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JUN 28 2019

The State of New Hampshire
Supreme Court

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June 26, 2019

Sherry Hieber, General Counsel
New Hampshire Office of Bar Admissions
4 Chenell Drive, Suite 102
Concord, New Hampshire 03301

Dear Attorney Hieber:

As you know, the court recently received a request to waive Rule 42, paragraph X(b), which bars the admission by transferred UBE score of an applicant who has failed the Uniform Bar Examination more than four times. Although the court denied the request for waiver, it would like the Board of Bar Examiners to review this provision and paragraphs VIII(c) and XI(f), which include similar limitations, and, after doing so, advise the court whether the board recommends any changes to the provisions.

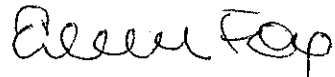
The four bar examination attempt-limitation in paragraph VIII(c) was adopted in 2002. The limitations in paragraphs X(b) and XI(f) were added with the adoption of admission on motion and admission by transferred UBE score to be consistent with paragraph VIII(c). Because there have been many changes in the bar admissions process in New Hampshire since the limitation was originally adopted, the court believes that the provisions should be reviewed to determine whether they continue to serve the purposes that led to their adoption.

The court would like the board to review the effect of the limitation in paragraph XI(f), in particular. This paragraph makes an applicant who is ineligible to retake the New Hampshire bar examination because

he or she has failed it four times, ineligible for admission on motion. This provision would the effect of forever barring the admission of such an applicant even though the applicant may have been admitted and have practiced successfully in another jurisdiction for five or more years.

If you or the Board of Bar Examiners would like additional information about the court's request, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Eileen Fox".

Eileen Fox

EF/cd