



SUPREME COURT

THE JUDICIARY

REPUBLIC OF PALAU

October 30, 2020

NOTICE OF PALAU BAR EXAMINATION

The Palau Bar Examination will be administered on the following dates:

Wednesday, February 24, 2021– Multistate Essay Examination (MEE) – 9:30 a.m.

Wednesday, February 24, 2021– Multistate Performance Test (MPT I & II) – 2:00 p.m.

Thursday, February 25, 2021– Multistate Bar Examination (MBE) Part 1 – 9:30 a.m.

Thursday, February 25, 2021– Multistate Bar Examination (MBE) Part 2– 2:00 p.m.

Friday, February 26, 2021– Palauan-based Essay Examination Part 1 – 9:30 a.m.

Friday, February 26, 2021– Palauan-based Essay Examination Part 2 – 2:00 p.m.

COMPLETED APPLICATIONS MUST BE RECEIVED BY THE APPLICATION DEADLINE – DECEMBER 11, 2020. The venue of the examination will be announced at a later date.

Please note that if there are insufficient applicants registered by the December 11, 2020 application deadline, the examination will be postponed until July 2022.

THE PALAU BAR EXAMINATION WILL NOT BE ADMINISTERED IN JULY 2021.

Bar Applicants must also take and pass the MPRE. The MPRE is administered by Palau Community College, not the Palau Supreme Court. Please log on to the NCBE website to register for and get further details regarding the MPRE exam.

PLEASE NOTE: Admission requirements have been further clarified since the 2019 administration of the Palau Bar Examination. See Below.

BAR APPLICANTS ARE RESPONSIBLE FOR REVIEWING THIS NOTICE AND THE “APPLICATION FOR ADMISSION TO THE PALAU BAR – INSTRUCTIONS FOR COMPLETING AN APPLICATION.” APPLICANTS ARE ALSO RESPONSIBLE FOR ENSURING THAT THEIR APPLICATIONS ARE COMPLETE BY THE REQUIRED DEADLINE. IF THE APPLICATION IS INCOMPLETE AT THE APPLICATION DEADLINE, THE APPLICANT SHALL BE INELIGIBLE TO SIT FOR THE EXAM.

Application Deadline for the Bar Examination in Palau

The deadline to apply to take the examination in Palau is Friday, December 11, 2020. The application forms can be downloaded from our website www.palausupremecourt.net. The forms can be accessed from the Palau Bar Association tab of the home page. Only Form A and Form C should be filled out. If you are unable to download a copy of the forms, send a letter requesting that the forms be mailed to you and provide an address where you would like the forms sent with a check or money order for \$10.00 payable to the "Clerk of Courts" and we will mail the forms to you. Send your request to the "Chief Appellate Clerk, Palau Supreme Court, P.O. Box 248, Koror, Palau 96940."

Please follow the directions for completing the forms and return them to the "Chief Appellate Clerk, Palau Supreme Court, P.O. Box 248, Koror, Palau 96940."

COMPLETED APPLICATIONS MUST BE RECEIVED BY THE APPLICATION DEADLINE – DECEMBER 11, 2020.

After receiving an applicant's completed forms, the Chief Appellate Clerk will provide the applicant with additional information to assist in preparing and studying for the examinations.

For further information or questions regarding the Palau Bar Examination, review the Rules of Admission for Attorneys to Practice in the Courts of the Republic of Palau. You may also contact the Chief Appellate Clerk, Vernice Rechebei, by e-mail at vrechebei@palausupremecourt.net or by phone at (680) 767-1000 ext. 5294 or Deputy Appellate Clerk, Lovey Alfonso, by e-mail at lalfonso@palausupremecourt.net or by phone at (680) 488-2607.

Subject Matter of Examinations

MBE

The MBE is an objective six-hour examination containing 200 multiple choice questions covering the following subjects: Civil Procedure, Constitutional Law, Contracts, Criminal Law and Procedure, Evidence, Real Property, and Torts. The questions are designed to be answered by applying fundamental legal principles rather than local case or statutory law.

