NEW JERSEY STATE BAR ASSOCIATION



CHRISTINE A. AMALFE, PRESIDENT, NEW JERSEY STATE BAR ASSOCIATION

Director, Gibbons P.C. One Gateway Center Newark, NJ 07102-5310 973-596-4829 | CELL: 201-407-4752 FAX: 973-639-6230 EMAIL: camalfe@gibbonslaw.com

July 7, 2025

Hon. Michael J. Blee, J.A.D. Acting Administrative Director of the Courts Comments: Ad Hoc Committee on the "NextGen" Bar Examination Richard J. Hughes Justice Complex / P.O. Box 037 Trenton, New Jersey 08625-0037

Re: Report & Recommendations of the Ad Hoc Committee on the NextGen Bar Examination

Dear Judge Blee:

Thank you for the opportunity to review the Judiciary's Report and Recommendations of the Ad Hoc Committee on the NextGen Bar Examination. We appreciate the opportunity to provide comments on this important topic.

The New Jersey State Bar Association (NJSBA) commends Justice Jaynee LaVecchia for her leadership and the other members of the Ad Hoc Committee for conducting a thorough and comprehensive review of the issues surrounding adoption of the NextGen Bar Exam in New Jersey. As the NJSBA noted in comments submitted to the Ad Hoc Committee, we are in agreement with the ultimate recommendation that New Jersey adopt the NextGen exam as a replacement for the current bar exam format, beginning with the July 2028 administration.

The NJSBA reviewed the information provided by the Committee, as well as information available on the National Conference of Bar Examiners' NextGen Bar Exam website. The NJSBA's support of the NextGen Bar Exam is premised on the recognition that it provides two distinct advantages: adequate testing for bar applicants coupled with providing the benefits of portability that allow for licensing in multiple jurisdictions. This is especially important given the evolution of the profession and nature of its work. The Association is also in agreement with the Committee's recommendation to implement the new exam with the administration of the July 2028 test. This will coincide with the exam's implementation in New York and give law school professors adequate preparation time to instruct students appropriately.

Some concerns, however, remain. The NJSBA urges review of issues raised in previously submitted comments. Some NJSBA members who took the bar exam remotely during the pandemic raised a question about 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 Committee's report notes that the NextGen Bar Exam platform will offer assistive technologies and custom-created formats for those requiring testing accommodations. The NJSBA recommends the Judiciary be proactive in its preparations to address potential technological difficulties or other necessary accommodations. It should be prepared to accommodate a request for a written version of the exam prior to the July 2028 exam.

Additionally, the NJSBA suggests working with other states may be beneficial 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 where they could apply 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 retroactive consideration for attorneys who did would be viewed favorably.

Again, thank you for the opportunity to submit these comments. We hope they are helpful to the Judiciary as it considers the Ad Hoc Committee's recommendations.

Respectfully,

Christine Q. Amalfe

Christine A. Amalfe, Esq. President

cc: Norberto A. Garcia, Esq., NJSBA President-Elect Angela C. Scheck, NJSBA Executive Director