# Documentation for Accommodations on the Bar Exam and the MPRE

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You have a right to be treated in a nondiscriminatory manner. You are entitled to testing accommodations if you establish your disability and your need for the accommodations. However, **your petition is only as good as the documentation provided**.

Make sure your documentation is **COMPREHENSIVE, CURRENT**, and **COMPLETE.**

By **COMPREHENSIVE** we mean that

* Your doctor(s) not only needs to fill out the [**forms**](https://www.calbar.ca.gov/Admissions/Examinations/Requesting-Testing-Accommodations)required by the California State Bar (the NCBE requires reports, but not forms, from your medical specialist), but also provide a **comprehensive evaluation** **report or medical records**, some form of which is **required** for every type of disability or impairment. If you are ruling in or ruling out Attention Deficit Hyperactivity Disorder (ADHD) or a Learning Disorder (a.k.a. specific learning disability) (LD), you will need to obtain a thorough psychoeducational assessment. These reports can be 15-30+ pages, depending upon the test battery, whether you have co-occurring conditions (more than one disability or diagnosis), and the thoroughness of the clinician. If you are diagnosed with any type of psychological disability like Major Depressive Disorder (MDD), Generalized Anxiety Disorder (GAD), Post-Traumatic Stress Disorder (PTSD), or Bipolar Disorder, your treating specialist will need to write a comprehensive psychological evaluation report, which can be 6-10 pages long, also depending on several factors. We advise every student who has or thinks they might have ADHD or LD, and/or a psychological disability of this during the initial intake meeting. Please make an appointment to meet with the Director to discuss the process for obtaining such an assessment, financial considerations and options, and referrals to specialists who are familiar with the State Bar/MPRE requirements.
* For many of the above-mentioned conditions, your “documentation” not only consists of what your doctor provides you, but any type of “**third party, objective, corroborating evidence**” that you can provide to document that your disability “substantially limits one or more major life activities” such as K-12 report cards with teacher comments, records from a 504 or Individualized Education Plan (IEP) proving you received Special Education services in K-12, undergraduate and law school transcripts (be prepared to explain good grades, as well as poor grades), job/volunteer performance evaluations, prior diagnoses or evidence of hospitalization, letters from previous doctors, or proof that you were provided accommodations in other testing situations like on the SATs, LSAT, MPRE or in undergrad, or K-12. If you are only now being diagnosed as an adult, it is not uncommon not to have much in the way of “objective evidence.” How to figure out what you might have, and what to say if you don’t have anything like this, is one thing we can talk about during a one-on-one meeting.

What is considered **CURRENT** depends on the nature of your disability, and the extent of your history of diagnosis/accommodations:

