

## **Guidance for Graduates of Non-ABA Approved Law Schools – 26 Semester Hours**

Among the amendments of Rule 46 that went into effect March 1, 2016 was the Rule's provision concerning the 26-semester-hour requirement for students not graduating from an ABA-approved law school. Section (b)(4) of the **superseded** Rule 46 read as follows:

“An applicant who graduated from a law school not approved by the American Bar Association shall be permitted to take the bar examination only after successfully completing at least 26 semester hours of study **in the subjects tested in the bar examination** in a law school that at the time of such study was approved by the American Bar Association. All such 26 semester hours shall be earned in courses of study, each of which is substantially concentrated on a single tested subject.”

(Emphasis added.) Section (b)(8)(iii) of the old Rule 46 identified the subjects then tested in the Bar Examination as follows: “administrative law, contracts, agency, Uniform Commercial Code, equity, business associations, conflicts of laws, evidence, torts, wills, trusts, administration of estates, family law, real and personal property, civil and criminal procedure, constitutional law, criminal law, legal ethics and tax law.”

Section (c)(4) of the **current** Rule 46 reads as follows:

“An applicant who graduated from a law school not approved by the ABA shall be permitted to take the bar examination only after successfully completing at least 26 credit hours of study in a law school that at the time of such study was approved by the ABA. All such 26 credit hours shall be earned in courses of study, each of which is substantially concentrated on a single subject **tested on the Uniform Bar Examination.**”

(Emphasis added.) As noted on the website of the National Conference of Bar Examiners, the areas of law that may be tested on the Uniform Bar Examination are the following: “Business Associations (Agency and Partnership; Corporations and Limited Liability Companies), Civil Procedure, Conflict of Laws, Constitutional Law, Contracts (including Article 2 [Sales] of the Uniform Commercial Code), Criminal Law and Procedure, Evidence, Family Law, Real Property, Torts, Trusts and Estates (Decedents' Estates; Trusts and Future Interests), and Article 9 (Secured Transactions) of the Uniform Commercial Code.”

**Because some students may have taken classes under the old Rule in an effort to fulfill the 26-semester-hour requirement, the Committee has adopted the following policy: If a course at an ABA-approved school began before March 1, 2016, and the course was substantially concentrated on a subject identified in the list set out in the former Rule 46(b)(8)(iii), the semester hours earned in that course qualify towards the 26-semester-hour requirement for purposes of the current Rule.**