

In re Board of Bar Examiners Rules of Practice :
Governing Admission on Examination. :

ORDER

The Board of Bar Examiners Rules of Practice Governing Admission on Examination are hereby amended to read as follows:

“2. RULE 1 APPLICANT - ADMISSION ON EXAMINATION.

* * *

- b. Application for Admission.** Every person applying for admission to the Rhode Island bar upon examination under Article II, Rule 1 shall file a written application, under oath, in the office of the Supreme Court Clerk (the “Clerk”) and shall satisfy the Board that he/she has met all requirements set forth in Rule 1 and as further set forth herein.

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vi. Administrative Nonstandard Testing Accommodations. An applicant who is otherwise eligible to take the bar examination, but who does not qualify for accommodations under the Americans with Disabilities Act (ADA), as amended, may request administrative nonstandard test accommodations when applying for admission. Examples of nonstandard test accommodations are: the ability to wear a wrist guard or brace as a result of an injury that may not qualify as a disability under the ADA; the ability to pump breast milk during the bar examination; and/or permission to take certain medications during the bar examination for conditions that do not rise to the level of a disability under the ADA.

- 1) Request Form. For any request for administrative nonstandard test accommodations to be considered, an applicant must submit a complete and signed Form 8: Applicant Request for Administrative Nonstandard Test Accommodations, together with all required documentation, with his/her Application. Prospective applicants shall submit a complete and timely request for administrative nonstandard test accommodations as set forth in the General Instructions for Requesting Administrative Nonstandard Test Accommodations. An applicant who has submitted a complete and timely request for administrative nonstandard accommodations, but whose needs have changed since the submission of the timely

request, must submit an updated request, using Form 8, but such updated request must be filed at least thirty (30) days prior to the first day of the applicable examination. Emergency requests for administrative nonstandard accommodations will be considered on a case by case basis.

In addition to submitting the required administrative nonstandard testing accommodation forms and supporting documentation in hardcopy, the completed forms and documentation shall be submitted electronically as a single document in Portable Document Format (PDF) by e-mail to ribarexam@courts.ri.gov by the application deadline. The e-mail shall be marked "confidential" and the electronic document attached to the e-mail shall be given a title in the following format: `lastname-barexammonth-barexamyear.pdf`. For example, the PDF submitted by John Smith for the July 2014 bar examination should be titled `Smith-July-14.pdf`.

- 2) *Review Process.* Requests for administrative nonstandard test accommodations may be evaluated by one (1) or more independent qualified medical professionals and/or one (1) or more independent qualified legal professionals. The independent evaluations shall be based solely on the documentation submitted by the applicant. The Board may, following the independent evaluations, request additional documentation from the applicant. Failure to provide documentation may be grounds for denial of an applicant's request for administrative nonstandard test accommodations.

Upon receipt of the recommendation of the independent evaluators, the Board shall determine whether the request for administrative nonstandard testing accommodation(s) has been substantiated. If the Board determines the request has been substantiated, the request shall be granted and the appropriate administrative nonstandard accommodations shall be provided to the applicant.

Any applicant retaking the bar examination who was granted administrative nonstandard testing accommodations by the Board for a previous examination, and who seeks administrative nonstandard testing accommodations from the Board for any subsequent examination, must submit a new request for each examination taken, and must do so by the applicable application deadline.

Any applicant who has requested and/or been granted administrative nonstandard testing accommodations by the Board for an examination, but who then defers to a subsequent examination, must submit a new request for each exam taken by the applicable application deadline.

<u>vi.vii.</u> <u>Duty to Update Application.</u>	*	*	*
<u>vii.viii.</u> <u>Deferral of Application.</u>	*	*	*
<u>viii.ix.</u> <u>Withdrawal of Application.</u>	*	*	**

Entered as an Order of this Court this 25th day of *January 2016*.

_____/s/
Suttell, C. J.

_____/s/
Goldberg, J.

_____/s/
Flaherty, J.

_____/s/
Robinson, J.

_____/s/
Indeglia, J.