

Towards Meaningful Reforms in the Bar Examination

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For almost a century now, the bar examinations have been the primary gauge of a person's preparation for the practice of law in this country. It is unconceivable that some other mechanisms can be devised in the near future to replace the bar examinations. Thirty years ago, a proposal was made for the abolition of the bar examinations and the establishment of a system of accreditation under which only graduates of accredited schools would be admitted to practice law. The proposal fizzled out. Yet, the bar examination process, like any other institution, is not without its shortcomings. Significant developments in the field of educational testing and measurement, as well as in the administration of bar examinations, particularly in the United States, underscore the need to introduce practical reforms in Philippine bar examinations.

This Article proposes several changes in the bar examinations with the view of making the bar examinations a more reliable, equitable, and reasonable measure of legal competency. The Article is accordingly divided into three parts corresponding to three areas of reform — structural and administrative, changes in the design and construction of test questions, and methodological reforms.

The first part deals with the structural and administrative mechanisms that are essential in carrying out the short-term and long-term proposals. The second part outlines suggested changes in the design and construction of the bar examinations. The third part offers a methodology for marking the bar examinations and identifies key areas that may require technological enhancements.