



Acknowledgement and Acceptance of Testing Conditions February 2021 California Bar Examination

The California Bar Examination, scheduled to be administered on February 23–24, 2021, will be a remote, online administration. In-person exam administration will be available to those with granted testing accommodations that cannot be effectively provided and securely administered in a remote environment. There will also be limited space available for applicants who certify under penalty of perjury that they do not have access to or the ability to obtain a quiet testing space or a reliable Internet connection, as described below.

Exam Format

A complete list of all required equipment is posted as part of the February Bar Exam FAQs.

1. Applicants must take the examination on a laptop computer with a functional internal webcam and microphone (required for ExamID and ExamMonitor). The camera and microphone must be on and unobstructed at all times during the exam session.
2. Applicants must personally install and certify the required exam software on their laptops (which will require downloading the latest version of Examplify), and their laptops must have:
 - a. Mac Operating System: OS X 10.14 (Mojave), macOS Catalina (10.15), macOS Big Sur (11.0). Only genuine versions of Mac operating systems are supported.
 - b. CPU: Intel processor. (Devices using Apple's M1 chipset are not supported.)
 - c. Windows Operating System: 10 (Version 1803, 1809, 1903, or 1909)
 - d. Operating System: 32-bit and 64-bit Versions of Windows 10
4. The first day of the California Bar Exam will be comprised of five one-hour essay questions and a 90-minute Performance Test question, with a one-hour lunch break.
5. On the second day of the California Bar Exam, the Multistate Bar Examination (MBE) will be administered. The MBE will consist of 200 multiple-choice questions, split into four 50-question sessions tested over 90 minutes each, with a one-hour lunch break.
6. The first day of testing will also constitute the Attorneys' Examination. Qualified attorney applicants are not required to take the MBE, but may opt to do so by enrolling for and taking the full California Bar Examination.
7. There will be 30 minutes between the times that passwords are released and the start of the next exam session. **When the password is entered, the exam session will begin and the timer will start counting down.** Applicants should not enter the password for a session until they are ready to begin. Applicants who log in early may begin the session early, but doing so will not gain extra session time. On Day 1, there will be a 90-minute lunch break between Essay 3 and Essay 4. On Day 2, there will be a 90-minute lunch break between Part 2 and Part 3 of the MBE. Other than during these scheduled breaks, applicants are NOT permitted to leave the view of their web camera unless they finish early and upload their answers.
8. At the start of each session, applicants will log into the session and verify Identification against a baseline photo ID taken during the mock exam. If an applicant has not logged on within 15 minutes of

the start of a session (after the scheduled break time), they will not be permitted to log into that exam session.

9. An applicant must be alone in the room where they are taking the exam, and no other person may enter the room or communicate in any manner or by any means with the applicant during the exam for any purpose.
10. If an applicant's Internet connection disconnects or malfunctions for any reason during the log-on periods for the exam session, the applicant will be able to obtain a resume code from ExamSoft technical support and enter the exam session before the end of the log-on period. At no point will applicants be able to enter the session after the close of the log-on period.

Exam Conduct and Sanctions

It is expected that all applicants will demonstrate integrity, honor, and ethical behavior during this exam, and all exams administered by the State Bar of California. This remote-proctored exam will be continuously monitored by artificial intelligence and human proctors, and any and all anomalies or suspicious behavior will be flagged. Flagged video files will be reviewed by the State Bar to determine if there are any conduct violations. Conduct violations will result in strict sanctions. **Sanctions may include, but are not limited to: a zero for the exam session, a zero for the entire exam, and/or a negative impact on the applicant's moral character determination.**

The following conduct will be **prohibited**:

1. Leaving the view of the webcam outside of scheduled breaks.
2. Any attempt to bypass or avoid the remote proctoring mechanisms and protocols, or to obtain or receive assistance on the exam.
3. Individuals (other than the applicant) coming into the exam room.
4. Having cell phones or other electronic devices, including a tablet or additional computers or monitors, in the exam room or connected remotely to any other devices or equipment in the exam room.
5. Having notes, study aids, or other papers or exam resources in the exam room, including scratch paper (digital scratch paper will be provided). The only exception is the allowance of a maximum of 8 pieces of blank scratch paper (16 sides, maximum size 8.5" x 11") during the Performance Test portion of the exam only, which is to be displayed (front and back) to the webcam at the beginning of the session.
6. Having digital timers, watches, or clocks in the exam room (the exam software has a built-in timer that allows applicants to set timed reminders).
7. Having books of any kind in the exam room within view or reach of the applicant.
8. Having food or beverages, including but not limited to coffee and water, in the exam room (unless you have been granted a testing accommodation that allows for these items). Smoking during the exam is not allowed.
9. Having in the exam room any item(s) other than the allowed items listed in the Admittance Bulletin (unless you have been granted a testing accommodation that allows for these items).
10. Having any radios, stereos, or other devices/equipment that can make audible sounds in the exam room. Any such items must be turned off at all times during the exam and scheduled breaks.

