

**BOARD OF LAW EXAMINERS  
P.O. BOX 104236  
JEFFERSON CITY, MISSOURI 65110-4236**

**INSTRUCTIONS FOR REQUESTING TESTING ACCOMMODATIONS  
FOR THE MISSOURI BAR EXAMINATION**

Qualified applicants with disabilities may be provided accommodations to take the bar examination to the extent such accommodations are reasonable, consistent with the nature and purpose of the examination, and necessitated by the applicant's disability. The ADA defines a "disability" as a physical or mental impairment that substantially limits one or more of the individual's major life activities.

The purpose of test accommodations is to provide equal access to the bar examination. Test accommodations are adjustments or modifications to the standard testing conditions to provide equal access for qualified individuals with disabilities. Accommodations should alleviate the impact of the applicant's impairment on the examination process without imposing an undue administrative or financial burden on the Board or fundamentally altering the nature of the examination.

Documentation is required from the applicant to (1) verify that the applicant is an individual for whom accommodations are required and (2) to provide adequate information on the functional impact of the disability so that reasonable and necessary accommodations can be identified. Each applicant's request for test accommodations is evaluated on an individual, case-by-case basis to determine the impact of the disability on the individual within the specific context of taking the bar examination.

**FILING REQUIREMENTS AND INSTRUCTIONS:**

1. To request accommodations in taking the Missouri bar examination, you must submit a complete Petition for Test Accommodations. Petitions that are incomplete or not supported by the appropriate documentation by the registration deadline will not be processed.
2. In your Application for Bar Examination, mark "yes" to Question 7, "Do you have a disability for which you are requesting accommodations to take the bar exam?" in order to alert our staff that your application is accompanied by a Petition for Test Accommodations.
3. Laptop Computer - All applicants, not just those with a disability, may request to use their laptop for the essay portion of the examination. All applicants must register for the laptop program by marking "yes" to Question 8 in the Application for Bar Examination and following all other instructions for laptop use.
4. Carefully read the **General Guidelines for All Documentation** and the **Additional Guidelines for Specific Disabilities** set out below. Provide a copy to your physician or other qualified professional for use in preparing a comprehensive written report and providing all necessary documentation with your Petition for Test Accommodations.
5. **Be current.** The provision of reasonable accommodations is based on how the applicant's disability currently affects the applicant's ability to take the bar examination. Generally speaking, documentation of an evaluation conducted within the preceding three years should be

provided in most cases. Older documentation may suffice for conditions that are permanent and non-varying, while more recent documentation may be necessary for other conditions. The facts and circumstances of the individual's condition determine how recent the evaluation must be.

6. Attach a **personal statement** as requested in Question 2 of the Petition for Test Accommodations.
7. Attach a **Certification of Prior Accommodations** (p. 4 of the Petition) completed by each entity that has provided you with accommodations in the past. If an entity will not complete the Certification, attach other proof of the specific accommodations provided, such as a letter from the entity. Please be aware that the fact that accommodations were granted or denied by other entities in the past is not determinative in the Board's decision.
8. If you have a **Learning Disorder or ADHD**, submit **grade reports or transcripts of your elementary, high school, and college education**.
9. **Filing Deadline:** The completed Petition for Test Accommodations, including your professional's diagnostic report and all other supporting documentation, is considered part of your application to take the bar examination and must be filed in accordance with the exam filing deadlines, as set out in Rule 8.07, and subject to the corresponding prescribed filing fee.
10. **Do not send your supporting documentation separately from your petition.** All supporting documentation (including certification of prior accommodations and transcripts) must be mailed with the completed Petition for Test Accommodations by the deadline for the examination.
11. **Retake Applicants:** You must file a Petition for Test Accommodations each time you apply to take the Missouri bar examination, even if you have previously requested and received accommodations. If your condition has not changed and you are requesting exactly the same accommodations as were previously granted by the Board, you may rely on your previously submitted documentation, provided it satisfies the current documentation guidelines and it has not become stale. It is not necessary to resubmit any Certification of Prior Accommodations previously submitted. It also is not necessary to resubmit a personal statement (Question 2) unless there has been a change such that the description you previously submitted is no longer accurate or complete.

**PROCESSING OF YOUR PETITION:** The Board may have any request for test accommodations reviewed by a professional with expertise in the appropriate area of disability for an impartial professional opinion. After your Petition for Test Accommodations and all supporting documentation is reviewed, we will notify you in writing whether you have been granted test accommodations. If your request is granted, this letter will detail the specific accommodations to be provided. If your request for accommodations is denied in whole or in part, the letter will advise the reason(s) and the procedure to seek reconsideration. Applicants who are denied accommodations will be registered to take the examination under standard testing conditions.

