional bar exam passage. Because those procedures are not currently in effect, they are not included in this report. Additionally, because this report focuses on ways for individuals to be fully licensed to practice law, it does not describe limited practice programs in which a state credentials individuals, such as paralegals or other legal paraprofessionals who have certain experience and meet other requirements, to practice in limited practice areas. An example of these programs is Colorado's [Licensed Legal Paraprofessional](#) program which licenses qualifying individuals to provide certain legal services in domestic relations cases.)

First-Time Bar Licensure Without Traditional Examination

Supervised Employment Programs

Arizona. Under Arizona Supreme Court [Administrative Order 2026-04](#) (superseding its 2024 orders that established the program), the [Arizona Lawyer Apprentice Program](#) (ALAP) allows graduates of American Bar Association (ABA)-accredited law schools who score between 260 and 269 on the Uniform Bar Exam (UBE) to participate in an apprenticeship program to attain full state bar admission. (Arizona's passing score for the UBE is 270.)

Program participants work at either a private law office in a rural Arizona community or a public law office (governmental or non-profit) anywhere in the state for at least 30 hours of paid work per week for at least two years. They do so under the direct supervision of a lawyer who has at least five years' experience (unless qualifying for a waiver of the five-year requirement) and meets certain other eligibility requirements.

Participants are issued an ALAP license, meaning that they are provisionally admitted to the bar and authorized to practice law under the supervising attorney. Supervision requirements decrease over time, but generally include such things as reviewing the participant's work, performing check-ins, and giving progress reports to the Administrative Office of the Courts (AOC). After the apprenticeship, AOC may recommend a participant for regular attorney licensure if they (1) met all program requirements (and the supervising attorney attests that the participant is capable of practicing without supervision) and (2) have a recommendation from a judge who the participant regularly appeared before or, if the participant does not regularly appear in court, from an attorney who is not from the participant's firm or employer who knows about the participant's work.

Program participants must also comply with the state's continuing legal education requirements like already licensed practitioners.

Oregon. As an alternative to taking the state bar exam, Oregon enables graduates of ABA-accredited law schools to become a licensed attorney through the [Supervised Practice Portfolio Examination](#) (SPPE), which involves a supervised apprenticeship and developing a portfolio of work that the state bar examiners evaluate.

Under [SPPE rules](#), licensure applicants must have an offer of employment from an employer (law firm or solo practitioner, business entity or nonprofit organization, or government agency) and a supervising attorney that are qualified program participants. They must also have satisfactorily completed coursework in the following subject matter areas: business associations, civil procedure, constitutional law, contract law, criminal law or investigatory criminal procedure, evidence, torts, and real property. But an applicant may complete the coursework for two of the subjects during their SPPE participation.

Program participants are issued a provisional license to practice law in the state. They must meet work hour and portfolio content requirements. For example, participants must provide timesheets showing 675 hours of work towards the program, of which a certain number of hours must be for program training, continuing legal education, and activities related to diversity, equity, inclusion, or justice access. Participants must submit both a halfway (interim) portfolio and learning plan and a final portfolio. The portfolio must have materials on written work products, client interactions, and interactions showing negotiating skill.

Utah. Utah allows eligible law school graduates to become licensed as an attorney without taking the UBE through its [“alternate pathway to licensure”](#) (Alternate Path; [SCR Rule 4-703A](#)). This licensure process generally involves having completed specified law school skills courses, supervised legal practice, and passing the Alternative Path Examination. To qualify for Alternate Path, applicants must be graduates of an ABA-accredited law school within the previous five years and not have previously sat for a bar examination in any U.S. jurisdiction.

Alternate Path’s educational requirements include successfully completing writing and research course work and courses on civil procedure, constitutional law, contracts, criminal law, property, torts, and professional responsibility. Applicants must have also successfully completed a certain number of courses from a list of various topics, which include, among others, administrative law, business or commercial law, evidence, family law, and tax. Additionally, they must (1) have a minimum amount of experiential learning credits and (2) complete trainings in attorney well-being and self-directed learning.

