



Summary: Analyzing First-Time Bar Passage on the UBE Law Exam in New Mexico

In this summary: This summary reports on the review of first time bar examinees in New Mexico focused on bar examination pass and fail rates.

Highlights:

- Higher proportions of minority students who take the bar exam fail the exam.
- The review included bar exams between July 2017 and February 2025, focused on first-time exam takers.
- Slightly more than 50% of exam takers were female and 53.2% identified as White.
- UNM law school graduates accounted for 44.6% of all first-time exam takers.
- The average exam score was 282.6. More than 80% of exam takers passed the exam.
- The available data were a moderately good fit for capturing the underlying patterns associated with exam failure rates.
- In the regression model, the odds of failing the exam were greater for every racial/ethnic group compared to Whites.
- The odds ratio for failing was highest for American Indians (10.7) and smallest for Others (1.9).
- Older exam takers had higher odds of failing the exam.
- Our review of factors was limited. We did not have access to individual-level LSAT scores, law school or undergraduate GPAs and degree fields, bar exam preparation data, and socio-demographic data.
- Future research will gather additional information on bar examinees to better understand factors affecting passage.

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Introduction

Research has shown that higher proportions of first-time African American and Hispanic students who take the bar exam fail the exam and have lower bar exam passage rates (Devito et al., 2022). This study examines New Mexico bar exam pass/fail rates with a focus on race/ethnicity.

Background

This study includes a limited number of variables, including test date, race/ethnicity, age, gender, and their graduating law school, collected from the exam. These variables were supplemented with graduating law school rankings, average LSAT scores, average GPAs, and graduating law school bar examination pass rates. Data that was not available included additional examinee demographic and academic data such as undergraduate degree, undergraduate GPA, parents' education, household income, and community characteristics (e.g., measures of poverty and educational attainment). Behavioral factors associated with examination passage, including bar preparation, finances, and employment, were not available (*Black and Barred: The Bar Examination's History of Exclusivity and the Threat of Further Exclusion Posed by ABA Standard 316*, 74 S.C. L. Rev. 179, 2022; NYBOLE_2021_050521_0, n.d.).

Data and Findings

The review included bar exams taken between July 2017 and February 2025, with a focus on first-time exam takers. During this period, there were 1,852 first exams. The average exam score was 282.6 with a median score of 282. More than 80% of first-time exam takers passed the exam. On average, exam takers took the exam 1.6 years from the date they graduated from law school and half of all first-time exam takers took the exam within approximately 4 months of graduating from law school.

On average, exam takers were 31.4 years of age with a median age of 29 years, indicating that half of first-time exam takers were younger and half were older. More

than 50% of exam takers were female, 47.2% were male, and 0.6% identified as other. A small majority of exam takers were White (53.2%), followed by Hispanics (26.3%). African Americans were 5.9% of exam takers, and 74, or 5%, identified as American Indian. UNM law school graduates accounted for 44.6% of all first-time exam takers and other law schools accounted for 55.4% of first-time exam takers.

Based on the regression analysis and goodness of fit statistics, the available data were a moderately good fit for capturing the underlying patterns associated with exam failure rates. The regression analyses showed race/ethnicity was the most influential determinant of bar exam outcomes. In the regression model, the odds of failing the exam were greater for every racial/ethnic group compared to Whites, in a statistically significant manner. The odds ratio was highest for American Indians (10.7) and smallest for Others (1.9). Gender was not statistically significant. Age was statistically significant, with older exam takers having higher odds of failing the exam compared to younger exam takers. Law school ranking was also statistically significant with exam takers who graduated from a higher-ranked school having a higher odds of failing the exam. Whether the law school attended was UNM or another law school was statistically significant, with an odds ratio of 3.0 suggesting that exam takers who did not graduate from UNM were 3 times more likely to fail the exam.

Additional Research

Future research may include the use of surveys and/focus groups designed to gather additional information on bar examinees characteristics including about their family, the communities in which they lived before attending law school and taking the bar exam, how they prepared for the bar exam, what they think about the purpose of the exam and the utility of the exam in determining lawyer effectiveness, and alternatives to the bar exam.