## General Guidelines for All Documentation

The Petition for Test Accommodations must be supported by an appropriate assessment or diagnostic report completed by a qualified professional. **The diagnostic report must be on the professional's letterhead, typed, dated, signed by the professional, and otherwise legible.**

The Board of Law Examiners provides the documentation guidelines set out below to assist applicants and their health professionals in providing necessary supporting documentation from which the Board can verify and assess the applicant's need for reasonable accommodations. The Board consults with qualified professionals with expertise in the area of the disability who review the documentation. All documentation should provide sufficient detail so that other professionals reviewing it can verify the applicant's current level of functioning and need for the requested accommodations.

**The documentation must be current.** The provision of reasonable accommodations is based upon assessment of the current impact of the applicant's condition or impairment on taking the bar examination. Since manifestations of some disabilities may vary over time and in different settings, it is necessary that the documentation is sufficiently recent relative to the nature of the disability. If the documentation does not assess the applicant's current level of functioning and need for accommodations in the context of the bar examination, reevaluation might be warranted. If changes in the applicant's performance have been observed or new medications prescribed or discontinued since the assessment, the evaluation report must be updated to detail the applicant's current level of functioning and need for test accommodations.

1. **Set forth the qualifications of the evaluator.** List your name, address, telephone number, and fax number, and describe the professional credentials that qualify you to make the particular diagnosis.
2. **Identify the date(s) of your assessment or examination of the applicant relative to the condition or impairment for which accommodations are requested.**
3. **State a diagnosis and describe any functional limitations.** The evaluator should state a professionally recognized diagnosis and describe the applicant's present symptoms that meet the criteria for diagnosis. In addition, describe the specific manifestations of the condition for which accommodations are needed and any resulting functional limitations the applicant experiences.
4. **Describe the diagnostic methodology used.** Describe the diagnostic criteria and/or diagnostic assessment procedures used, including any test results and a detailed interpretation of the test results. In addition to your description, you should **attach a copy of any pertinent records that support the diagnosis**, including results of laboratory studies and diagnostic tests. Informal or nonstandard procedures should be described in enough detail that other professionals reviewing the report can understand the role and significance of the procedures in the diagnostic process.
5. **Describe the expected progression or stability of the disability.** Provide information on expected changes in the functional impact of the disability over time and in different contexts. Information on whether the disability is permanent, temporary, progressive, or fluctuating, and, if applicable, any known or suspected environmental triggers to episodes is helpful to understand and plan for varying functional impacts.

6. **Describe treatment, medications, assistive devices, therapy etc.** Describe specifically the extent to which treatment currently affects/abates/ameliorates any functional limitations caused by the applicant's condition or impairment. If medication is prescribed, include a description of any side effects the applicant experiences as a result of the medication. While the Board does not consider mitigating measures when determining if an applicant is disabled, both the positive and negative impacts of mitigating measures are considered in determining the necessity and effectiveness of the requested accommodations.
7. **Recommend specific accommodations and explain why they are needed.** Describe the impact of the condition, as treated, on the applicant's ability to take the Missouri Bar Examination under standard testing conditions. Recommend specific accommodations and explain your rationale. See Appendix A for a description of the Missouri Bar Examination. If your recommendation includes extra time to complete the examination, specify the amount of extra time recommended on the essay portion and on the multiple choice portion of the exam. Please note that an inability to complete the bar exam under standard time conditions is not automatically a reason for extra time, as not all test takers, including those without disabilities, are able to complete the bar exam under standard time conditions. If the applicant has not previously requested or utilized accommodations in other settings, explain why accommodations are necessary now.

### **Additional Guidelines for Specific Disabilities**

Follow these additional guidelines, plus the general guidelines set out above, for the following disabilities:

8. **Psychiatric Disorders.** Reference the current psychiatric diagnostic manual (e.g., Diagnostic Statistical Manual of the American Psychiatric Association) and provide a complete DSM diagnosis, including Axis IV and Axis V; provide a sufficiently detailed description of psychiatric symptoms to support the diagnosis and include a description of symptom frequency and intensity to establish the severity of the psychiatric symptomatology. If treatment includes medication, please provide evidence of continued impairment despite the benefits of medication.
9. **Visual Impairment.** A report of complete ocular examination should be provided. Include all test results, a description of functional limitations, and a description of the extent to which the limitations are addressed through corrective devices. If the applicant is legally blind, documentation specifically acknowledging this (e.g., from a governmental agency) can be substituted for a complete ocular exam.
10. **Learning Disorders and Cognitive Impairment.** Provide documentation of a current evaluation that includes all of the following:
  - A description of the presenting problem, a diagnostic interview and the related developmental history. Provide copies of all academic or other records reviewed. Documentation of the first formal diagnosis is helpful, and reports of all evaluations prior to the current evaluation should be provided when available.
  - A neuropsychological or psychoeducational evaluation with reports of **aptitude** assessments using a comprehensive battery. Acceptable measures include, but are not limited to, the Wechsler Adult Intelligence Scale-III (WAIS-III), Woodcock Johnson III: Tests of Cognitive

Abilities, and the Kaufmann Adolescent and Adult Intelligence Test.

