

New York State Board of Law Examiners

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Date: December 19, 2008

To: ABA Law School Deans

From: John J. McAlary, Executive Director

Re: Changes to Rules, Policies and Deadlines

The Board recently revised certain rules, policies and deadlines that are effective immediately and will impact your graduates planning to take the New York bar examination. Key highlights of these changes are summarized below. Please circulate this information to your Registrar's Office and other administrative colleagues, as appropriate.

- **Change in Application Filing Deadline.** The bar examination application filing periods have been changed from "between 90 and 120 days prior to the dates of the examination" to between November 1st and 30th for the February examination and between April 1st and 30th for the July examination. The new filing dates should be easier for the candidates to comply with, as the deadlines are clear and will not change from year to year.
- **Date of Receipt and Not Postmark Date Will Determine Timely Filing.** The Board no longer accepts a postmark as the method to determine timely filing. Effective immediately, **ALL** applications and supporting documentation (i.e. – bar examination applications and re-applications, ADA test accommodations applications and re-applications, eligibility proofs, handwriting specimens, etc.) must be received in the Board's office on or before the filing period deadline.
- **Change in Deadline for Proof of Eligibility and Handwriting Specimen.** Pursuant to revised Board Rule 6000.2(b) and (c), as explained in further detail at the following web link: <http://www.nybarexam.org/Rules/Rules.htm#6000.2>, all eligibility proofs, transcripts and handwriting specimens must be received in the Board's office by the following deadlines:

Examination	Deadline for Proof of Eligibility
February	February 1
July	June 15

The Board found it imperative to move the deadline for receipt of proofs for the July examination back by two weeks to June 15th in order to provide our staff with much needed additional time to review and process the law school proofs and to make

eligibility determinations for the thousands of applicants applying for the summer examination. This year we processed more than 12,000 applications for the July examination and tested 11,176 applicants. These new deadlines will, of necessity, be strictly enforced. Candidates whose proofs are not received by the applicable deadline will not be permitted to sit for that bar examination.

- **MBE Score Transfer Requests.** Pursuant to revised Board Rule 6000.6(g), as explained in further detail at <http://www.nybarexam.org/Rules/Rules.htm#6000.6>, MBE scores may be transferred to New York or to another jurisdiction by completing the appropriate section of our new Transfer Request Form (<http://www.nybarexam.org/forms/forms.htm>) which must be submitted to the Board office by the required deadline as specified in the instructions on the Transfer Request Form. The three options offered are summarized below:
 - **OPTION 1:** Candidates taking concurrent bar examinations in New York and another jurisdiction may transfer an MBE score earned in the other jurisdiction on that concurrent administration to New York.
 - **OPTION 2:** Candidates who have taken and passed the bar examination in another jurisdiction during any of the three administrations of the bar examination IMMEDIATELY preceding the administration during which the candidate sits for the New York section of the bar examination may transfer the MBE score earned in that other jurisdiction on that passing examination to New York. However, the MBE score attained in another jurisdiction cannot be transferred if the examination taken in such other jurisdiction was taken concurrently with a New York examination which the applicant failed.
 - **OPTION 3:** Candidates taking the bar examination in New York may request the certification of an MBE score earned in New York to another jurisdiction. Candidates requesting such certification must direct the request to the Board's office and pay the \$50 fee as prescribed in Board Rule 6000.3(c). Payment must be in the form of a certified check, cashier's check or money order payable to "State Board of Law Examiners". No personal checks will be accepted.
- **MPRE Scores.** Pursuant to revised Board Rule 6000.6(h), explained in further detail at <http://www.nybarexam.org/Rules/Rules.htm#6000.6>, candidates must take and pass the MPRE within three years either before or after passing the New York bar examination, measured from the date the candidate sat for each examination. Therefore, any candidate who has taken and passed the MPRE more than three years prior to passing the New York bar examination must retake the MPRE.
- **Applications for Test Accommodations.** The Board recently revised the application, instructions, and documentation guidelines for candidates requesting test accommodations under the Americans with Disabilities Act, copies of which are available for download from the Board's website at <http://www.nybarexam.org/ADA/ADA.htm>. As noted above, the Board no longer accepts a postmark date as the method for timely filing of documents; rather, applications for test accommodations must be received in the Board's office no later than November 30th for the February examination and April 30th for the July examination. Also, the

Board's rule for appealing the denial of accommodations has been modified. Pursuant to Board Rule 6000.4(e), the appeal may not present any new diagnosis or disability that was not discussed in the candidate's application, nor may any additional documentation that was not originally provided with the application be offered on the appeal. Appeals must be received at the Board's office no later than 14 days from the date of the Board's determination.

The Board recently launched a redesigned website. The site contains much useful information for prospective bar examination candidates and law school administrators. The site also contains quick links on our homepage to the Online Bar Exam Application and our new Content Outline which was released this past August.

We appreciate your cooperation in disseminating this information, as may be appropriate, to your staff and students. If you have any questions or comments, please contact the Board office at the number listed above.