

TEST ACCOMMODATIONS FOR APPLICANTS WITH DISABILITIES

Accommodations Available: An applicant with a disability as defined by the Americans with Disabilities Act may request test accommodations to ensure that he or she receives a fair and equal opportunity to fully demonstrate his or her competence on the Maryland General Bar Examination and/or the Maryland Out-of-State Attorney's ("OSA") Examination.

Deadline to Request Test Accommodations – The State Board of Law Examiners ("SBLE") must **RECEIVE** your ADA accommodations request and all supporting documents **not later than the applicable filing deadline for the exam you intend to take:**

- May 20* for a July General Bar exam (*Rule 19-204(c)*)
- December 20* for a February General Bar Exam (*Rule 19-204(c)*)
- 60* days before the scheduled Out-of-State Attorney examination you intend to take (*Rule 19-213(d)*)

**If the Rules deadline falls on a Saturday, Sunday or Court holiday, the Notice of Intent and Accommodations deadline will be the next business day.*

Notwithstanding the deadlines set forth above, you are strongly advised to submit your request for ADA test accommodations as early as possible, preferably at least 60 days before the applicable deadline for the examination you plan to take.

Normally, when a request is received 60 or more days before the deadline, SBLE will render a decision on the request within 30 days. If you submit your Request at or near the filing deadline, it may not be processed as quickly due to the high volume of filings SBLE receives at the filing deadline.

Early submission of the request packet is particularly important for applicants who are seeking test accommodations for the first time with no history of receiving accommodations in school or on prior standardized tests. SBLE often must submit these requests for outside expert review, and may possibly require a medical examination prior to making a decision.

SBLE will reject ADA accommodation requests that are substantially incomplete at the applicable filing deadline. Early filing may allow SBLE to communicate with you to cure any deficiencies in your Accommodations Request prior to the deadline.

Where to File the Request for Test Accommodations: A request for ADA test accommodations shall be addressed to:

State Board of Law Examiners
Attn: Barbara L. Gavin, Esq.
2011-F Commerce Park Drive
Annapolis, MD 21401

Your request for test accommodations should be mailed or delivered separately from your Bar Application (or if delivered together with your Bar Application, clearly label the accommodations request materials so that those materials may be properly directed).

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Documents to Include in Your Request for ADA Test Accommodations: In order to receive consideration, your request for test accommodations **MUST INCLUDE ALL OF THE FOLLOWING:**

1. Your completed, signed, original Applicant's Accommodations Request Form (see page 5). **PLEASE NOTE: YOUR ACCOMMODATION REQUEST MUST BE SPECIFIC. FOR EXAMPLE, IF REQUESTING EXTRA TIME, STATE THE AMOUNT OF EXTRA TIME REQUESTED. REQUESTS LACKING SUFFICIENT SPECIFICITY WILL BE RETURNED WITHOUT ACTION.**

2. Evaluation Report(s) from your treating health professional(s), **including a specific request for accommodations.** (The full requirements of the Evaluation Report are set forth on page 4 of this document).

3. College and Law School Letters – An original, signed letter from your college and/or law school deans or other appropriate school officials describing the accommodations (if any**) you received for college and/or law school examinations, and whether any accommodation request by you request was granted, denied or granted in modified form.

4. Copies of all your correspondence (if any**) requesting test accommodations for Bar examinations in other jurisdictions and the correspondence addressed to you (if any**) granting or denying test accommodations in those jurisdictions

5. Your standardized test score reports[♦] for the SAT and/or ACT, LSAT, and the Multistate Professional Responsibility Exam (MPRE) and copies of your correspondence (if any**) requesting test accommodations for those tests and the correspondence addressed to you (if any**) granting or denying test accommodations for the SAT, ACT, LSAT and MPRE.

6. Certified copies of your academic transcripts from college and law school. (*Mere reference to transcripts submitted in support of a Bar application are not sufficient. Separate transcripts must be included with the accommodations request materials.*)

7. Any other materials you deem relevant to substantiating your disability and assessing the degree of impairment arising from your disability.

EXCEPT AS DESCRIBED IN ** AND ♦ BELOW, IF YOUR ADA ACCOMMODATIONS APPLICATION LACKS ANY ITEM LISTED IN 1 THROUGH 6, ABOVE, AND IF YOU FAIL TO SUPPLY SUCH ITEMS BY THE APPLICABLE DEADLINE, YOUR REQUEST WILL NOT BE CONSIDERED AND WILL BE RETURNED TO YOU WITHOUT ACTION. Rejection of an ADA accommodation request for lack of documentation does not constitute a denial on the merits and does not trigger review by the Accommodations Review Committee.

