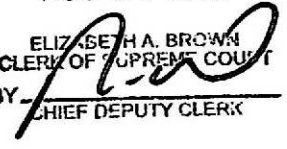


From: lina Orah
Sent: Tuesday, August 04, 2020 11:46 AM
To: Supreme Court Clerk
Subject: Bar Comment

FILED**AUG 04 2020**

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

Your Honors,

My name is Lina Orah and I am a recent graduate of Boyd Law School. I am scheduled to sit for the NV bar this upcoming August. First and foremost, I would sincerely like to thank you for your time in reading and acknowledging all of mine and my peers' concerns surrounding the Nevada bar examination, specifically the last-minute postponement of the exam. The last-minute postponement of the Nevada bar exam has created additional undue hardships, in addition to all that has been caused by these unprecedented times, for myself and my classmates. I apologize at the length of this letter, but I feel it is important to outline all the differing hardships.

The new bar dates conflict directly with those of the MPRE. I am currently registered to sit for the MPRE scheduled for August 12. I have not yet taken the MPRE. My hope was to take the MPRE immediately following the bar exam so that my admission to the bar is not delayed. As I am sure you are aware, the August MPRE scores are generally released prior to the release of the bar results in October. Due to the postponement of the NV bar examination to August 11 and 12, I will not be able to sit for the MPRE this August. The next administration of the MPRE is not scheduled until October 23 and October 28. Even if the MPRE credited or refunded my application fees, I will be forced to delay admissions to the NV bar due to the last-minute postponement of the bar.

What is most problematic and worrisome is the unreliability of the ILG Exam software. It has caused notable stress amongst all applicants. We are asked to place our fate and ability to practice law in a software that continuously has proven to be unreliable and defective. We are all very concerned with the software's capabilities to support the exam administration. Indiana was to use the software but due to numerous problems, they had to forego use of the ILG software for their bar examination. Last week, I was unable to log in to my account with ILG due to an error message notating "account not found." I spent about thirty minutes on the phone trying to fix this issue, amongst others. Additionally, Michigan's remote testing failed due to a cyber-attack. While Michigan uses a different software than ILG, the reality is that it is another software proving online administration of the bar to be impracticable.

To add on to the stress and unreliability of the ILG exam software, on Wednesday, July 29 I participated in the first live trial exam. Unfortunately, I experienced multiple technical difficulties from the start, as did my classmates. First, we were stuck on the face verification page for about 10 minutes, while some were stuck longer. Following the face verification, we were stuck on the password page for about another 10 minutes, again some were stuck longer. When we finally gained entry into the exam, approximately 20 minutes was taken from the time allotted for the examination. Further, there was an extreme lag while I was attempting to type out my essay answer. Specifically, the text was not typing in real-time, rather it took a while to transcribe. Moreover,

the material on the NPT page would not remain still for me to effectively read, take notes, or outline. Rather, the paragraphs would appear and disappear. This happened for every tab of the NPT page when changing the document that is being viewed. I spoke with ILG who advised uninstalling and reinstalling should fix the issue. However, I followed those steps, but the issue remained the same.

I remain concerned that these issues will occur again on exam day. I would like to express that it is difficult to remain focused when encountering serious technological issues that could have real adverse effects on our ability to practice law.

The second trial run was conducted yesterday. Unfortunately, for many applicants, including myself, the results today were no different than last week's trial run, even following removal of the verification and live proctoring process. Upon opening the ILG software, I was immediately greeted with a message stating, "account not found." This is the same message I encountered last week wherein ILG noted the issue was fixed. I was not able to reach anyone at the ILG office during the trial run. I closed and opened the software numerous times attempting to login before the system finally let me in. Once I was in the software, the exact same technological issues from last week occurred along with new ones. There was still an extreme lag when typing answers. Moreover, the material on NPT page continued to flash making reading impossible.

Also, following the installation of the latest software version, I remain unable to manually connect to the internet via Wifi or Bluetooth. My laptop now intermittently connects and disconnects to the internet on its own. My laptop is not even a year old and this issue has never happened before. For the technological issues I was able to document via video or photo, I have emailed to the Court to outline the issues faced as I am unable to attach to this correspondence. This morning I spent one hour (one hour that I could have used to study) on the phone with ILG. Unfortunately, between the waiting time and speaking to a representative, the technological issues I encountered could not be addressed by the representative. I remain very concerned as there are seven days before the bar examination, yet applicants are still facing numerous, unresolved technological issues. All which can hinder their performance beyond their control on exam day. As such, I believe if these issues are not remedied properly, applicants are at a substantial disadvantage through no fault of their own. Respectfully, I ask the Court to please not punish the 2020 applicants due to the software's inability to perform an online bar examination.

Moreover, I would like to express my sincerest concern for applicants forced to test in-person considering NV's recent and continuous uptick in COVID-19 positive cases. Students who must test in person for whatever reason should not have to be forced in making a difficult decision between securing their career in law and not only their health but their families as well. We need our license to be able to make a living, begin to pay off student debt, and most importantly, advocating for clients in our chosen field of law. As such, deferring to February only places significant additional financial burden on those applicants and delays their ability to aid the people of the State of Nevada. I truly hope the State Bar and the Nevada Supreme Court reconsider the plan to administer the test in person.

While not as problematic as the hardships I have outlined above, I spent my entire law school journey as well as my undergraduate years working while simultaneously going to school. I have had to put my legal career above my family for seven years. While they are supportive and understanding, I was very much looking forward to and had specific plans to spend quality time with them following the July bar and to rest before I began my new career as a judicial law clerk, which is scheduled for August 10. Unfortunately, this is unattainable due to the last-minute postponement.

I, like my classmates, have spent nearly three months dedicated to preparing for the bar exam by listening to countless lectures, taking notes, engaging in numerous practice exams including essays, MBE, and MPT, engaged in tutor sessions, hours of reading outlines, memorizing law, analyzing law, etc. I, kindly and respectfully, ask the Court to take all our hardships in consideration. We have absolutely prepared for the exam and are ready to take it. However, it would be unjust to administer the bar under such difficult and uncertain circumstances. If the Court felt compelled to administer the bar exam, I kindly ask it to be under circumstances where the software used is fair and reliable to all applicants and still uphold the security and integrity of the bar examination. If the court is compelled to grant a one-time emergency diploma privilege for all summer exam takers, I ask that additional requirements (such as CLE credits, attorney supervision, pro bono hours, or whatever the court deems appropriate and necessary) be imposed to protect the public and ensure minimal competence.

I understand and appreciate the Court's stance in ensuring competence and safety of the public. However, I truly believe we have proven our capabilities and our competence given that we spent all summer preparing rigorously in addition to our Boyd education. Notably, this is extremely different from circumstances in May wherein applicants had not yet begun or completed rigorous bar prep. We have put in the work and studied so extremely hard. We are ready to serve the people of the State of Nevada. This is especially true given Nevada's need for ambitious new attorneys ready to aid the hardships faced by the people of Nevada during these unprecedented times. I thank you, so truly very much for listening to our concerns. Please be well and stay safe.

All my best,

Lina Oraha

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Lina Oraha

Juris Doctor, 2020

William S. Boyd School of Law

University of Nevada, Las Vegas