Waiver Requests—Instructions and Guidelines

1. **How to submit a waiver request in ATLAS 1**
2. **Filing fees 2**
3. **Late fees 3**
4. **Five-exam limit 3**
5. **MPRE 4**
6. **License portability for servicemembers and their spouses 6**
7. **Law study requirement 6**
8. **Other guidelines 7**

1. How to submit a waiver request in ATLAS

Pursuant to Rule 20(e), the Board is given discretion in the interpretation and application of the Rules Governing Admission to the Bar of Texas. For good cause shown to the satisfaction of the Board, upon written request, the Board may grant waivers of specific requirements described in these Rules, unless it appears therefrom that no exceptions are contemplated by the Supreme Court.

If you believe good cause exists to waive a specific requirement of the Rules, you may request the Board to do so pursuant to Rule 20(e).

1. Complete the applicable application in your ATLAS account.
2. After you have completed the application, a green "Submit" button will appear and a blue "Waiver Request" button will appear.
3. If you are requesting a fee waiver, use the blue Waiver Request button to submit your waiver request.
4. If you are not requesting a fee waiver but are requesting a waiver of a different rule, you must first use the green Submit button to submit your application and pay the fee. Only after submitting your application and paying the fee, you may use the blue Waiver Request button to submit your waiver request.
5. Use the "Upload Required Documents" feature to submit any supporting documentation. Label it "Waiver Documentation." Your request will be decided based solely on your written request submitted through the "Waiver Request" feature and any supporting documentation you have uploaded to your ATLAS account that you have labeled "Waiver Documentation."

You have the burden to show good cause for why the Court's Rules should not apply to your particular case. Requests are presented to a 3-member panel of Board members. Your request will be decided based solely on your written request submitted through the "Waiver Request" feature and any

supporting documentation you have uploaded to your ATLAS account that you have labeled "Waiver Documentation."

Please note that your waiver request and any supporting documentation you upload are public information that will be provided to the public upon request as required by the Public Information Act.

2. Filing fees

Instruction and Guidelines for Requesting a Waiver of Filing Fees

Under Rule 18(b) the Board does not refund or transfer fees in the event of the withdrawal of any Declaration or Application, nor in the event a determination is made by the Board that the Applicant or Declarant does not meet admission requirements. However, Rule 18(c) provides that any fee required under these Rules may be waived or lowered by the Board upon written request and proof of indigence. Since April of 1982 it has been the Board's policy that any individual making such a request must show that indigence is a result of circumstances that are unusual in relation to those of other law students (or similar applicants) and that those circumstances were generally caused by sudden and unexpected hardship for which there is no foreseeable resolution.

1. Complete and upload an Income and Expense form.
2. Upload copies of your federal income tax return, or evidence of your earnings, for the previous two years. Redact all personally identifiable information.
3. Upload a statement addressing these factors:
    a. apparent intent of Rules 18 (b) and (c)
    b. evidence of financial condition, including required financial information from applicant
    c. indigence, if shown, is a result of circumstances that are unusual in relation to those of other law students, and those circumstances, if any, were generally caused by sudden, unexpected hardship for which there is no foreseeable resolution
    d. evidence of ability or inability to obtain or borrow funds from other sources to pay filing fee
    e. evidence as to employment, and efforts or ability to obtain even temporary employment
    f. efforts to plan, budget or forgo other items to pay filing fees
    g. evidence of ability or inability to obtain or borrow funds to pay for bar review courses

2. In addition, if you are requesting a waiver of any late fees, you must upload a statement addressing the factors set out in Instructions and Guidelines for Requesting a Waiver of Late Fees, below.