***You must advise SBLE by a separate signed letter, as part of your request package, if you have not previously requested test accommodations for any law school examinations, bar examinations, or the SAT, ACT, LSAT or MPRE, or if you have not taken those standardized tests.*

♦ SAT, ACT and/or LSAT score reports may be omitted ONLY IF you took the SAT, ACT and/or LSAT more than 12 years ago AND you did not request ADA accommodations on that test.

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Description of the Maryland Bar Examination

Applicants - You should provide a copy of this description and the “Evaluation Report to Health Provider – Contents” (on page 4) to the health professional(s) who prepare(s) your Evaluation Report(s) and advise your provider of the examination you plan to take (GB or OSA).

The Maryland General Bar Examination

The **Maryland General Bar Examination** is the test given to recent law school graduates seeking to be licensed to practice law in Maryland. The standard administration of the Maryland General Bar Examination is a two-day test. The first day consists of a total of six (6) hours of essay questions divided into morning and afternoon sessions, each having three (3) hours of testing and approximately 30 minutes of administrative tasks, with a 1 hour break between sessions. The morning session contains three 25-minute*** essay questions and one 90-minute*** Multistate Performance Test (MPT). The afternoon session contains seven 25-minute*** essay questions. The essay test requires reading comprehension of fact patterns, identification of issues, legal reasoning, and composition of handwritten, essay style responses to specific legal questions. The essay test may be hand written or typed on a laptop computer. (***Time allocations are recommendations only and applicants may allocate time as they wish within each 3-hour test session.)

The second day of testing consists of the Multistate Bar Examination (MBE), a six-hour, 200-item, multiple-choice standardized test. The MBE is administered over two sessions, each consisting of three hours of testing time and approximately 30 minutes of administrative tasks, with 100 questions per session with a 1-hour break between sessions. The MBE requires reading comprehension of fact patterns, legal reasoning, and the selection of the best answer from four stated alternatives for each item. Applicants mark their answers by hand on a Scantron-type (bubble) answer sheet, which is machine-scored.

Standard testing conditions require the applicant to share a 72” x 30” table with one (1) other applicant in a large testing room with up to 1,500 applicants.

The Out-of-State Attorneys’ Examination

The **Maryland Out-of-State Attorneys Examination** is a limited-scope, open-book test available to experienced attorneys who are already licensed in other U.S. states. The standard administration of the Out-of-State Attorneys’ Examination is a three (3) hour essay test, administered in one session, without breaks, beginning at 9:00 a.m. The exam generally consists of 7 to 10 essay questions, which must be answered in hand written form. Each applicant is permitted to bring and refer to specified volumes of the Annotated Code of Maryland, which the applicant may tab and cross reference prior to the day of the test. The test requires reading comprehension of fact patterns, identification of issues, legal reasoning, and composition of handwritten, essay-style responses to specific legal questions.

Standard testing conditions require the applicant to sit at a 60” by 24” table in a testing room with up to 120 total applicants.

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Evaluation Report by Health Professional - Contents

Evaluation reports written by the applicant's treating health professional shall be in the form of a letter or other narrative documents that must address the following topics (*Items 1 through 5 below are required for all reports; Items 6 and 7 apply only to applicants requesting test accommodation for cognitive disabilities and/or ADD/ADHD*):