The program requires 240 hours of supervised practice under a qualified supervising attorney and of those hours, 20 must be client-facing and 50 must be for pro bono services (unless working in

government or nonprofit service). It sets specific requirements for activities engaged in to obtain these hours, such as the applicant having taken certain coursework in order to participate in court or administrative proceedings and the supervising attorney being personally present in certain matters.

Law School-Based Training Programs

New Hampshire. Under [New Hampshire Supreme Court Rule 42\(XII\)](#), law students who successfully complete the two-year [Daniel Webster Scholars Honors Program](#) at University of New Hampshire Franklin Pierce School of Law may be admitted to the [New Hampshire bar](#) without taking its bar examination.

Students apply for the program before their second year of law school. The program's purpose is to prepare students through a series of courses and evaluations on fundamental legal practice skills such as communication, negotiation, work management, and legal ethics and the courses are in addition to traditional law school classes. Required courses include, among others, pretrial advocacy, trial advocacy, business associations, and evidence. Participants must also complete a two-day assessment of interviews, tests, and simulations, before they graduate.

Program participants seeking to be admitted upon graduation apply for the bar during their final year of law school. Graduates must apply for bar admission no later than one year after completing the program.

South Dakota. The state's temporary Public Service Pathway (PSP) program enables a limited number of University of South Dakota Law School graduates to practice law without having passed the state bar examination. By law, the program is in effect for five years, until February 21, 2030, and a program oversight committee must make a recommendation to the state supreme court on whether it should continue or be changed ([S.D. Codified Laws § 16-16A-1 et seq.](#)).

Students apply to participate in the program while in law school, with the school selecting up to 10 participants per law school class. To be eligible, students must (1) have satisfactorily completed their first two years' curriculum, including a professional responsibility course; (2) be registered to take or have taken the Multistate Professional Responsibility Exam by a certain time; and (3) agree to work full-time with an approved host public service employer in the state (a federal, state, local, or tribal government, or a specified nonprofit legal services organization).

Participants must then complete at least 500 hours as a legal extern with the approved employer. The employer must offer varied experiences and opportunities so the participant can show legal

competence and provide enough supervising attorneys to effectively mentor and help the participant. Under the program, participants must (1) complete daily time and activity forms, generally submitted weekly to the board; (2) document each court appearance; and (3) inform the board of hearings or trials that would be opportunities for observation. The state Board of Bar Examiners sets participants' portfolio requirements and regularly assesses participants.

Generally to be licensed this way, graduates must (1) have participated in and successfully completed the PSP program, (2) provide a portfolio of work to show minimum competence, (3) show competence in Indian law (either through a law school course or taking a separate exam), and (4) commit to at least two years' of full-time public service employment in the state (a judicial clerkship does not qualify). The two years' public service must generally be completed within three years after attorney licensure.

Wisconsin's Diploma Privilege

Wisconsin [Supreme Court Rule \(SCR\) 40.03](#) enables certain graduates of the [University of Wisconsin \(UW\) Law School](#) and [Marquette University Law School](#) to be admitted to the state bar under "diploma privilege," meaning that their law school credentials qualify them for admission and that they do not need to also take the bar examination.

The rule allows graduates of in-state, fully ABA-approved law schools to show that they meet the bar's legal competence requirement by satisfactorily completing a certain number of credits in specified coursework. (UW and Marquette law schools are the only ABA-approved law schools in the state.)

Specifically, applicants must submit a certification from their law school that they satisfactorily completed at least 84 semester credits for purposes of their awarded law degree, with at least 60 of those credits in specified mandatory and elective subject matter. Of those 60 credits, at least half of them must be in the following topics: constitutional law, contracts, criminal law and procedure, evidence, court jurisdiction, ethics and legal responsibilities, pleading and practice, real property, torts, and wills and estates. The rule specifies that these courses must have a primary and direct purpose of rules and principles of substantive and procedural laws as may come up in Wisconsin and federal courts and administrative agencies.

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