
2026 WI 9

Supreme Court of Wisconsin



IN RE AMENDMENT OF SCR 40.04 AND 40.14
RELATING TO THE WISCONSIN BAR EXAMINATION

Rule Petition No. 25-04
Filed March 24, 2026

The Court entered the following order on this date:

On December 17, 2025, the Board of Bar Examiners (BBE), by its director Jacquelynn Rothstein, filed this rule petition asking the court to amend Supreme Court Rules (SCR) 40.04 and 40.14, relating to the administration, content, and fees for the Wisconsin Bar Examination. This petition proposes eliminating the existing Wisconsin Bar Examination and replacing it with the Uniform Bar Examination (UBE), and then with the successor to the UBE in 2028 (NextGen exam). Under the proposal, the current Wisconsin essay portion of the bar exam would be eliminated and replaced with a Wisconsin law and practice educational component. The petition also includes a provision for transferring eligible UBE scores (260 and higher) from other jurisdictions with a 36-month look-back period, as well as an increase in related bar examination fees. The petition proposes implementing these changes for the July 2026 bar exam.

A letter soliciting public comments was sent to interested persons on January 8, 2026. The court received comments from Attorney Jill Rothstein, Executive Director of the State Bar of Wisconsin, Attorney Harry B. Reis of Law Forward, State Public Defender Jennifer Bias, and State Representative Ron Tusler, Chair of the Assembly Committee on the Judiciary.

A public hearing notice was issued on January 16, 2026, and the court held a public hearing on March 12, 2026, during which BBE Director

IN RE AMENDMENT OF SCR 40.04 AND 40.14
Rule Petition No. 25-04

Rothstein presented the petition to the court. Attorney Reis and Attorney Jaclyn Shelton from the State Public Defender's Office spoke in favor of the petition.

At the ensuing open administrative conference, the court voted unanimously to grant the petition, in part, and modify the petition in certain respects. Specifically, the court voted to reduce the number of required Wisconsin law and practice educational credit hours from 30 to 21. The court further voted to allow bar applicants up to 12 months to complete the Wisconsin law and practice educational component, instead of six months. The court rejected the BBE's proposal to increase the fee for the bar examination from \$450 to \$950 at this time. Finally, the court reduced the proposed fee for admission by transferred UBE score from \$850 to \$450.

Following the court's open administrative conference, the court contacted the deans of Marquette University Law School and the University of Wisconsin Law School to inquire whether they had any concerns with reducing the number of Wisconsin law and practice educational credit hours from 30 to 21. Neither indicated any concern with this revision to the petition. Therefore,

IT IS ORDERED that, effective the date of this order:

SECTION 1: Supreme Court Rule 40.04(2) is repealed and recreated to read:

Commencing in July 2026, the board shall administer the Uniform Bar Examination (UBE) prepared by the National Conference of Bar Examiners. Commencing in July 2028, the board shall administer the successor to the UBE prepared by the National Conference of Bar Examiners.

SECTION 2: Supreme Court Rule 40.04(9) is created to read:

Commencing in July 2026, an applicant may be eligible for admission provided the applicant has received a scaled score of 260 or higher earned in another jurisdiction on the UBE and the score is certified as a UBE score by the National Conference of Bar Examiners. The applicant shall submit evidence of the score and a complete application for admission to the Board within 36 months of the date of the qualifying examination being used as the basis for the admission.

IN RE AMENDMENT OF SCR 40.04 AND 40.14
Rule Petition No. 25-04

SECTION 3: Supreme Court Rule 40.04(10) is created to read:

(a) Before being admitted to the practice of law in Wisconsin by UBE examination or by transferred UBE score, an applicant shall successfully complete 21 hours of the Wisconsin law and practice educational component.

(b) The Wisconsin law and practice educational component shall be completed no later than 12 months after receiving notification of a passing UBE score or within 12 months of filing an application for admission via an eligible UBE transfer score.

(c) The Wisconsin law and practice educational component shall be comprised of subject matter areas based on the requirements of the diploma privilege as found in SCR 40.03 and approved by the board.

SECTION 4: Supreme Court Rule 40.14(3)(j) is created to read:

Fee for admission by transferred UBE score \$450

SECTION 5: Supreme Court Rule Chapter 40, Appendix BA 4.03(a) is amended to read:

(a) Except as provided in SCR 40.04(10)(b), ~~the~~ Board authorizes its staff to close any bar examination application that remains incomplete six months following the date on which the letter notifying the application of his or her passing score is mailed from the Board office.

IT IS FURTHER ORDERED that notice of the above amendments be given by a single publication of a copy of this order in the official publications designated in SCR 80.01, including the official publishers' online databases, and on the Wisconsin court system's web site. The State Bar of Wisconsin shall provide notice of this order.

Dated this 24th of March 2026, at Madison, Wisconsin.

Samuel A. Christensen
Clerk of Supreme Court

