



ARKANSAS BOARD OF LAW EXAMINERS

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opp.arcourts.gov

General Guidance Qualified Professionals

TO: Qualified Professional

An applicant is requesting non-standard testing accommodations for an upcoming Arkansas Bar Examination. A qualified applicant with a disability who is otherwise eligible to take the Uniform Bar Examination (UBE), but who cannot demonstrate under standard testing conditions the knowledge and skills required for admission, may request reasonable test accommodations. The UBE administered in Arkansas is a two-day, timed examination designed to assess the knowledge and skills required of individuals seeking admission as licensed attorneys in Arkansas.

The Arkansas Bar Examination Under Standard Testing Conditions

- The bar exam is administered in a room that seats approximately 50–100 applicants, with assigned seating at tables.
- The testing environment is quiet, and talking is not permitted. Proctors are present and actively monitor the testing space.
- Foam earplugs are provided to all applicants for optional use.
- Food and drink are not allowed in the testing room unless approved as accommodations. Applicants may leave their seats to use the restroom or get water; however, no additional testing time is provided.
- The morning session runs approximately 9:00 a.m.–12:00 p.m., and the afternoon session runs approximately 1:30 p.m.–3:30 p.m.

Day 1 Morning Session (MPT)

- Applicants receive two paper booklets containing a set of facts, a library of legal resources, and an assignment requiring a lawyerly task using the provided materials. Official instructions recommend that examinees spend roughly half of their time reading and organizing and half writing their response.
- Applicants may type their answers using their own laptop and secure browser software or handwrite their answers in a lined booklet.

Day 1 Afternoon Session (MEE)

- Applicants receive a paper booklet containing six essay questions.
- Applicants may type their answers using a secure browser or handwrite them in a lined booklet.
- The essay and performance tasks on Day 1 are designed to assess, among other things, an applicant's ability to communicate analysis effectively in writing.

Day 2 Morning and Afternoon Sessions (MBE)

- The second day consists of 200 multiple-choice questions, with 100 questions administered in the morning and 100 in the afternoon.
- Applicants record answers by darkening circles (“bubbling”) on an answer sheet that is computer-graded.

ADA Policy and Purpose of Accommodations

The Board administers the bar examination in accordance with the ADA. The ADA and its regulations define a disability as a physical or mental impairment that substantially limits one or more major life activities. Testing accommodations ensure equal access to the examination.

Accommodations modify standard testing conditions to mitigate the impact of an applicant’s impairment without fundamentally altering the nature of the exam, causing undue administrative or financial burden, compromising exam security, validity, or reliability, or providing an unfair advantage. Accommodations must be reasonable, consistent with the nature and purpose of the examination, and necessitated by the applicant’s disability. Although accommodations may assist applicants in demonstrating their knowledge, they do not guarantee improved performance, completion of the test, or a passing score.

Accommodation Request Requirements

Applicants must submit a completed request for accommodations for it to be considered. A qualified professional must complete the required disability verification form and submit a comprehensive evaluation report and relevant records as specified.

Reports from qualified professionals must rely on more than the applicant’s self-report and must include more than a diagnosis alone.

It should also include a summary of the diagnostic interview conducted by the qualified professional, which may include the following:

- description and history of presenting symptoms
- review of appropriate neuropsychological, psychological, or psychoeducational test reports that address the applicant’s aptitude, achievement, and relevant aspects of cognitive function and information processing
- developmental, psychosocial, and vocational history
- family history
- educational history (including previous standardized test scores, group-administered test scores, IEPs, 504 Plans, report cards and/or listings of previously obtained accommodations and evidence of their effectiveness)
- for each requested accommodation, a rationale related to how the applicant’s disability affects them in the testing situation

DEFINITIONS

1. *Disability* is a physical or mental impairment that substantially limits one or more of the major life activities of the applicant. In the bar examination setting, the impairment must limit an applicant's ability to demonstrate, under standard testing conditions, that the applicant possesses the knowledge, skills, and abilities tested on the bar examination.
2. *Physical impairment* is a physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body's systems.
3. *Mental impairment* is any mental or psychological disorder such as intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness, or any specific learning disability.
4. *Major activities* include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
5. *Reasonable accommodation* is an adjustment or modification of the standard testing conditions, or appropriate auxiliary aid or service, that ameliorates the impact of the applicant's disability without doing any of the following:
 - a. fundamentally altering the nature of the bar examination, including but not limited to compromising the validity or reliability of the examination; or
 - b. imposing an undue burden on the Board, or
 - c. jeopardizing examination security.
6. *Qualified professional* is a licensed physician, psychiatrist, psychologist, or other health care provider who has appropriate training in the field related to the applicant's disability.