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SCMF-12-0000538

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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In the Matter of the  
September 2020 Bar Examination

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CONCURRENCE AND DISSENT TO THE  
SECOND ORDER REGARDING THE SEPTEMBER 2020  
BAR EXAM IN LIGHT OF COVID-19  
(By: Wilson, J.)

As previously stated in my July 22, 2020 concurrence, the escalating threat to citizens of the City and County of Honolulu from the COVID-19 pandemic warrants the granting of a one-time diploma privilege to all graduates of the University of Hawai‘i, William S. Richardson School of Law, who qualified for the September bar exam. On July 22, the number of daily new corona virus cases statewide was 17. The state-wide daily total of new cases for yesterday, August 26, 2020, had increased to 277. The severity of the Covid-19 threat has necessitated “lock-down” orders by the Governor of the State of Hawaii and the Mayor of the City and County of Honolulu that will be in effect during the September 9 bar exam.

A significant reduction of the number of bar applicants taking the bar examination would result from the absence of those recipients of the diploma privilege who would no longer be required to take the bar examination. Consequently, the unprecedented stress to applicants who choose to sit for the bar examination would be lessened.

Otherwise, I concur with the Majority's decision to continue to provide to bar applicants who do not qualify for the diploma privilege the options of provisional licensing or completion of the bar examination.

DATED: Honolulu, Hawai'i, August 28, 2020.

/s/ Michael D. Wilson

