

## **Delaware Supreme Court Amends Supreme Court Rules and Board of Bar Examiners Rules to Authorize Discretionary Waiver of Educational Requirements for Applicants Educated Outside the United States.**

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By an order dated September 12, 2023, the Delaware Supreme Court has amended Delaware Supreme Court Rule 52 and Board of Bar Examiners Rule 31 and has adopted a new Rule 6 of the Rules of the Board of Bar Examiners. Under the former rules, individuals educated outside the United States were sometimes unable to satisfy the educational requirements to apply to sit for the Delaware Bar Exam, even if they had significant legal education and practice experience. The revised rules give the Board of Bar Examiners discretion to waive the educational requirements for applicants who have a combination of education and experience that demonstrates qualification to sit for the Delaware Bar Exam.

Specifically, the revised rules are intended to create a pathway to eligibility for an applicant who (1) is a member in good standing of the Bar of another State, where the Board finds, in its discretion, that the applicant is qualified by reason of education and experience to take the Delaware Bar Exam, or (2) graduated with a combination of degrees in legal education that the Board determines, in its discretion, is substantially equivalent to a juris doctor degree from an ABA-approved law school, including (i) a degree in legal education from an institution outside the United States, and (ii) an LL.M. degree from an ABA-approved law school, subject to certain content requirements.

The revisions also amend certain requirements regarding the form and submission of waiver petitions.

The rule amendments are effective immediately and are available on the [Court's website](#). If you have any questions, please contact Karlis Johnson, Supreme Court Administrator, at [Karlis.Johnson@Delaware.gov](mailto:Karlis.Johnson@Delaware.gov) or (302) 651-3906.