

Guidelines for reports from Qualified Professionals to support accommodations on the Texas Bar Exam for ADD or ADHD

Note: If you can provide any of the following, then you do *not* need to provide a Report from a Qualified Professional:

- Proof that the NCBE granted you the requested accommodation on the MPRE; or
- Proof that you received the requested accommodation in response to an IEP or Section 504 plan, along with a copy of that IEP or Section 504 plan; **or**
- Proof that you received the requested accommodation on a bar exam offered within the last 3 years by another jurisdiction, along with the documentation you provided to that jurisdiction to support your request; **or**
- Documentation from Social Security Administration or Veteran's Administration establishing your disability and how it impairs major life activities.

1. The report must be from a Qualified Professional

- 1.1. According to the ADA, "A qualified professional is licensed and otherwise properly credentialed and possesses expertise in the disability for which modifications or accommodations are sought."
- 1.2. The following professionals generally are considered qualified to evaluate and diagnose ADHD if they have comprehensive training in differential diagnosis and direct experience with an adolescent or adult ADHD population:
 - psychologists
 - neuropsychologists
 - school psychologists
 - clinical social workers
 - psychiatrists
- 1.3. Supplemental information from other relevantly trained professionals may be helpful in support of requested accommodations.
- 1.4. The report should clearly state the name, title, and professional credentials of the Qualified Professional — including information

about their licensure or certification, areas of specialization, employment, and the state or province in which they practice.

- 1.5. All reports should be on letterhead, in English, dated, signed by the Qualified Professional, and legible.

2. The report must document the applicant's need for testing accommodations. See Appendix 1 for a description of standard testing conditions for the Texas Bar Exam

- 2.1. The report should be based on more than the applicant's self-report.

- Checklists or surveys can serve to supplement the diagnostic profile but may not, in and of themselves, be adequate for identifying functional limitations and are not a substitute for clinical observations and sound diagnostic judgment.

- 2.2. The report should include more than just a diagnosis.

- 2.3. The report should address the current DSM criteria.

- Include a specific diagnosis of ADD/ADHD (including the subtype) based on the current DSM diagnostic criteria. Provide a rationale and supporting data to substantiate the diagnosis.
- Rule out alternative explanations for ADD/ADHD symptoms and investigate and discuss the possibility of dual diagnoses.
- Explore any educational and cultural factors potentially affecting ADD/ADHD diagnosis, and the ameliorative effects of medications, strategies and/or treatments.
- Address the severity and frequency of the symptoms and whether they substantially impair a major life activity.
- Do not simply refer to a prior diagnosis as confirmatory evidence of ADD/ADHD.

- 2.4. The report should include a summary of the diagnostic interview conducted by the Qualified Professional, which may include the following:

- history of presenting ADD/ADHD symptoms, including evidence of ongoing inattentive and/or impulsive/hyperactive behavior that has significantly impaired functioning over time and across settings
- developmental, psychosocial, and vocational history

- family history, specifically for incidence of ADD/ADHD
- 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)
- relevant medical and medication history; effects of medication (either positive or negative), including whether the typical medical regimen was in effect at the time of the evaluation
- for each requested accommodation, a rationale related to how the applicant's disability affects them in the testing situation

2.5. If available at the time of the interview, the applicant should provide the following to the Qualified Professional:

- Undergraduate, graduate, and law school transcripts from *each* institution they have attended
- LSAT scores
- MPRE scores

2.6. Transcripts from early education

- Learning disabilities and ADHD are developmental disorders with childhood onset, even if not diagnosed until adulthood. The Qualified Professional may want to review the applicant's transcripts or report cards from elementary, middle school, and high school.

2.7. Tests

- A complete psycho-educational or neuropsychological assessment is often recommended for determining the degree to which the ADD/ADHD currently impacts an applicant relative to taking the bar exam. Such assessments might include testing of intellect, achievement, processing speed, fluency, executive functioning, language, memory and learning, attention, etc.
- Depending on the type of accommodations requested, academic achievement testing may be necessary. For example, to support a request for a reader as an accommodation, achievement measures pertinent to reading may be required.
- Please report complete test scores, not selective or partial scores.

3. The report should be based on a current evaluation

- 3.1. The provision of reasonable accommodations is based upon the current impact of the disability on a major life activity that affects the applicant's ability to take the bar exam under standard conditions. In most cases, this means that a diagnostic evaluation has been completed within the past five years.
- 3.2. An evaluation that is more than five years old may be considered if it was conducted when the applicant was age 17 or older. If it does not adequately address the applicant's current level of functioning and need for accommodations in a standardized testing context, however, reevaluation may be necessary.

4. In addition to the report, applicants should also upload the following Required Documentation to ATLAS:

- 4.1. Copies of undergraduate, graduate, and law school transcripts from each institution you have attended as an undergraduate, graduate, or law student. Student copies are acceptable.
- 4.2. LSAT report. To get your LSAT report:
 - Log in to your LSAC account at www.lsac.org.
 - Click on "Item Response Report" under the LSAT and LSAT Status tab
 - Print the report
 - For help, contact LSAC at (215) 968-001.

Appendix 1

Texas Bar Exam under Standard Conditions

1. Texas Bar Exam under Standard Conditions

- The bar exam is given in a large room with 150-1,100 examinees seated in assigned seats. Examinees may bring in a water bottle and cannot bring in any other food or drinks. They may leave their seats during the exam to stretch, go to the restroom, or refill their water bottle.
- The exam is a two-day exam, with a morning session and an afternoon session each day. Each morning session starts at 8:30 a.m. Examinees have a lunch break of about 60-90 minutes. Each afternoon session starts at 1:30 p.m.

2. Day 1 morning session (MPT)

- Examinees are given two paper booklets. Each booklet contains a set of facts, a library of legal resources, and an assignment to perform a lawyerly task using the materials provided. The official instructions recommend that examinees allocate half of their time on each assignment for reading and organizing and half for writing the assignment.
- Examinees may either type their answers using their laptop or handwrite their answers into a lined paper booklet.

3. Day 1 afternoon session (Essays)

- Examinees are given a paper booklet containing 6 essay questions.
- Examinees may either type their answers using their laptop or handwrite their answers into a lined paper booklet.

4. Day 2 morning session (MBE)

- Examinees are given a paper booklet containing 100 multiple-choice questions. They have 3 hours to answer. They record their answers by “bubbling” in on a computer-graded Scantron grid.

5. Day 2 afternoon session (MBE)

- Same as the morning session.