

Frequently Asked Questions
Alternate Pathway to Licensure for Student Applicants

What is the Alternate Pathway to Licensure for Student Applicants in Utah?

The Alternate Pathway to Licensure for Student Applicants is a new program approved by the Utah Supreme Court that allows qualified individuals to be admitted to the practice of law in Utah without taking the Uniform Bar Examination in Utah. Under the alternate pathway, candidates will be required to complete a combination of supervised practice hours, specific law school courses, a written exam, and other requirements to qualify for licensure.

Why is Utah introducing this new licensure option?

The COVID-19 pandemic prompted the Utah Supreme Court to issue a one-time order granting licensure to law school graduates of qualifying law schools without having to take the Uniform Bar Exam after the graduates had completed a specified number of supervised practice hours. After the order was issued, the Court created a Task Force to research the feasibility of assessing law graduates without the traditional bar exam. The Task Force spent the past five years researching and ultimately drafting a proposal for an alternate pathway to licensure, and the Utah Supreme Court believes the addition of this alternate pathway provides an equally effective method to measure the competency of new lawyers entering the legal profession. The proposal is based in large part of one of the most comprehensive studies of attorney minimum competence ever done: The Twelve Building Blocks of Minimum Competence. The study and its results can be found at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3793580.

How does this pathway differ from the traditional bar exam route?

The alternate pathway differs from the current bar exam route because the alternate pathway does not require the candidate to sit for the traditional Uniform Bar Exam in Utah. Instead, the applicant seeking admission through the alternate pathway will be required to satisfy several requirements including earning passing grades in specified law school courses, completing supervised practice hours post-graduation, and passing a written exam.

When will the alternate pathway be available to applicants?

While the Utah Supreme Court has approved the rule to allow the alternate pathway, the Utah State Bar will not start accepting applications for the alternate pathway until the development of the written exam is complete. The Court and the Utah State Bar believe this could happen as early as the summer of 2026.

Is this pathway permanent or a pilot program?

The Utah Supreme Court intends for the alternate pathway to be a permanent route to licensure offered to all qualified applicants seeking to practice law in Utah.

What safeguards are in place to ensure quality and rigor in the alternate pathway?

The alternate pathway combines specific law school curriculum, supervised practice hours post-graduation, and a written exam focused on objective performance-based elements to ensure that there are multiple objective markers and assessors determining the competence and qualifications of the candidate. The Court is also committed to both short and long-term evaluations of the alternate pathway, its implementation, and those who select the alternate pathway to ensure that the program is effective.

How do I apply for the alternate pathway?

The application process for the alternate pathway is the same for an individual applying for admission through any other route in Utah. Applicants will register for an account on admissions.utahbar.org to complete an online application and initiate the character and fitness review process. However, to be eligible for application, additional requirements must be met as not all applicants will qualify (for example, applicants who graduated outside the timeframe required by the rule or did not complete the required coursework).

Who is eligible to participate in the alternate pathway?

Rule 14-703A outlines the qualifications required of those pursuing the alternate pathway.

What law school coursework is required to qualify?

Rule 14-703A outlines the course requirements for those pursuing the alternate pathway.

What is the timeline for completing all requirements of the alternate pathway?

An applicant pursuing the alternate pathway will have 12 months to complete all requirements.

Is the alternate pathway easier than taking the bar exam?

The alternate pathway is not an “easier” path to licensure than the Uniform Bar Exam. The alternate pathway and the Uniform Bar Exam are distinct but equal methods of assessing minimum attorney competence to practice law.

Will other states recognize the alternate pathway license to practice?

Each jurisdiction selects its own requirements for attorney licensure. As of now, the alternate pathway license is not a portable license to practice law.

Can graduates from out-of-state or non-ABA accredited law schools apply?

The alternate pathway is available to qualified applicants who have graduated with a JD from an ABA-accredited law school, whether that law school is located in Utah or not.

If I fail the bar exam, can I choose to take the alternate pathway?

No. As set forth in the rules stating the requirements for eligibility to pursue the alternate pathway, an applicant who has already failed a bar exam is not eligible to pursue the alternate pathway.

If I apply and begin the alternate pathway to licensure and then decide to take the bar exam without completing the alternate pathway, may I do so?

