

**INFORMATION, INSTRUCTIONS, AND FORMS
FOR REQUESTING NONSTANDARD TESTING ACCOMMODATIONS**

It is the policy of the Illinois Board of Admissions to the Bar to administer the bar examination and all other services of this office in accordance with the Americans with Disabilities Act, as amended (ADA). A qualified applicant with a disability may request reasonable test accommodations. The burden of proof is on the applicant to establish the existence of a disability protected by the ADA, as well as to establish the need for testing accommodations and the reasonableness of the accommodations requested.

Qualified applicants with disabilities may be provided nonstandard testing accommodations (NTA) in connection with an Illinois bar examination to the extent such accommodations are reasonable, consistent with the nature and purpose of the examination, and necessitated, in each instance, by the disability of the applicant.

The ADA defines “disability” as “a physical or mental impairment that substantially limits one or more of the individual’s major life activities.” “Substantially” means “considerable” or “specified to a large degree.” Comparison to the average person in the general population is made when determining whether a disability substantially limits a major life activity.

In accordance with the ADA, the Board can require specific documentation to verify that an applicant is an individual for whom accommodations are required. The Board does this through the Applicant Request for Nonstandard Testing Accommodation form and the documentation requirements set out therein and in these instructions. Each applicant’s request for NTA is individually evaluated.

The Illinois Board of Admissions to the Bar in its discretion may make reasonable modifications to policies, practices, and procedures that might otherwise prevent individuals with disabilities from taking the bar examination in an accessible place or manner, provided such modifications do not result in a fundamental alteration to the examination or other admission requirements, impose an undue burden, or jeopardize examination security.

An applicant seeking an administrative accommodation should refer to the instructions and forms found on the Board’s website.

All forms and supporting documents must be emailed to NTA@ilbaradmissions.org. Questions may be directed to NTA@ilbaradmissions.org.

COMPUTER USE

The use of a computer to answer the essay portions of the examination is not considered an accommodation in Illinois. All applicants have the option of using their personal laptop computers by registering to participate in the laptop program, and all applicants, including NTA applicants, who wish to use their laptop computers must register for the laptop program.

FILING DEADLINE

A fully completed Applicant Request for Nonstandard Testing Accommodation, including a fully completed Certificate of Medical or Psychological Authority and ALL other required forms and supporting documents from third parties, is considered part of your application to take the bar exam. ALL such forms and documents MUST be filed simultaneously with your Character and Fitness Questionnaire in accordance with applicable examination filing deadlines and subject to corresponding application fees. All required forms must be submitted by email to NTA@ilbaradmissions.org. NTA forms or materials filed after an applicant has paid the application fee and filed the electronic portions of their application will only be accepted after the applicant pays any additional filing fee required at the time the subsequent NTA forms or materials are filed. Any NTA forms and materials filed after the final late filing deadline (April 30th for the July exam and November 30th for the February exam), including requests to modify nonstandard testing accommodations at any stage including those already approved, not yet approved, approved in part, or denied, will be considered only in connection with the next succeeding examination.

Also, any diagnosis or injury occurring after the final late filing deadline will NOT be accommodated in Nonstandard Testing under any circumstances. All requests for nonstandard testing accommodations are submitted to an independent consulting expert of the Board for review and recommendation. If a request is made after the final late deadline, there is simply not sufficient time for applicants to file proper NTA requests, to request and submit all of the proper forms from providers, employers and educational institutions, and then for the Board's consulting experts to review all information and documentation in order to make recommendations.

FILING REQUIREMENTS

Responses to all forms must be typed or printed clearly and in English. An original signature must appear on all forms, including attached pages.

1. Forms and documents required. The forms and documents required to request NTA for a bar examination include the following:

A. Applicant Request for Nonstandard Testing Accommodation. Each applicant must open, complete, print, date, sign, and timely submit an Applicant Request for NTA form.

