

WASHINGTON STATE BAR ASSOCIATION

August 5, 2026

SUBJECT: WASHINGTON NEW MEMBERS COMMITTEE PUBLIC STATEMENT REGARDING THE JULY 2026 BAR EXAMINATION DISRUPTIONS AND SUBSEQUENT ACTIONS SINCE

Recent events involving the administration of the Washington bar examination resulted in significant disruption for applicants, the Washington State Bar Association (WSBA), and the National Conference of Bar Examiners (NCBE). These events highlighted the absence of adequate contingency protocols for technology-dependent examination administration.

However, we recognize that words of comfort are simply not enough, and decisive action is needed to prove WSBA is worthy of the trust our new members and aspiring applicants had placed in us. Therefore, the Washington New Members Committee issues the following statement to provide an update on the recent bar examination disruptions affecting Washington Bar applicants and to outline actions taken in response.

Cause of Examination Disruption

It's our understanding that the primary disruption was related to the venue's technological capabilities and a failure of appropriate testing of that infrastructure beforehand. However, the disruption was further amplified by limitations on available contingency resources. The NCBE's decision to administer the NextGen Bar Exam exclusively through technology-dependent means, without supplying paper-based backup materials to WSBA proctors, restricted options for mitigation during the incident. This decision was made based on NCBE's intellectual property considerations, without concern for the effects it may have on not only Washington examinees, but those nationwide.

Delegation Activity

Members of the Washington Delegation to the American Bar Association Young Lawyers Division (ABA YLD) Assembly—Mason Ji, Janta Steele, Ashley Cummins, Ariel Cook, Mackenzie J. Lloyd, and Collins Saint—collaborated on an expedited basis to prepare and advance Emergency Resolution 26-13YL. The resolution was submitted to the ABA House of Delegates for consideration following accelerated development and deliberation. That resolution was subsequently passed by the ABA House of Delegates as Resolution 405.

Summary of Emergency Resolution 26-13YL

Emergency Resolution 26-13YL:

1. Calls on Bar associations and relevant leadership to establish jurisdiction-specific contingency plans and ensure they are operational in the event of substantial technological failure during examination administration;
2. Perform full-scale end-to-end testing and validation prior to the examination to assess a test site's technological infrastructure, and;
3. Requests thorough consideration of the disparate impacts and potential necessary protections needed for test takers with disabilities, through inadvertent disclosure of their status.

Committee Position

On a nationwide policy level: The Washington New Members Committee urges the NCBE to ensure that Bar



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associations are equipped with essential contingency measures for future examination administrations so that disruptions of this nature do not recur. At minimum, the committee calls on the NCBE to prepare and provide jurisdictions with paper versions of the NextGen Bar Exam, at minimum, to provide the most basic of contingencies that would have helped avoid this catastrophic situation. The committee also supports and thanks the ABA-YLD Assembly and the ABA House of Delegates for passing Emergency Res. 26-13YL/Res. 405.

On a state-wide level: The Washington New Members Committee is first and foremost a body meant to present and represent the views of the new member community, in which we consider the aspiring July 2026 Bar Applicants. At minimum, the committee supports full reimbursement of all related application and examination fees (including the NCBE technology fee) to applicants who were unable to complete the July 2026 Bar Exam.

Further, based on the commentary we have received from our community and after careful consideration, the committee has decided to recommend that the Washington State Supreme Court grant diploma privilege to all examinees who registered, qualified for, and attempted to sit for the July 2026 Bar Exam¹; assuming completion of all other requirements including Character & Fitness and passing the Washington Law Component.

Regardless of the cause of this catastrophic failure, at the end of day, we recognize that the responsibility of the bar association to ensure a fair and equitable admission process is of paramount importance. We only hope that our recent actions and participation in future discussions can help repair the trust lost between WSBA and the legal community at-large.

Sincerely,

A handwritten signature in dark ink, reading "Alexander R. Reagan". The signature is fluid and cursive, with a long, sweeping underline.

Alexander R. Reagan
FY 26 Chair, Washington New Members Committee
On Behalf of the Full Committee

¹ Including those who have completed the APR 6 Law Clerk Program.