

**INSTRUCTIONS TO REQUEST
TEST ACCOMMODATIONS FOR APPLICANTS WITH DISABILITIES**

An applicant who has a disability, as defined by the Americans with Disabilities Act, may request test accommodations for the bar examination to assure that he or she receives a fair and equal opportunity to fully demonstrate his or her competence. A request for test accommodations should be addressed to:

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

Deadline for Requesting Test Accommodations

Your request for test accommodations request should be mailed separately from the bar application.

It is advisable to submit your request for test accommodations at least 90 days before the examination you plan to take; in that case the Board will try to render a decision within 30 days of receipt of a fully documented request. A request which is not fully documented may require additional processing time. A request submitted at, or near, the filing deadline may not be acted on as quickly as you desire since it will be competing with the majority of examination filings which occur at the filing deadline. The State Board of Law Examiners (“Board”) will reject your request if it is not received by the filing deadline indicated below.

For the General Bar Examination, the Board must receive your request:

not later than December 20* for a February examination

not later than May 20* for a July examination.

For the Out-of-State Attorneys’ Examination, the Board must receive your request not later than 60 days* before the examination you plan to take.

*These are the same as the deadlines for filing to take the respective bar examination. If the deadline falls on a weekend or holiday, your request will be accepted on the next regular business day.

Documents to be Included in a Request for Test Accommodations

In order to receive consideration, your request for test accommodations must include ALL of the following:

- 1. your Applicant’s Accommodations Request Form (see page 6),**

2. Evaluation Report(s) from treating health professional(s) (see page 4),

3. a letter from your law school dean or other appropriate law school official describing the accommodations you received for law school examinations and similar documentation of any accommodations you received during college (if accommodations varied by semester, specify the accommodations received in each semester)

4. copies of all your correspondence requesting test accommodations for bar examinations in other jurisdictions and the correspondence addressed to you granting or denying test accommodations in those jurisdictions

5. your standardized test score reports for the SAT or ACT and LSAT and copies of any of your correspondence requesting test accommodations to take those tests and the correspondence addressed to you granting or denying test accommodations for the SAT, ACT, and LSAT.

6. your academic transcripts from college and law school,

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

IF YOU FAIL TO INCLUDE ANY ITEM LISTED IN 1 THROUGH 6 ABOVE, YOUR REQUEST WILL NOT BE CONSIDERED AND WILL BE RETURNED TO YOU WITHOUT ACTION.

Advise the State Board of Law Examiners if you have not previously requested test accommodations for any bar examination or the SAT, ACT, and LSAT.

Description of the Maryland Bar Examination

YOU SHOULD PROVIDE A COPY OF THIS DESCRIPTION TO THE HEALTH PROFESSIONAL WHO PREPARES YOUR EVALUATION REPORT AND ADVISE HIM OR HER WHICH EXAMINATION YOU PLAN TO TAKE.

The “**General Bar Examination**” is the test taken by recent law school graduates seeking to be licensed to practice law in Maryland.

The “**Out-of-State Attorneys Examination**” is a special, more limited test taken by experienced attorneys, who previously have been licensed in other states in the United States, and who wish to be licensed to practice law in Maryland.

Description of the General Bar Examination

The standard administration of the Maryland Bar Examination is a two day test. The first day consists of a total of 6 hours of essays and a Performance Test question. The morning session of the essay test is 3 hours in duration and includes 7 questions. After a lunch break of about one hour, the afternoon session is administered over 3 hours and also includes 3 questions and one Performance Test question. The essay and Performance tests require reading comprehension of fact patterns, identification of issues, legal reasoning, and composition of handwritten, essay style responses to specific legal questions.

The second day of testing consists of the Multistate Bar Examination (MBE), a 200 item, six hour standardized test. The morning session has 100 multiple choice items and is 3 hours in duration. After a lunch break of about one hour, the afternoon session is administered over 3 hours and also includes 100 items. The MBE requires reading comprehension of fact patterns, legal reasoning, and the selection of the best answer from four stated alternatives for each item. Answers are marked on a scantron (bubble) answer sheet and machine scored.

Description of the Out-of-State Attorneys’ Examination

The standard administration of the Out-of-State Attorneys’ examination is a 3 hour essay test which generally consists of 7 to 10 essay questions. It is administered in the morning in one session without breaks. 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.

Evaluation Report by Health Professional - Contents

(1 through 5 below are required for all reports; 6 and 7 apply only to cognitive disabilities)

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 should provide 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, an evaluation should have been conducted within the past three years since many disorders vary in severity over time. In some cases of permanent disabilities, testing conducted within the past five years may be acceptable if the candidate was an adult at the time of the testing.

3. **Diagnostic criteria, diagnostic tests, test results, and interpretation of results.** Diagnostic methods should be appropriate to the disability and current professional practices. Describe the diagnostic procedures and tests used. Include relevant educational, developmental, and medical history. (Identify whether the candidate 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 should 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 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" which 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 the candidate needs to compensate for the diagnosed disability. Explain why the recommended accommodation is appropriate and necessary notwithstanding treatments which 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 deny a request for accommodation if the Evaluation Report and/or supporting documentation is deficient.**

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 psycho educational 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 Diagnostic and Statistical Manual (DSM) IV guidelines.

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 IV 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.**

