

A NOTE TO GRADUATES OF LAW SCHOOLS LOCATED OUTSIDE THE UNITED STATES

Degrees Other Than a JD and Bar Admission

In order to obtain a license to practice law in the United States, all candidates must apply for bar admission through a state board of bar examiners. Although this board is ordinarily an agency of the highest court in the jurisdiction, occasionally the board is connected to the state's bar association. The criteria for eligibility to take the bar examination or to otherwise qualify for bar admission are set by each state, not by the ABA or the Council of the Section of Legal Education and Admissions to the Bar.

In order to sit for the bar examination, most states require an applicant to hold a Juris Doctor (JD) degree from a law school that meets established educational standards. A JD earned at an ABA-approved law school meets the educational requirements in every jurisdiction in the United States. For those individuals who have not earned a JD degree from an ABA-approved law school, bar admission authorities have developed varying requirements and criteria to ascertain if such individuals meet the minimum educational requirements for bar admission. In most jurisdictions, individuals who lack such a JD will find that they do not satisfy the minimum educational requirements for bar admission and are ineligible to take the bar exam. In some of the remaining states, graduates of foreign law schools will find that additional schooling such as an LLM is required, and a few others recognize with regularity the sufficiency of a specific foreign legal education. A number offer an alternative licensure mechanism known as a Foreign Legal Consultant, which is a limited license to practice. And finally, some jurisdictions will allow individuals to be eligible for admission without examination under certain conditions if they have been admitted to the bar in another US jurisdiction.

In the past few years, there has been a large increase in the number of graduates from schools located outside the United States enrolled in advanced degree programs (such as the LLM). Upon graduating, many of these individuals return to their home country without seeking or obtaining bar licensure in the United States. However, an increasing number of these individuals seek to be admitted to a state bar.

Unlike the JD degree bestowed by an ABA-approved law school, which carries the indicia that the holder of that degree has completed a course of study imparting standards entitling him or her to engage in the practice of law, advanced degree programs at ABA-approved law schools are not regulated, and thus, not "approved." As a result, such degrees vary in content and rigor. In other words, the American Bar Association does NOT accredit degrees of any kind other than the JD.

It is the position of the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association that no graduate degree in law (LLM, MCL, SJD, etc.) is or should be a substitute for the first professional degree in law (JD), and that no graduate degree should substitute for the JD in order to meet the legal education requirements for admission to the bar.

As a result of the variance in state bar admission rules, the ABA strongly encourages individuals to contact the state board of bar examiners in the state(s) in which they are interested in being admitted to ascertain its requirements to sit for the bar examination. Contact information for all the state board of bar examiners is available at americanbar.org/groups/legal_education and in the *Comprehensive Guide to Bar Admission Requirements*, which is available at the website above or through the ABA Service Center at 800.285.2221, Product Code: 529008711ED.