* **Physical disabilities or chronic health conditions**: The Bar generally requires an evaluation that has been conducted **within the last year**, due to the changing nature of many physical disabilities or chronic health conditions; older reports may be accepted if supplemented by an update and rationale as to why a more recent evaluation has not been conducted. The MPRE is essentially the same, but their [MPRE Guidelines for Physical and Chronic Health Conditions Documentation](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/physical-chronic-health-disabilities-guidelines/) is more explicit and worth reviewing. Here is a link to the California State Bar's [Form B](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormB_0517_R.pdf) for physical disabilities or chronic health conditions. Remember, in addition to your doctor filling out Form B, they/you must also include your medical records!
* **Learning disabilities**: Although the Bar acknowledges that a learning disability is a lifelong condition, they assert that “the severity and manifestation can change.” They generally require that the comprehensive psychoeducational assessment evaluation report be completed **within the last 5 years**. The MPRE is essentially the same (5 years), but notes that an older evaluation may be considered if conducted when the applicant was age 21 or older and they have an established history of LD. See their [MPRE Guidelines for Learning Disabilities Documentation](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/learning-disabilities-guidelines/) for more information. Please see the bottom of Page 3 of [Form C](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormC_0517_R.pdf) for more information about what the State Bar requires by way of documentation.
* **ADHD**: The Bar generally requires that the comprehensive evaluation report be conducted **within the last 5 years**. Note that the MPRE generally requires **within the last 3 years**, but states that an older evaluation, if applicable to an MPRE-like setting and conducted when the applicant was age 21 or older, may be considered. For more information, review the [MPRE Guidelines for ADHD Documentation](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/adhd-guidelines/). Similar to the learning disabilities form, [Form D](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormD_0517_R.pdf) for ADHD explains what is required by way of cognitive testing at the bottom of Page 3.
* **Psychological disabilities**: The Bar does not specifically state a guideline for “currency,” but given that the symptoms of psychological disabilities are quite variable, and may fluctuate due to a number of factors, we strongly recommend the evaluation report be **within the last 12 months**. This is consistent with the MPRE’s guidelines, as well. It could be that an older report may be sufficient if supplemented by an update, similar to physical disabilities and chronic health conditions. For more information, review the [MPRE Guidelines for Psychological Disabilities](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/psychological-disabilities-guidelines/). The mental health specialist who is providing documentation must include a psychodiagnostic/psychological evaluation report which is discussed at the bottom of Page 3 of [Form E](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormE_0517_R.pdf).
* **Visual disabilities**: This really varies greatly depending on the individual and the condition. The Bar does not specify a “currency” guideline and neither does the MPRE, but unless your condition is long-standing, fixed and unchanging, and well-documented, we would recommend the comprehensive evaluation report be within the last 12 months. The [MPRE Guidelines for Visual Disabilities Documentation](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/visual-disability-guidelines/) is actually an additional form your doctor must fill out. For the California bar exam, your ophthalmologist must complete [Form H](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormH_0517_R.pdf) for visual impairments, and submit medical records.
* **Neurocognitive disorders due to traumatic brain injury (TBI) or cerebrovascular event (stroke):** Like ADHD, learning disabilities, and some psychological disabilities, if you are asserting that you have cognitive impairment (e.g., memory, concentration, executive functioning, etc.) from the TBI or stroke, you must obtain comprehensive psychoeducational or neuropsychological testing. See the [MPRE Guidelines for Neurocognitive Disorders](https://www.ncbex.org/exams/mpre/ada-accommodations/documentation-guidelines/neurocognitive-disorder-guidelines/) for more information. The State Bar does not have a specific form for neurocognitive disorders. The neurologist or neuropsychologist who does the testing would likely fill out either [Form B](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormB_0517_R.pdf) for physical/chronic health disability, or [Form C](https://www.calbar.ca.gov/Portals/0/documents/forms/admissions/FormC_0517_R.pdf) for learning disability.

By **COMPLETE** we mean that you should have all this material already pulled together, plus any additional, supplementary documentation, sometimes referred to as third-party or objective “corroborating evidence.” That is, the MPRE and the Bar will ask you to show evidence of “real world impairment.” Although legally you should not have to document a “history of failure” to “prove you are ‘disabled enough’” to warrant accommodation, the MPRE and the Bar have thus far persisted in using a “failure standard”, so be prepared to provide this material if you do in fact have it. Keep good records of all information related to your disability(ies); information you don’t think you need could prove vital to the committee’s decision.

* The type of additional documentation we are talking about again depends on the nature of your disability, how it impacts you, and how long you have had the disability(ies) in question. In addition to the examples provided earlier, such documentation could include Veteran Affairs (VA), Workers’ Compensation, or Department of Rehabilitation (DoR) Disability Determination letters; letters from the Disabled Students Services office from your undergrad institution; or a letter from a supervisor explaining “informal” accommodations you received at work or a volunteer position.
* “Complete” also refers to your narrative (optional – but highly recommended – for the MPRE; Page 2 Question 2 on Form A for the Bar.) Your narrative should be as long or as short as it takes for you to “describe the nature and extent of your specific disability or disabilities, when and how it/they were first identified, how it/they affect your daily life and describe the functional limitations related to your ﻿disability that directly affect your ability to take the examination.” To put it another way, you want to make sure you describe the nexus between your diagnosis, your symptoms/functional limitations, any “snowball effect” that stems from those symptoms (e.g., chronic pain is a symptom, but chronic pain can also impair concentration), how this “substantially limits one or more major life activities,” and exactly how/why they impair your ability to take the exam under standard conditions. You also need to state the rationale(s) for each and every accommodation request, even if you feel you’ve already explained the rationale(s.)

This entire process of obtaining and curating your documentation, and in particular, drafting your narrative, is not only time consuming, but it can also trigger painful memories and be emotionally draining. Many students find it helpful to work with an experienced psychotherapist during this process. If you do not already have a treating psychotherapist, we encourage you to reach out to [Carbon Health](https://uch--simpplr.na169.visual.force.com/apex/simpplr__app?u=/site/a0i41000004BRTZAA4/page/a0c2M00000ow14HQAQ) for support and referrals.

**If you think you might need accommodations for the bar and/or MPRE and need assistance with the process, please contact the Disability Resource Program by emailing**[**DisabilityResourceProgram@uchastings.edu**](mailto:DisabilityResourceProgram@uchastings.edu)**.**

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