

Improved Scoring System for the Michigan Bar Examination Summary

The Michigan Bar Examination, administered each February and July by the Michigan Board of Law Examiners (BLE), exists for one purpose: to ensure that law school graduates admitted to practice law in this state have demonstrated minimum competency to do so.

The Michigan Bar Examination consists of two components: the 200-question multiple-choice Multistate Bar Examination, constructed and scored by the National Conference of Bar Examiners (NCBE), and an essay examination, prepared and scored by (or under the supervision of) the BLE, comprised of 15 questions from a possible 26 subjects.¹ The examinee's scores for each of the two components of the examination are combined into a single composite score. If this score is equal to or exceeds 135, the applicant passes the Michigan Bar Examination. The Multistate Bar Examination tests black letter law principles common to many jurisdictions. Only the essay examination is designed to test Michigan substantive and procedural law.

To fulfill its fundamental purpose of protecting the public and in order to administer the bar examination consistent with professional standards for high stakes testing, the BLE retained an expert to provide advice regarding a scoring method that ensures the essay portion of the exam produces scores that are consistent over multiple exams and also reflects the relative difference in difficulty over the two portions of the exam. As a result, scores from different administrations will have the same meaning, such that passing scores reflect the same skill level no matter when the test was taken.

The improved method of scoring adopted by the BLE, effective beginning with the July 2014 examination, meets this important standard. The new system best ensures the examination's validity and reliability across administrations by providing for a more accurate determination of whether applicants have demonstrated a specified level of competence in Michigan law necessary for the protection of the public.

¹ These subjects are: real and personal property; wills and trusts; contracts; constitutional law; criminal law and procedure; corporations, partnerships, and agency; evidence; creditor's rights, including mortgages, garnishments and attachments; practice and procedure, trial and appellate, state and federal; equity; torts (including no-fault); the sales, negotiable instruments, and secured transactions articles of the Uniform Commercial Code; the Michigan Rules of Professional Conduct; domestic relations; conflict of laws; and worker's compensation. BLE Rule 3(2).