A passing score for the MBE in Palau is a scaled score of 120 or better.

MEE

The MEE consists of three to four essay questions. The MEE is designed to test an applicant's ability to (1) identify legal issues raised by a hypothetical factual situation; (2) separate material which is relevant from that which is not; (3) present a reasoned analysis of the relevant issues in a clear, concise, and well-organized composition; and (4) demonstrate an understanding of the fundamental legal principles relevant to the probable solution of the issues raised by the factual situation.

The primary distinction between the MEE and the MBE is that the MEE requires the examinee to demonstrate an ability to communicate effectively in writing. Subject matter may include Business Associations (Agency & Partnership; Corporations, and Limited Liability Companies), Civil Procedure, Conflict of Laws, Constitutional Law, Contracts, Criminal Law and Procedure, Evidence, Family Law, Real Property, Torts, Trusts and Estates (Decedents' Estates; Trusts and Future Interests), and Uniform Commercial Code (Secured Transactions) Some questions may include issues in more than one area of law.

Applicants will have 45 minutes per question.

A passing score for the MEE in Palau is a score of 65 or better.

MPT I & II

The MPT exam is a three-hour examination (consisting of two 90-minute fact patterns) designed to test an applicant's ability to use fundamental lawyering skills in realistic situations. Each fact pattern evaluates an applicant's ability to complete a task that a beginning lawyer should be able to accomplish.

The materials for each MPT include a File and a Library. The File consists of source documents containing all the facts of the case. The specific assignment the examinee is to complete is described in a memorandum from a supervising attorney. The File might also include transcripts of interviews, depositions, hearings or trials, pleadings, correspondence, client documents, contracts, newspaper articles, medical records, police reports, or lawyer's notes. Relevant as well as irrelevant facts are included. Facts are sometimes ambiguous, incomplete, or even conflicting. The Library consists of

substantive legal materials. Examinees are expected to recognize when facts are inconsistent or missing and are expected to extract from the Library the legal principles necessary to analyze the problem and perform the task. The MPT is not a test of substantive law; the Library materials provide sufficient substantive information to complete the task.

The MPT requires applicants to (1) sort detailed factual materials and separate relevant from irrelevant facts; (2) analyze statutory, case, and administrative materials for applicable principles of law; (3) apply the relevant law to the relevant facts in a manner likely to resolve a client's problem; (4) identify and resolve ethical dilemmas, when present; (5) communicate effectively in writing; and (6) complete a lawyering task within time constraints. These skills are tested by requiring applicants to perform one or more of a variety of lawyering tasks. For example, applicants might be instructed to complete any of the following: a memorandum to a supervising attorney, a letter to a client, a persuasive memorandum or brief, a statement of facts, a contract provision, a will, a counseling plan, a proposal for settlement or agreement, a discovery plan, a witness examination plan, or a closing argument.

A passing score for the MPT in Palau is a score of 65 or better.

Palauan-based Essay Examination

This portion of the examination consists of questions specifically on Palauan law. Questions may cover customary law, ethics, land law, the constitution, statutes, the Compact of Free Association, rules (such as the Rules of Civil Procedure, Criminal Procedure, Evidence, and Appellate Procedure), and case law.

A passing score for the Palauan-based Essay Examination is a score of 65 or better.

Handwriting on Essays and MPTs

All essays and MPT answers must be handwritten. The applicant will be responsible for ensuring that his or her handwriting is legible. Illegible answers will receive no credit.

MPRE

The MPRE contains 60 multiple choice questions on the law governing the conduct of lawyers, including the disciplinary rules of professional conduct as articulated in the ABA Model Rules of Professional Conduct, the ABA Model Code of Judicial Conduct, and controlling constitutional decisions, as well as generally accepted principles established in leading federal and state cases and in the rules of procedure and evidence.

A passing score for the MPRE in Palau is a scaled score of 75 or better.

The MPRE is administered by the Palau Community College rather than the Palau Supreme Court. Please log on to the NCBE website to register for and get further details regarding this exam.