



# NEW JERSEY STATE BAR ASSOCIATION

WILLIAM H. MERGNER JR., PRESIDENT

Leary Bride Mergner & Bongiovanni P.A.

7 Ridgedale Avenue

Cedar Knolls, NJ 07927

973-539-2090

EMAIL: [wmergner@lbmlaw.com](mailto:wmergner@lbmlaw.com)

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Ad Hoc Committee on the NextGen Bar Examination

Attention: Committee Staff Karen June

Supreme Court Clerk's Office

Richard J. Hughes Justice Complex, P.O. Box 973

Trenton, NJ 08625-0973

Re: Comments on the NextGen Bar Exam

Dear Members of the Ad Hoc Committee on the NextGen Bar Examination:

On behalf of the New Jersey State Bar Association (NJSBA), I submit this letter to the Ad Hoc Committee on the NextGen Bar Examination. We appreciate the opportunity to provide comments on this important topic.

The NJSBA has carefully reviewed the information provided by the Committee in the Notice to the Bar, as well as information available on the National Conference of Bar Examiners' NextGen Bar Exam website. We recognize the importance of adequate testing for bar applicants coupled with providing the benefits of portability that allow for licensing in multiple jurisdictions, especially given the evolution of the profession and nature of work. Since the NextGen Bar Exam presents both advantages, the NJSBA recommends its adoption for use in New Jersey. We believe the exam should be scheduled to be offered in New Jersey beginning in 2028 to coincide with the exam's implementation in New York and to give law school professors adequate preparation time to instruct students appropriately.

One concern the Committee may wish to consider that was raised by some NJSBA members who took the bar exam remotely during the pandemic was whether a written version of the exam would be available for those who experience technological difficulties or who otherwise might need such an accommodation.

The NJSBA also suggests that consideration be given to working with other states to allow attorneys who took the bar exam before any uniform exams were available to enjoy the same portability that new bar applicants enjoy. Lawyers who were admitted before the advent of the Uniform Bar Exam were limited in the number of jurisdictions they could apply to because of the time and resource requirements to take a bar exam in multiple jurisdictions. Recent bar applicants do not face those same limitations and some consideration for attorneys who did may be helpful.

Again, thank you for the opportunity to submit these comments. We hope they are helpful to the Committee's deliberations.

Respectfully,

A handwritten signature in blue ink that reads "William H. Mergner, Jr." with a stylized flourish at the end.

William H. Mergner Jr., Esq.  
President

cc: Christine A. Amalfe, Esq., NJSBA President-Elect  
Angela C. Scheck, NJSBA Executive Director