

Description and Tips on the Out-of-State Attorneys' Bar Examination

1. The **questions on the Out-of-State Attorneys' Examination** relate to the **subject matter in three volumes of the Annotated Code of Maryland: the *Maryland Rules* (see title headings in subsection a below); statutory provisions from the *Courts and Judicial Proceedings Article*; and statutory provisions from the *Criminal Procedure Article*.** (Federal Rules and Practice are not covered on this Bar examination.) The applicant may bring each of the following references for use during the Bar examination:

a. The **Annotated Code of Maryland, *Maryland Rules*** include **General Provisions, Civil Procedure in Circuit Court and District Court, Criminal Causes, Evidence, Settlement of Decedents' Estates, Appellate and Other Judicial Review in Circuit Court, Appellate Review in the Court of Appeals and Court of Special Appeals, Family Law Actions, Guardians and other Fiduciaries, Juvenile Causes, Property Actions, Receivers and Assignees, Sales of Property, Other Special Proceedings, and Courts, Judges and Attorneys.** There is an **Appendix of Forms and an Appendix containing The Maryland Rules of Professional Conduct.**

b. The **Annotated Code of Maryland, *Courts and Judicial Proceedings Article*.** The Bar examination may draw from any of the statutory material in this volume including, but not limited to, the provisions dealing with jurisdiction of forum, personal jurisdiction, venue, process, practice, limitations, prohibited actions and immunities, special causes of action, juries, witnesses, evidence, judgments, and appeals.

c. The **Annotated Code of Maryland, *Criminal Procedure Article*.** The Bar examination may draw from any of the statutory material in this article, including, but not limited to, the provisions dealing with Law Enforcement Procedure; Arrest Process, Incompetency and Criminal Responsibility in Criminal Cases, Pretrial Procedures, Release, Trial and Sentencing, Uniform Postconviction Procedure Act, Sentence Review, Extradition, Criminal Records, Victims and Witnesses, Forfeiture, Controlled Dangerous Substances Violations, and other forfeitures.

2. The Attorney Examination is an **OPEN-BOOK TEST** entitling each applicant to use the books containing the above. These volumes **MUST BE FURNISHED BY EACH APPLICANT.** Since this is an open-book examination, **YOU WILL BE EXPECTED TO MAKE REFERENCE IN YOUR ANSWER TO THE RULE OR OTHER STATUTORY SOURCE UPON WHICH YOUR ANSWER IS BASED.**

3. **Michie/Lexis Nexis Publishing and West/Thomson Publishing** offer official editions of the Annotated Code of Maryland. The Lexis Nexis website is www.lexisnexis.com/bookstore and the sales telephone is 1-800-833-9844. West's website is www.west.thomson.com, and the sales telephone is 1-800-344-5008.

The Michie edition of the *Maryland Rules* is a softbound, two volume set. Michie offers a hardbound, two volume edition of *the Courts and Judicial Proceedings Article* and a hardbound, single volume edition of *the Criminal Procedure Article*. (Five volumes in all.)

The West annotated edition of the *Maryland Rules* is a softbound, three volume set. West's

annotated *Courts and Judicial Proceedings Article* is a hardbound, three volume set, and the *Criminal Procedure Article* is a hardbound, single volume. West also offers a one volume unannotated edition of the *Maryland Rules*, and a one volume unannotated edition entitled *West's Maryland Civil Procedure Laws*, which is essentially *Courts and Judicial Proceedings*. An applicant may bring either the annotated or unannotated West editions, but not both.

Your code volumes may be highlighted and tabbed, and the tabs may include cross references. However, no substantive annotations are permitted. **NO OTHER TEXTS, COMMENTARIES, NOTES, OR WRITINGS OF ANY KIND SHALL BE USED OR REFERRED TO AT THE EXAMINATION EXCEPT THE APPLICABLE CODE VOLUMES DESCRIBED ABOVE.**

4. You will be furnished an examination book in which to write your answers. The cover of your book will be imprinted in the upper right hand corner with the examination or seat number. The examination will consist of several questions designated by number. In writing each answer, please clearly designate in your examination book the respective question number. **There will be a total of 100 points for the entire test.** The point score allotted to each question will be noted on the question sheet.

5. The examination must be written in blue or black ink. You must furnish your own pen.

6. The answers should be numbered to correspond to the question numbers on the Question Sheet, but do not copy the questions. Begin each answer at the top of a page. Use one side of the page only until you have filled the book. You may keep the question sheet. You may mark up the question sheet and use it for scratch work.

7. There are NO CLOCKS available at the examination site. It is strongly recommended that you bring your own watch. An Administrative Assistant or Proctor will be present at all times to advise you regarding time.

8. NO SMOKING WILL BE ALLOWED IN THE BUILDING.

In the hope that the applicants may be helped by certain suggestions, the Board sets forth below some rather general suggestions. Do not regard this list as all inclusive. These suggestions are no more than an effort on our part to state what we think is generally of importance in writing the examination.

9. The total number of points allotted to each question, and time estimated to answer each question or group of questions, will be noted on the Question Sheet. It may be well to try to complete each question in a little less than the estimated time so that you will have the opportunity to look over your answers. **KEEP IN MIND, THAT THE GREATER THE WEIGHT (OR POINT COUNT) ASSIGNED TO A QUESTION, THE MORE EXTENSIVE THE DISCUSSION EXPECTED IN THE ANSWER.**

10. It is possible that some questions may involve more than one point or issue. It is of prime importance that you show by your answer that you know what the issues are, but it is not

necessary to set them out in any particular form.

11. Since this is an open-book examination, you will be expected to make reference in your answer to the Rule or other statutory source upon which your answer is based.

12. **Please endeavor to write as legibly as possible.** The Board members do not wish to mark down for poor handwriting but they cannot grade what they cannot read.

13. Be careful to respond to the question as presented.

14. **NO SPECIFIC TARGET DATE IS SET IN ADVANCE FOR THE RELEASE OF THE GRADING RESULTS OF THE ATTORNEYS' EXAMINATION.** The Board endeavors to complete the grading and release the results as soon as practicable and within a reasonable time following the examination.