3. Late fees

Instructions and Guidelines for Requesting a Waiver of Late Fees

Rule 9 provides the filing deadlines for the July and February exams, and Rule 18 sets out the applicable late fees. **No applications will be accepted after the Final Filing deadline, for any reason. No exceptions.**

Below are some factors an applicant may need to address in a request for waiver of a late fee:

1. Apparent intent of Rule 9.
2. Evidence as to conscientiousness of effort to timely comply.
3. Amount of delay (specify your deadline or due date, the date you filed, and the number of days late)
4. Reasons why your best efforts were unsuccessful
5. Conscious indifference or neglect, including applicant's lack of knowledge of deadline or familiarity with applicable rules and instructions
6. Sudden or unexpected adverse circumstances other than the usual or ordinary consequences of missing a bar application deadline and the resulting delay in obtaining professional status or employment.

4. Five-exam limit

Guidelines for Evaluation of Requests for Waiver of the Five-time limit on attempts to pass the Texas Bar Examination pursuant to Rule 11(f) of the Rules Governing Admission to the Bar of Texas

1. The waiver request shall be in writing, on forms designated by the Board, accompanied by such fees as prescribed by the Board, and shall show good cause for waiving the Rule 11(f) five-time limit;
2. The burden of proof shall be upon the Applicant;
3. The Applicant shall not have filed a request to waive the 5 time limit under Rule 11(f) within the past two years;
4. The Applicant shall otherwise be eligible to take the Texas Bar Examination;
5. The Applicant shall demonstrate to the Board that mitigating circumstances exist and there has been a substantial change in the degree of the Applicant's legal learning which makes it probable that the Applicant will pass the Texas Bar Examination o

Back to Table of Contents

shall demonstrate to the Board that substantial changes have occurred in the Applicant's life by reason of education, work, experience, training and/or personal circumstances which make it substantially more likely that the Applicant will pass the Texas Bar Examination;

6. The Applicant shall complete or have completed such additional review courses or additional legal study as the Board may require; and
7. The request to waive Rule 11(f) shall not be considered with a request to waive any other requirement of the Rules Governing Admission to the Bar of Texas.

5. MPRE

Guidelines for waiving the MPRE requirements of the Rules for certain attorneys

Adoption

The Board adopted these guidelines on June 26, 2026. They supersede the Guidelines for Considering Requests to Waive the MPRE Requirement of Rules 2(a)(7) and 5 that the Board adopted on September 15, 2017.

Background

Rules 2(a)(7) and 5 of the Rules Governing Admission to the Bar require applicants to furnish evidence that they have passed the Multistate Professional Responsibility Examination with a scaled score of 85 or higher.

The MPRE is administered by the National Conference of Bar Examiners. The NCBE will not report MPRE scores earned before 1999. If an applicant took the MPRE before 1999, the applicant may not be able to furnish the evidence required by the Rules.

Rule 20(e) gives the Board of Law Examiners discretion to waive specific requirements of the Rules "for good cause shown to the satisfaction of the Board," unless it appears from the Rules "that no exceptions are contemplated by the Supreme Court."

Guidelines

1. The Board may waive the MPRE requirements of the Rules for an attorney licensed in another State (as defined by the Rules) if:
   1.1. the attorney was first licensed in another State before 1999; and
   1.2. the attorney has not scored less than 85 on the MPRE since 1999; and

Back to Table of Contents

1.3. the attorney is in good standing in each jurisdiction in which the attorney is admitted; and

1.4. the attorney has not been the subject of professional discipline during the five years immediately preceding the date the attorney applied for admission to the Texas bar.

2. The Board may waive the MPRE requirements of the Rules for an attorney licensed in another State (as defined by the Rules) if:

2.1. at the time the attorney was first licensed in another State, that State did not require the attorney to take MPRE; and

2.2. the attorney has not scored less than 85 on the MPRE since 1999; and

2.3. the attorney is in good standing in each jurisdiction in which the attorney is admitted; and

2.4. the attorney has not been the subject of professional discipline during the five years immediately preceding the date the attorney applied for admission to the bar of Texas; and

2.5. the attorney has been licensed in a State for at least 5 years.

3. Satisfying each element of paragraph 1 or paragraph 2 above does not entitle an applicant to a waiver of the Court's MPRE requirements. The Board will consider all relevant facts to determine whether an applicant has shown good cause for why the Court's Rules should not apply to their situation.