- 1. Qualifications of diagnostician:** A qualified diagnostician must conduct the evaluation and prepare the report. The report should be on the preparer's letterhead and **must describe the preparer's academic credentials, licenses, and experiences in working with relevant adult populations that qualify the preparer to make the diagnosis.**
- 2. Recent Evaluation and Testing:** In most cases, reports must reference evaluations conducted within the past three (3) years since many disorders vary in severity over time. In some cases of permanent disabilities, testing conducted within the past five (5) years may be acceptable, but only if the candidate was over eighteen (18) years of age at the time of the testing.
- 3. Diagnostic criteria, diagnostic tests, test results, and interpretation of results:** Diagnostic methods must be appropriate to the disability and reflect current professional practices. Describe the diagnostic procedures and tests used. Include relevant educational, developmental, and medical history. Identify whether the applicant has previously been designated to receive special education services, an individualized education plan, or any other school services evidencing the existence of a disability. **The Evaluation Report must be sufficiently detailed that the Board's professional evaluators can understand the role and significance of the diagnostic methods in the diagnostic process.**
- 4. The candidate's limitations arising from the diagnosed disability:** Describe specifically how the described limitations arise from the disability and how these limitations are likely to affect performance on the Maryland Bar Examination. The mere existence of a disability does not warrant test accommodations under the Americans with Disabilities Act if the disability does not affect a "major life activity" that is relevant to performance on the Bar Examination. **The Evaluation Report must explicitly explain how the disability would impair examination performance.**
- 5. Recommendation of specific accommodations:** Describe the specific accommodations recommended to compensate for the diagnosed disability. Explain why the recommended accommodation is appropriate and necessary notwithstanding treatments (if any) that the candidate has received and/or is receiving. If no prior accommodations have been provided, the diagnostician should explain in detail why no accommodations were given in the past and why accommodations are needed now. **The Board will reject a request for accommodation as incomplete if the Evaluation Report does not contain a specific recommendation for accommodations.**
- 6. FOR LEARNING DISABILITIES ONLY:** Learning disabilities are developmental disorders that emerge in childhood and most often are diagnosed and treated during childhood. Provide a detailed history of developmental and psychoeducational difficulties beginning with the first manifestations of the disability. **The diagnosis must be based on evidence that does not rely solely on self-reporting by the candidate.** Provide comprehensive test data (using standard scores), including IQ, achievement, language, and other cognitive measures that inform the diagnosis. The diagnosis should be made based on persuasive developmental and current test evidence in line with "best practices" and the current Diagnostic and Statistical Manual (DSM) guidelines (or must explain why DSM guidelines should not/cannot be applied).
- 7. FOR ATTENTION DEFICIT AND HYPERACTIVITY DISORDERS ONLY:** ADHD disorders are manifested developmentally. The Evaluation Report must address the full, standard criteria for ADHD determination with an explanation of differential diagnosis, an evaluation of current impact of symptoms, and a clinical summary supported by a rationale. The diagnosis must be in line with the current DSM criteria. **The report must provide evidence that this diagnosis does not rely solely on self-report in establishing developmental history, current symptoms, and evidence of clinically significant impairment.**

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APPLICANT’S REQUEST FOR A.D.A. TEST ACCOMMODATIONS

FILE THIS FORM AND ITS SUPPORTING DOCUMENTATION IN A SEPARATE ENVELOPE FROM YOUR BAR APPLICATION. Your request for accommodations will be processed separately from your application and action on your request for accommodations may be substantially delayed if this form is mixed up inside your application when we receive it.

Month/Year of Examination for which accommodations are requested: _____

Applicant=s Name: _____ Social Security Number: _____
First MI Last

Mailing Address: _____

Daytime/Mobile Telephone: _____ Email Address: _____

Description of Disability: _____

Specific Test Accommodations Sought: _____

I intend to **handwrite** **use a laptop** on the Bar Examination. (In order to secure laptop use, you must indicate that intention on your Notice of Intent and pay to register your laptop with ExamSoft.)

Affirmation of Candor and Authorization & Release

I hereby affirm under penalties of perjury that the information provided on this form and in supporting my supporting documentation is complete, true, and correct to the best of my knowledge, information and belief. I have attached the following supporting documentation: 1) the required **Evaluation Report** from my treating healthcare provider; 2) the required **Law School Letter** from my law school dean or official; 3) the required copies of **correspondence regarding test accommodations for Bar examinations in other jurisdictions and for the LSAT, ACT, SAT and/or MPRE**; and 4) **law school and college transcripts and standardized test score reports** as required in the instructions. ****

I agree that I will submit to an independent examination by a professional selected and paid by the State Board of Law Examiners, if so required by the Board to evaluate my alleged disability.

I authorize the State Board of Law Examiners to release a copy of any documentation submitted in connection with this request to one or more professionals selected by the Board to independently evaluate my alleged disability. I hereby release, discharge, and hold harmless the State Board of Law Examiners, its employees, agents, successors and assigns, including any professional(s) engaged by the Board to evaluate my alleged disability, from any and all liabilities of every nature and kind arising out of the furnishing, inspection, receipt and evaluation of any documents, reports, records, or other information or arising out of an independent examination by a professional selected and paid by the Board.

Signature of Applicant and Date of Affirmation/Release

******EXAM REPEATERS: You must complete and submit this form by the filing deadline for each examination you intend to take. However, you need not submit any supporting documentation if you request the same accommodations previously approved for you for a prior examination. If you are requesting accommodations not previously approved, you must attach relevant documentation, including an updated Evaluation Report by a physician or other appropriate health professional supporting your request for additional accommodations.**