A complete and comprehensive **achievement** battery, including current levels of academic functioning in relevant areas, such as reading (phonetic decoding, reading rate, and comprehension) and written language. Acceptable measures include Woodcock Johnson III: Tests of Achievement and the Scholastic Abilities Test for Adults. Screening tests such as the Wide Range Achievement Test-3 and the Nelson-Denny Reading Test sometimes provide useful supplementary information but cannot, standing alone, assess reading ability.

An assessment of **information processing** (e.g., short and long term memory, sequential memory, processing speed, executive functioning) using appropriate instruments, such as Wechsler Memory Scale III, Delis-Kaplan Executive Functioning System, and relevant subtests from the Woodcock Johnson III: Tests of Cognitive Abilities.

Other appropriate assessment measures may be integrated with the above instruments to help determine a learning disability and establish a differential diagnosis. Relevant clinical observations may be helpful and should be included in the evaluation report.

**Test scores must be provided.** Standard scores, as well as identification of the test form used and the norms used, must be provided for all normed measures. All standard scores should be provided on age-adjusted norms, not education-adjusted norms. Percentiles alone are not acceptable. It is helpful to list all test data in a score summary sheet.

All information should be gathered in a clinical summary that interprets the test data and provides a specific diagnosis. The report should rule out alternative explanations, such as poor motivation, study skills, or cultural or language differences.

11. **Attention Deficit/Hyperactivity Disorder (ADHD).** Provide documentation of a current evaluation that includes all of the following:

A neuropsychological or psychoeducational evaluation, as described above for Learning Disorders, that includes assessments of aptitude, achievement, and information processing, should be provided to determine patterns indicative of attention problems and determine the applicant's strengths and weaknesses.

A summary of a comprehensive diagnostic interview that covers, but is not limited to, the presenting symptoms, developmental history, relevant medical history, a thorough academic history, and a discussion of the DSM-IV diagnostic criteria for ADHD both currently and retrospectively and specification of which symptoms that cause impairment were present in childhood and which current symptoms have been present for at least the past six months. Provide copies of all academic or other records reviewed. Documentation of the first formal diagnosis is helpful, and reports of all evaluations prior to the current evaluation should be provided when available.

Because of the challenge of distinguishing normal behaviors and developmental patterns (e.g., procrastination, disorganization, restlessness, boredom, underachievement) from clinically significant impairment, the report should address the intensity and frequency of symptoms and the impact on the applicant's functioning across settings (academic, work, social).

Provide objective evidence of impairment. Although self-reporting of symptoms and events is helpful, it is critical that information from other sources (e.g. school records, teachers, relatives, employers) be reviewed and summarized in the report.

A demonstration that the evaluator has ruled out alternative explanations for the symptoms should be included.

## **APPENDIX A:**

### **Description of the Missouri Bar Examination**

The Missouri bar examination is a timed two-day written examination. The first day is comprised of ten essay questions and one skills test (the Multistate Performance Test). The second day is comprised of 200 multiple choice questions.

All applicants may use their personal laptop computer on the first day to type their answers to the essay questions and the MPT - this option is open to all applicants without the need to establish a disability. Applicants who type their answers must use a designated security software that locks out the applicant's ability to access notes and other documents and programs on their computer during the examination. Applicants who do not type must hand write answers to the essay questions.

The first day of the exam is administered in three sessions. The first session is two hours and consists of four essay questions. There is a 15 minute break between the first and second sessions. The second session is the Multistate Performance Test, which is 90 minutes and consists of one question. There is a lunch break of one hour between the second and third sessions. The third session is three hours and consists of six essay questions.

The second day of the exam is divided into two sessions. Each session consists of 100 multiple choice questions to be completed in three hours. Applicants must darken circles on a computer-graded grid sheet to answer the multiple choice questions. Applicants are given a 1-1/2 hour lunch break between the morning and the afternoon sessions.

Applicants typically are seated two to a six-foot table in a testing room set for 100-300 applicants. They are permitted to leave the room go to the water station in the test room or to go to the restroom but are not given extra time to do so.