B. Certificate of Medical or Psychological Authority. Each applicant must open the Certificate of Medical or Psychological Authority form and key the applicant's full name into the appropriate field at the top of the form. The applicant must then print the form and transmit it to their medical or psychological authority for timely completion and return to the applicant for timely filing. If an applicant is relying on more than one authority, a form must be completed by each authority. In all cases, the Certificate must be completed by an authority who is familiar with and competent to diagnose the applicant's current impairment as it relates to the conditions of the bar exam.

C. Documents Required In addition to the required Certificate of Medical or Psychological Authority described above in Subparagraph B, the applicant must also submit:

1. Copies of all relevant documentation (e.g., laboratory studies, clinical findings, and test results) that establish the applicant's *current* level of impairment; and

2. A copy of the current curriculum vitae of the medical or psychological authority.

THE RELEVANT DOCUMENTATION MUST BE SUFFICIENTLY RECENT TO ESTABLISH CURRENT IMPAIRMENT. SEE THE FOLLOWING GUIDELINES FOR WHAT IS CONSIDERED SUFFICIENTLY RECENT DOCUMENTATION. FAILURE TO PROVIDE RECENT MEDICAL DOCUMENTATION WILL RESULT IN THE REJECTION OF YOUR APPLICATION AS INCOMPLETE, AND/OR MAY RESULT IN THE DENIAL OF YOUR REQUESTED ACCOMMODATION.

Guidelines for Documentation:

- (a) Requests based on Learning Disabilities, Attention Deficit/Hyperactivity Disorder, or other Cognitive Disorders:

Your documentation must be *no more than five years old*, measured from the date of the evaluation to the date of your application. If the applicant was evaluated as an adult (age 21 or older), the documentation submitted may be considered if it is older than five years; however, the Board reserves the right to request supplementary documentation as needed to accurately establish the current level of impairment.

- (b) Requests based on Physical, Vision, or Hearing Disabilities:

If the disability is from birth and/or is permanent, expected to be permanent, or has not improved over time, provide a copy of your most recent medical evaluation documenting such. If applicable, provide documentation demonstrating the change over time and/or the baseline.

If the disability is recent or temporary, or is expected to be temporary, or is expected to improve over time, your documentation must be no more than *one year* old measured from the date of the evaluation to the date of your current application. If applicable, you may provide prior evaluations to demonstrate changes in the disorder over time. Older evaluation reports may suffice if they are supplemented with updated information on the diagnosis, current level of functioning, and a rationale for each recommended accommodation or an explanation of why the report and/or other documentation continue to be relevant in their entirety.

- (c) Requests based on Psychiatric Disabilities/Disorders:

Your documentation must be no more than *one year* old measured from the date of the evaluation to the date of your current application. If applicable, you may provide prior evaluations to demonstrate changes in the disorder over time. Older evaluation reports may suffice if they are supplemented with updated information on the diagnosis, current level of functioning, and a rationale for each recommended accommodation or an explanation of why the report and/or other documentation continue to be relevant in their entirety.

Certain highly variable conditions require more frequent assessment. It is the responsibility of each applicant to ensure that the Certificate(s) of Medical or Psychological Authority, all necessary supporting documents, and the current CV of each authority are properly and timely completed and returned to the applicant for timely filing; the unavailability or failure of an authority timely to comply with these

requirements will not under any circumstances result in the extension of a filing deadline or the waiver of applicable filing fees.

D. Authorization to Release and Exchange Information form. Each applicant must complete and timely file a separate Authorization to Release and Exchange Information form for each medical and psychological authority who will complete an Illinois Certificate of Medical or Psychological Authority on the applicant's behalf. Each applicant must open the Authorization to Release and Exchange Information form and key all requested information into the appropriate fields. The applicant must print, sign, date, and timely file the completed form with the balance of their NTA forms and supporting documentation.

