

James E. Rogers College of Law
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IN THE SUPREME COURT

STATE OF ARIZONA

In the Matter of) R 11-0030
)
PETITION TO AMEND RULES 34, 35, 37,) **FACULTY OF JAMES E. ROGERS**
AND 38 OF THE RULES OF THE) **COLLEGE OF LAW COMMENTS ON**
SUPREME COURT OF ARIZONA) **PETITION TO AMEND RULES 34, 35,**
_____) **37, AND 38**

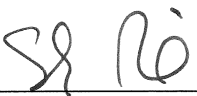
The undersigned faculty of the James E. Rogers College of Law, University of Arizona, hereby comment regarding the petition to amend Rules 34, 35, 37, and 38, Arizona Rules of the Supreme Court, related to the Arizona Uniform Bar Examination.

Respectfully submitted this 31st day of October, 2011.

James E. Rogers College of Law
University of Arizona



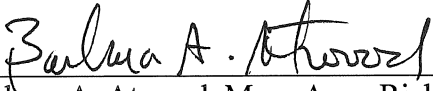
Lawrence Ponoroff
Dean and Samuel F. Fegtly Chair in Commercial Law



Sally Rider
Associate Dean for Administration and
Director, William H. Rehnquist Center



Marc Miller
Vice Dean and Ralph W. Bilby Professor



Barbara A. Atwood, Mary Anne Richey
Professor Emerita



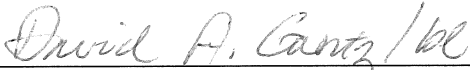
Susan Salmon, Associate Clinical
Professor and Assistant Director of Legal
Writing



Mary N. Birmingham, Assistant Dean of
Career & Professional Development



Theodore J. Schneyer, Milton O. Riepe
Professor Emeritus



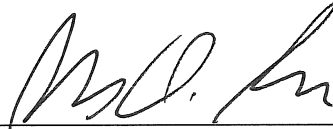
David A. Gantz, Samuel M. Fegly Professor,
Director of the International Trade Law
Program, and Associate Director of NLCIFT



Roy G. Spece, Jr., Professor



Lynn Marcus, Professor of Practice and Co-
Director of the Immigration Law Clinic



John A. Swain, Professor



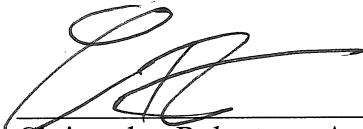
Thomas A. Mauet, Milton O. Riepe Professor,
and Director of Trial Advocacy



Brent White, Professor



Suzanne M. Rabé, Clinical Professor, and
Director of Legal Writing



Christopher Robertson, Associate Professor

On September 21, 2011, a petition was filed to amend Rules 34, 35, 37, and 38 of the Rules of the Supreme Court. The amendments proposed recognize that the Arizona bar examination will be known as the Arizona Uniform Bar Examination and will allow applicants to take the exam in Arizona or transfer a Uniform Bar Exam score from another UBE jurisdiction in accordance with the proposed rules.

We support the proposed changes. The UBE is prepared and coordinated by the National Conference of Bar Examiners. The expertise of that organization in drafting questions that fairly and appropriately test competence and ability is well known. Thus, use of the UBE should elevate quality and ensure consistency from one administration to the next of the Arizona bar examination. The UBE is also uniformly administered, graded, and scored by jurisdictions that use it, producing a scaled score that may be transferred to other UBE jurisdictions.

Using the UBE will allow the Court to continue to set its own passing scores and to determine who may sit for the exam and who will be admitted to practice in Arizona. As more states adopt the UBE, it will allow our students who sit for the Arizona bar significant advantages should they move to another UBE jurisdiction, or represent clients in multiple UBE jurisdictions.

Most law schools, certainly including our own, teach most subjects from uniform or model laws, so use of the UBE will not in any way prejudice or disadvantage students graduating from Arizona law schools. To the contrary, it is compatible with the approach to which they would have become accustomed during law school.