FILED
SUPREME COURT STATE
OF WASHINGTON
AUGUST 6, 2026
BY SARAH R. PENDLETON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE ADMINISTRATION OF THE JULY 2026 NATIONAL CONFERENCE OF BAR EXAMINERS' NEXTGEN UNIFORM BAR EXAMINATION IN WASHINGTON STATE	)	**ORDER** NO. 25700-B-753

WHEREAS: The Washington State Supreme Court adopted the National Conference of Bar Examiners' (NCBE) NextGen Uniform Bar Examination (UBE) in March 2024 and voted to join the first wave of jurisdictions nationally to administer the inaugural exam in July 2026;

WHEREAS: The July 2026 NextGen UBE administration in Yakima, Washington was canceled for the majority of applicants because of technological failures, the causes of which are being investigated and have not yet been fully identified;

WHEREAS: The experience was profoundly disruptive for the many applicants who spent years preparing to become licensed lawyers in Washington and could not take the exam as planned, through no fault of their own;

WHEREAS: The technological failures also may have detrimentally affected those who were able to take the exam, even though they all finished and will receive timely results;

WHEREAS: Any resolution must balance fairness to the various categories of July 2026 applicants, along with the Court's duty to uphold professional standards and ensure public protection in the lawyer licensing process;

WHEREAS: Applicants, employers, law schools, and the broader community need clarity and resolution without undue delay in admitting new attorneys to the Washington State Bar Association (WSBA);

The Court by majority hereby enters the following order establishing temporary modifications to some provisions of the current Admission to Practice Rules (APR).

NOW, THEREFORE, pursuant to the Court's authority to take emergency action with respect to APR 3,

IT IS HEREBY ORDERED:

1. Applicants who registered in-person under APR 3(b)(1), APR 3(b)(2), APR 3(b)(3), APR 3(b)(4)(A), or APR 3(b)(4)(B), but were not able to sit for the July 2026 administration of the NextGen UBE in Yakima, WA, *and* who have not previously sat for and failed to receive a minimum passing score on a bar exam in any United States jurisdiction prior to July 2026, may choose to either (A) accept a waiver of the requirement to pass the bar exam in order to be licensed in Washington and be admitted by court order, or (B) transfer their July 2026 bar exam application to either the September 2026 or February 2027 administration of the NextGen UBE in Washington without paying the WSBA application fee and the NCBE exam fee.

   Applicants shall inform the WSBA in writing by email to admissions@wsba.org by Noon on August 14, 2026, whether they are accepting an exam waiver or instead transferring their application to the September 2026 or February 2027 NextGen UBE in Washington. The choice shall become final upon receipt by the WSBA by the deadline, or if no email is received by the deadline, then the applicant will be deemed to have withdrawn their application and will receive a full refund of the WSBA application fee and NCBE exam fee. If applicants fail to notify WSBA of their election, they will not be eligible for waiver of the bar exam and admission by Court order, regardless of whether they have registered for the September 2026 bar exam by the deadline. Applicants who transfer to the February 2027 exam must comply with all other bar exam application deadlines and requirements. (By majority with Stephens, C.J., and Johnson, Whitener, and Angelis, JJ., dissenting).

   Applicants who choose the option of bar exam waiver and admission by court order are not eligible to sit for the September 2026 bar exam. However, this does not affect their eligibility to sit for a later bar exam to obtain an exam score at their own expense, subject to generally applicable rules for doing so. (By majority vote with Gordon McCloud and Whitener, J., dissenting)

2. Applicants who registered in-person in Yakima, Washington and were unable to take the July 2026 NextGen UBE due to the technology failure, but who had previously taken a bar exam in any United States jurisdiction and failed to receive a minimum passing score, are not eligible for waiver of the requirement to pass the bar exam. These repeat applicants are eligible to transfer their July 2026 bar exam application to either the September 2026 or February 2027 administration of the NextGen UBE without paying the WSBA application fee or the NCBE exam fee. These applicants must inform the WSBA in writing by email to admissions@wsba.org by Noon on August 14, 2026, whether they are transferring their application to the September 2026 or February 2027 NextGen UBE in Washington. If no email is received by the deadline, then the applicant will be deemed to have withdrawn their application and will receive a full refund of the WSBA application fee and NCBE exam fee. (By majority vote with Gordon McCloud, J., dissenting).

3. All applicants who completed the July 2026 administration of the NextGen UBE in Yakima, Washington, are ineligible for waiver of the bar exam requirement and admission by court order. Exam results for these applicants were submitted upon completion of the exam and the scoring process is underway. They will receive a NextGen UBE score, and are also not eligible to sit for the special September 2026 exam administration. Any of these applicants who do not achieve the minimum passing score on their exam will be eligible to sit for the February 2027 administration of the NextGen UBE in Washington without paying the WSBA application fee or NCBE exam fee. Applicants who apply for the February 2027 exam must comply with all other bar exam application deadlines and requirements. (By majority vote with Gordon McCloud, Montoya-Lewis, and Melody, JJ., dissenting, and Whitener, J. abstaining).

4. Prior to admission, applicants who choose an exam waiver must complete the following by and not later than November 28, 2029:

   A. Complete all preadmission requirements under APR 5, including passing the Washington Law Component and taking the oath of attorney; and

   B. Provide an MPRE score of 85 or higher in compliance with APR 4(d).

5. Applicants who elect an exam waiver and admission by court order will be eligible to be admitted after October 9, 2026, the same date as the scheduled release of the July 2026 and September 2026 exam results. Applicants who choose an exam waiver and admission by court order, but who do not complete the required steps by the deadlines above, will have their application disqualified and will be required to submit a new application for admission under APR 3, including payment of all required fees.

6. All applicants remain subject to character and fitness review under APR 20-24.3 while their application is pending and have a duty to inform the WSBA in writing of any changes to the information in a pending application that occur at any time between the date the application was submitted and the date the applicant is licensed to practice law in Washington State.

DATED at Olympia, Washington this 6th day of August, 2026.

For the Court

Stephens, C. J.
CHIEF JUSTICE