E. Certificate of Nonstandard Educational, Testing or Licensing Accommodation. It is the responsibility of each applicant to ensure that all required certificates of nonstandard educational, testing, or licensing accommodation are properly and timely completed and returned to them for timely filing with the Board; the unavailability or failure of an individual or entity to timely comply with these requirements will not result in the extension of a filing deadline or the waiver of applicable filing fees. It is also the responsibility of each applicant to make every reasonable attempt to ensure that all required certificates of nonstandard testing accommodation accorded in connection with standardized post-secondary academic entrance examinations (e.g., ACT, SAT, LSAT and MCAT) are properly and timely completed and returned to them for timely filing with the Board. If, however, an entity administering such an entrance examination nonetheless fails timely to comply with these requirements, then the applicant may submit in lieu thereof a description of the NTA granted by the testing authority and the reason for the applicant's failure to submit the required certificate. The Board and its independent consultant will review the description of the NTA granted by a testing authority and the stated reason for failing to submit the required certificate and determine the weight to accord such submission.

F. Certificate of Nonstandard Accommodation in Employment Setting. Each applicant who has requested nonstandard accommodation in an employment setting must open the Certificate of Nonstandard Accommodation in Employment Setting form and key the applicant's full name and Social Security Number into the appropriate fields at the top of the form. The applicant must print as many copies of the form as necessary and transmit a copy of the form to each employer from whom or which the applicant received nonstandard accommodation in an employment setting because of a disability.

Each form must be completed and returned to the applicant for timely filing. Applicants who have not requested nonstandard accommodation in an employment setting need not submit this form.

It is the responsibility of each applicant to ensure that all required Certificates of Nonstandard Accommodation in Employment Setting are properly and timely completed and returned to them for timely filing; the unavailability or failure of an employer timely to comply with these requirements will not result in the extension of a filing deadline or the waiver of applicable filing fees.

Information for persons completing the documentation supporting the request for accommodation:

The morning of the first day consists of one 90-minute skills based essay (Multistate Performance Test or MPT), followed by another 90-minute skills based essay (MPT). After lunch, the exam consists of six essays over a 180-minute period. Bar examinees may handwrite the essays or may use a computer to type them, at their option.

RETAKE APPLICANTS. You must file an Applicant Request for Nonstandard Testing Accommodation form each time you apply to take the Illinois bar examination, even if you have previously requested and received NTA in Illinois. You must also log into your personal IBAB registration account and answer affirmatively the question asking whether you wish to request NTA. If your condition has not changed, and you are requesting EXACTLY the same NTA as previously approved by the Board, you may rely on your previously submitted documentation, provided that it is sufficiently recent to establish current impairment, as described above. Again, highly variable conditions require more frequent assessment. If your previously submitted documentation does not comply with the Guidelines described above, is more than 5 years old, or if your disability is significantly variable, please direct inquiry regarding the need for reevaluation to NTA@ilbaradmissions.org.

Such inquiry must be made well in advance of filing deadlines; necessity of reevaluation will not extend a filing deadline or waive any applicable filing fees.

PROCESSING REQUESTS FOR NTA. At its option, the Board may submit NTA forms and supporting

documents to an independent authority with expertise in the appropriate area of disability for impartial professional evaluation. The Board and/or its impartial experts may require applicants to provide additional information or documentation. After considering the request of an applicant, the evidence submitted, and the recommendation, if any, of an impartial expert, the Board shall determine what reasonable NTA, if any, will be granted. Thereafter, the applicant will receive written notice of the specific NTA, if any, the applicant has been granted. If an applicant's request is denied in whole or in part, the applicant will be notified and may elect to submit additional information or documentation in support of the request.

The additional materials submitted in response to a request denied in whole or in part **must** be submitted within 10 business days of the applicant's notice from the Board. All requests for NTA must be finally resolved on or before January 31 for a February examination and on or before June 30 for a July examination. NTA granted by the Board shall pertain only to the current bar examination. NTA requests for a subsequent bar examination must also be filed in accordance with these instructions.

SUBMISSION OF NTA DOCUMENTS

All NTA forms and documents must be submitted electronically. Please email all NTA forms and documents to NTA@ilbaradmissions.org.

QUESTIONS

Please email your questions to NTA@ilbaradmissions.org.