**Missouri Board of Law Examiners  
PETITION FOR TEST ACCOMMODATIONS**

All applicants requesting accommodations to take the bar examination must submit a complete Petition for Test Accommodations, **including all supporting documentation from third parties**, in accord with the examination filing deadlines set out in Rule 8.07 and subject to the applicable fee in the published Fee Schedule. **Do NOT send your supporting documentation separately from your Petition for Test Accommodations.**

Applicant's Name

Date of Birth

Phone Number

Email Address

Mailing Address:

Examination Applied For:

July

February

Year

**NATURE OF YOUR DISABILITY:**

1. Check all that apply:

Physical Impairment

Attention Deficit/Hyperactivity Disorder (ADHD)

Learning Disorder

Visual Impairment

Hearing Impairment

Psychiatric Disorder

Other (Specify):

2. **Attach a Personal Statement** describing your disability and how it currently impacts your daily life, education, work, and ability to take the bar examination under standard testing conditions.

You may add any other information you wish the Board to consider when making its decision.

**(REQUIRED IN ALL CASES - TO BE PREPARED BY THE APPLICANT)**

**PAST ACCOMMODATIONS PROVIDED FOR YOUR DISABILITY:**

3. Have you received accommodations for course examinations or course work at any time during your educational career? Check all applicable boxes below and provide a Certification of Prior Accommodations for each box you checked.

No accommodations

Elementary school

High school

College (undergrad or graduate)

Law school

Other (specify)

4. Have you received accommodations for any standardized or entrance examinations? Check all applicable boxes below and provide a Certification of Prior Accommodations for each box you checked.

No accommodations	GRE, GMAT, etc.
SAT	LSAT
ACT	MPRE
Other (specify)	

5. Have you received accommodations for a bar exam in another jurisdiction? YES NO  
 If YES, list below the jurisdiction(s) that provided you accommodations and provide a Certification of Prior Accommodations from each jurisdiction.

**List Jurisdictions:**

6. Have you ever requested accommodations but had your request denied? YES NO  
 If YES, provide on a separate sheet of paper: (a) the name of the entity to which the request was made; (b) the month and year the request was made; (c) the accommodations requested; and (d) the reason given by the entity for the denial. **Attach a copy of any document(s) you received notifying you of the denial or stating the reason for denial.**

**ACCOMMODATIONS REQUESTED FOR THE MISSOURI BAR EXAM:**

7. Check all accommodations that you are requesting to take the Missouri bar examination.  
**NOTE: All applicants may request to use their laptop computer for the essay portion of the exam and this is not considered an accommodation.**

Large Print Test Questions (select one): 18 point 24 point

Audio Tape Version of Test Questions

Braille Version of Test Questions

Wheelchair Accessibility

Testing Room Separate from Main Testing Rooms

Use of a Reader (approved or provided by the Board)

Use of a Sign Language Interpreter (approved or provided by the Board)

Use of a Typist (provided by the Board) to Transcribe Essay Answers

Use of a Scribe (provided by the Board) to Bubble MBE Answers

Use of a Personal Visual Aid Apparatus

Other (attach a detailed description)

Extra Breaks (specify)

Extra Testing Time: Specify the amount of additional time requested for each exam session:

Essays:	25%	33%	50%	Other (specify)
MPT:	25%	33%	50%	Other (specify)
MBE:	25%	33%	50%	Other (specify)

8. If you have a **Learning Disorder or ADHD** you must submit grade reports or transcripts of your elementary, high school and college education or a written statement from school officials that no records are available. List below the grade reports or transcripts that you are submitting with your petition.

**CERTIFICATION AND AUTHORIZATION:**

I certify that the information submitted in this Petition for Test Accommodations is true and complete to the best of my knowledge.

I understand that the Board may have my Petition and supporting documentation reviewed by the Board's medical consultants as necessary. I consent to the Board providing a copy of my Petition and all supporting documentation to such consultants as the Board deems necessary to adequately evaluate my request for accommodations.

If test accommodations are provided to me which include a deviation from the standard testing schedule, I agree that from the commencement of the examination through the conclusion of the entire examination, I will not communicate with any person other than an appointed representative of the Missouri Board of Law Examiners regarding anything about the examination, the subject matter, questions, or answers.

Date:

\_\_\_\_\_  
Signature of Applicant

## Certification of Prior Accommodations

Applicant's Name:

**This form is to be completed by any educational institution or testing agency that has provided the applicant with accommodations.**

1. State your name and title and the name, address, telephone and facsimile numbers of the testing agency or educational institution.
  
2. On what dates and in what course of study (e.g., elementary, high school, college, law school) or testing program (e.g., SAT, ACT, LSAT, MPRE, Bar Exam) was the applicant enrolled or registered?
  
3. State the nature of the applicant's physical or mental impairment that served as the basis for granting accommodations.
  
4. Specifically describe the accommodations granted to the applicant and the dates thereof. If the accommodations included extra time for tests, state the amount of extra time as either a percentage (e.g., 50%) OR as extra minutes per hour (e.g., 10 minutes extra per hour of testing).
  
5. Did the applicant fully utilize the accommodations that were granted? If not, please explain in detail.

\_\_\_\_\_   
Date

\_\_\_\_\_   
Signature of Official