Supreme Court of Arkansas
JUSTICE BUILDING
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LITTLE ROCK, ARKANSAS 72201

JOINT PRESS RELEASE

FOR IMMEDIATE RELEASE

Joint Statement Regarding State Criminal Charges and Irregularities in the Supreme Court of Arkansas's Office of Professional Programs and the Arkansas Bar Examination

LITTLE ROCK, ARKANSAS, November 5, 2026 — An internal review by Robert Brech, Executive Director of the Supreme Court of Arkansas's Office of Professional Conduct and Programs, has uncovered extensive irregularities involving the Court's Office of Professional Programs and the administration of the Arkansas Bar Examination. The matter was turned over to state and federal authorities.

As of today, the Prosecuting Attorney's Office for the Sixth Judicial District filed formal criminal charges against Nancie Givens for 65 counts of tampering with a public record under Arkansas Code Annotated section 5-54-121 in connection with the alleged altering of numerous Arkansas Bar Examination scores and the deletion of files purportedly intended to conceal that misconduct. The charges followed a criminal investigation initiated in April 2026 by the Arkansas State Police and the Federal Bureau of Investigation. As always, all defendants are presumed innocent until proven guilty in a court of law.

Moving forward, we are committed to holding those involved accountable, taking continued corrective oversight of the Arkansas Bar Examination, and determining the appropriate course of action.

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In February 2026, Givens, the former Executive Director of this Court's Office of Professional Programs, resigned. At that time, Robert Brech was serving as Executive Director of the Court's Office of Professional Conduct. Following Givens's resignation, the Court directed Brech to supervise the Office of Professional Programs, which oversees the administration of the Arkansas Bar Examination.

Upon his review of the Office of Professional Programs' records and administrative operations, Brech discovered that a large number of files and electronic communications were modified or deleted in early January 2026. Approximately 11,400 files were deleted or rendered unavailable. Most of those files included Arkansas Bar examinee applications, profiles, and examination score sheets that the Office of Professional Programs was required by this Court's rules to retain for twenty-five years.

Brech immediately notified a member of this Court, who directed him to determine the extent of the missing records and identify any other irregularities. On the basis of his review of the remaining files, Brech identified numerous discrepancies involving Arkansas Bar Examination scores across *at least* eight test administrations between July 2020 and July 2025. At that time, the matter was referred to the appropriate state and federal authorities.

Evidence exists that Givens harvested points from a number of examinees' scores and then added them to other examinees' scores within the same test administration. Thus, she unilaterally elevated some examinees' scores to the minimum passing score of 270 or greater. Brech also identified at least one instance in which score alterations may have reduced an examinee's score—who otherwise would have passed—to a failing score. And in at least one instance, the individual who should have received the top score on the Arkansas Bar Examination had their score reduced thereby naming another examinee as the recipient of the highest score on the exam. If these allegations are true, these actions constitute an unprecedented breach of public trust.

The vast majority of examinees who were previously informed that they had passed the Arkansas Bar Examination by the Office of Professional Programs did, in fact, pass the exam. Those examinees affected will be notified by the Office of Professional Conduct as soon as possible upon definitive confirmation of their status.

The Court is working with state and federal authorities to recover deleted and missing data, analyze *all* test administrations within that time frame, and determine the full scope of this grave and potentially criminal abuse of power. The people of Arkansas deserve, and the Court is committed to providing, total transparency in this matter. However, further disclosure will be forthcoming in a manner so as to not compromise the ongoing state and federal criminal investigations. Accordingly, additional disclosures will be limited as those efforts remain underway.

As an immediate step, independent of any state or federal criminal investigation or prosecution, Nancie Givens has been referred to the Office of Professional Conduct for investigation of extensive violations of the Arkansas Rules of Professional Conduct. *See* Ark. R. Prof'l Conduct 8.1(a) & 8.4(a)–(e). Furthermore, new testing procedures and security measures were implemented with the February 2026 administration of the Arkansas Bar Examination to ensure systemic accountability and safeguard the integrity of the examination.

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We recognize the profound consequences for affected examinees, the Bar, and the public at large. Our paramount concern is safeguarding litigants, the integrity of the legal profession, and public confidence in the administration of justice. While these matters remain under criminal and administrative investigation, we commit to pursue continued corrective measures in an effort to reestablish confidence in our institution.

Issued Jointly By:

The Honorable Courtney R. Hudson
Associate Justice

The Honorable Rhonda K. Wood
Associate Justice

The Honorable Shawn A. Womack
Associate Justice

The Honorable J. Cody Hiland
Associate Justice

The Honorable Nicholas J. Bronni
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The Honorable Cory A. Cox
Special Associate Justice