3.1. Good cause generally includes unique circumstances that the Court may not have anticipated when promulgating its Rules, or unusual or extreme circumstances that are beyond an applicant's control. Good cause generally does not include a desire to be licensed quickly, almost scoring an 85 on the MPRE, or excelling at ethics classes during law school.

Delegation

The Board delegates to the Executive Director the authority to grant an applicant's request to waive the MPRE requirements of the Rules if the Executive Director finds that the applicant has demonstrated that the applicant meets each element of paragraph 1 or paragraph 2 above.

The Board delegates to the Executive Director the authority to deny an applicant's request to waive the Court's MPRE requirements if an applicant has scored less than an 85 on the MPRE since 1999.

Any request to waive the MPRE requirements that is not decided by the Executive Director pursuant to these guidelines will be presented to a panel of Board members.

Discretion

If the Board or its delegate, in its discretion, finds that an applicant has not shown good cause for why the Court's Rules should not apply to the applicant's situation, then the applicant must comply with the Court's Rules—the Rules provide no procedure for appealing a decision of the Board or its delegate not to waive the Rules.

6. License portability for servicemembers and their spouses

See Frequently Asked Questions

7. Law study requirement

Guidelines for Waiving the Law Study Requirement

1. Adoption

The Board adopted these guidelines on June 26, 2026, per Rule 20(e) of the Rules Governing Admission to the Bar of Texas and Texas Government Code § 82.039.

2. The Board may waive any element of the Court's law study requirement with a strong showing of good cause

The Board may waive elements of the Court's law study requirement, including requirements that an initial law degree that was not earned from an approved law school must be earned from a law school that is accredited in the jurisdiction where it is located and not be earned primarily online.

The Court's law study requirement is an essential requirement for admission to the Texas bar. The Board will not waive any element of the law study requirement without an applicant's strong showing of good cause.

3. Necessary facts for a strong showing of good cause

An applicant petitioning the Board to waive an element of the Court's law study requirement must, at a minimum, show that the applicant:

3.1 Passed a bar exam in another State; and

3.2 Has been actively and substantially engaged in the practice of law in another State for at least 10 years; and

3.3 Is active and in good standing in one State and in good standing in any other State or foreign jurisdiction in which the applicant has been licensed; and

3.4 Desires to practice law for Texans.

An applicant who shows these facts is not entitled to a waiver of the Court's law study requirement—these facts are necessary, but not sufficient, to a strong showing of good cause for such a waiver.

If an applicant has not shown these necessary facts, the Executive Director shall deny the request.

4. Additional evidence that may contribute to a strong showing of good cause

In determining whether an applicant has made a strong showing of good cause for waiving an element of the Court's law study requirement, the Board may consider:

- The applicant's law school transcript.
- The length and nature of the applicant's legal experience.
- Any LL.M. or other advanced legal degree earned by the applicant.
- Pro bono work performed by the applicant.
- Professional awards or recognition received by the applicant.
- Professional publications or presentations made by the applicant.
- Recommendations from clients, judges, or lawyers.
- The applicant's disciplinary history, including complaints that did not result in any discipline.
- Past decisions on similar waiver requests.

8. Other guidelines

Adopted by the Board on March 27, 2020

In the absence of specific guidelines for waiving a particular Rule, the Board may consider the following when assessing whether an applicant has established good cause for why the applicant should not be required to satisfy the Court's Rules:

- Whether the applicant is precluded or unduly hindered from satisfying the Court's Rules because of circumstances beyond the applicant's control, such as illness, war, or acts of God.
- Whether the applicant is precluded or unduly hindered from satisfying the Court's Rules because of circumstances that were not readily anticipated by the Court when the Court set standards or carved out exceptions to those standards.

- Whether, given the applicant's circumstances, the Court's Rules provide another path to licensure for the applicant, without the necessity of waiving any requirements.

The Board may consider, but is not bound by, past decisions by the Board in similar circumstances.