Yes. An individual who begins the alternate pathway may elect to take the bar examination instead.

Where can I find more information and updates on the program?

Announcements regarding the alternate pathway and changes to the rules can be found on the Utah State Bar Admissions website (admissions.utahbar.org).

What are the core components of the alternate pathway?

The alternate pathway requires the candidate to earn a passing grade in certain courses during law school, complete 240 hours of supervised practice post-graduation, complete a training on attorney well-being created by the Utah State Bar, complete a training module on self-directed learning, pass a written exam focused on objective performance-based elements, and complete a final survey.

I don't meet all of the qualifications to pursue the alternate pathway because I graduated from law school seven years ago. Is there a way for me to request an exception to the qualifications?

No. The rules set forth by the Utah Supreme Court outlining the requirements to pursue the alternate pathway do not provide for a process to request exceptions. If an applicant does not qualify to pursue the alternate pathway, they must instead take the Uniform Bar Exam.

I didn't take all of the required courses in law school for the alternate pathway. Is there a way for me to petition to have certain classes excused or waived?

No. The rules set forth by the Utah Supreme Court do not provide a process for any law school coursework to be waived. If an applicant has not completed all of the required coursework, they may research options for completing coursework post law school graduation, but no exceptions to coursework requirements will be made.

Who will make the decision as to if a certain law school course qualifies? The course I took had a slightly different name than the course name included in the rules (for example, Business Organizations instead of Business Associations).

The Registrar from your law school will be required to certify that the required coursework has been completed and should direct any questions about specific courses to the Utah State Bar Office of Admissions. Ultimately the decision as to whether a certain course qualifies will be made by the Office of Admissions.

What does “supervised practice” mean?

Supervised practice is the practice of law by an applicant under the supervision of a Qualified Supervising Attorney as defined by Rule 14-701.

What will be tested on the written exam and how will it be administered?

The written exam will be focused on objective performance-based elements. The applicant will be required to perform a common lawyering task, such as drafting a letter to a client, a persuasive memorandum, or a contract provision. The exam will be set in a “closed universe” where applicants are provided with the law such that no memorization or regurgitation of law is required, but the applicants will be required to read, understand, and synthesize law from the provided documents. It is anticipated that the exam will be a total of three hours. The exam is intended to assess whether the applicant can read and understand provided legal materials, apply governing law to a specific fact scenario, and present thoughtful and thorough legal analysis or argument in writing.

The Utah State Bar will administer the alternate pathway written exam in person twice per year.

Who can serve as a Qualified Supervising Attorney?

Rule 14-701(pp) outlines the requirements for a Qualified Supervising Attorney.

How are Qualified Supervising Attorneys matched with participants?

It is the candidate’s responsibility to find an attorney that has been approved as a Qualified Supervising Attorney. Once the candidate has found an attorney willing to act as a Qualified Supervising Attorney, the Qualified Supervising Attorney will submit a form to the Utah State Bar Office of Admissions.

Will the participation of Qualified Supervising Attorneys count toward their CLE or other professional requirements?

As of now, there is no CLE awarded to those acting as a Qualified Supervising Attorney. However, the Court is considering the possibility of awarding CLE hours in the future.

What training or support is available for Qualified Supervising Attorneys?

The Utah State Bar will provide a robust training module for Qualified Supervising Attorneys so they understand the purpose, the requirements, and the measurements of competence associated with the program.

How will the alternate pathway benefit legal employers?

The alternate pathway to licensure is, in addition to the Uniform Bar Exam, an effective method to measure the competency of new lawyers entering the legal profession. The alternate pathway benefits legal employers who will be able to hire and train new lawyers without new lawyers having to take time off to study for the Uniform Bar Examination.

How should I decide which path to pursue—the alternate pathway or the Uniform Bar Exam?

First, study the requirements of the alternate pathway carefully to ensure that you qualify. Second, consider if you may benefit from the portability options provided by the current Uniform Bar Exam and research those jurisdictions you may someday be interested in practicing law in to see what their respective admission options are. Ultimately, each potential applicant must decide for themselves which path to attorney licensure will be the better path for them but should be assured that both paths are equally capable of assessing minimum attorney competence and preparing recent law school graduates for the successful practice of law.