You must acknowledge receipt and understanding of the above by signing and returning the attached Release of Liability, Acknowledgement and Acceptance of Testing Conditions **by 11:59 p.m. (Pacific Daylight Time) on January 15, 2021, through the [applicant portal](#)**. Forms that have been amended or altered in any way will not be accepted. You need to return this form even if you have approved or pending testing accommodations. If you are unable to meet the conditions of the exam and need to withdraw your exam registration, please contact the Office of Admissions through the [applicant portal](#). Failure to submit the Acknowledgement by the deadline will result in the abandonment of your application and ineligibility for a refund of exam fees.

All applicants were originally assigned to the online exam. Please select one of the following options to proceed. If you choose extenuating circumstances, this is not the proper place to request testing accommodations; you must petition for testing accommodations through the normal process and in compliance with the published deadlines.

OPTIONS	SELECT ONE
I would like to handwrite the exam in person. A mask and adherence to COVID-19 policies will be required.	
I agree to this Acknowledgement and Acceptance of Testing Conditions and will take the exam remotely.	
Withdraw my application from the exam and I will register for the next in-person exam administration. (Applicants selecting this option will be refunded all exam fees minus credit card processing fees.)	
I have extenuating circumstances and need to take the exam in person.	

RELEASE OF LIABILITY, ACKNOWLEDGEMENT & ACCEPTANCE OF TESTING CONDITIONS

I _____, acknowledge that I have received this Release of Liability and Acknowledgement and Acceptance of Testing Conditions and that I understand the information about the February 2021 California Bar Examination set forth herein and agree to its terms. I also agree to refrain from engaging in any and all prohibited conduct described herein, as well as any other conduct that intentionally violates the integrity and/or security of the examination, and understand that my failure to do so will result in strict sanctions, including, but not limited to, a zero for the exam session in which the prohibited conduct occurred, a zero for the entire exam, or a negative impact on my moral character determination.

I understand and acknowledge that the Committee of Bar Examiners of the State Bar of California is allowing examination applicants to use personal laptop computers with pre-installed Examplify software from ExamSoft to take examinations administered remotely by the Committee. I understand that this testing modality and use of personal laptop computers is offered by the State Bar of California to enable me to take examinations administered by the Committee remotely, and that the State Bar does not warrant or guarantee said Software. I agree to bear sole responsibility for the use of said Software and I hereby release the State Bar (and its Board of Trustees, officers, agents, representatives, and employees, as the same may be constituted now and from time to time hereafter), including the Committee, from all liability, claims, damages, or demands for personal injury, property damage, or any other type of damage, arising from or related in any manner to my use of a personal laptop computer or the Software during the examination. I further acknowledge that the State Bar does not warrant or guarantee the Software, nor does it accept any liability in the event there is a technical or mechanical failure or malfunction of the personal laptop computer or Internet service, any associated equipment, Software and/or associated materials during administration of an examination, the uploading of my examination answers or video files, or in the printing of my examination answers.

I will accept the use of Examplify under the provisions of the ExamSoft click license and privacy policy at the ExamSoft website (<https://examsoft.com/privacy-policy>) and agree to be bound by those terms and conditions. By my election to use a personal laptop computer to take an examination administered by the Committee from my home or other location of my choosing, I understand that there is a possibility of malfunction or issue with the computer, Software, electrical system, Internet access, or such other items or incidents associated with administration of the examination, and I will not hold the Committee or the State

Bar (or its Board of Trustees, officers, agents, representatives, and employees, as the same may be constituted now and from time to time hereafter) liable in the event of any such malfunction or issue. I further understand and agree that I will not receive a refund of the fees I paid to use my laptop computer or any fees or credit card processing fees paid to register for the examination, or any other fees or costs I incurred in connection with the examination if any of these events should occur. I agree: (1) that I will exit the exam files upon the conclusion of the examination; (2) that I will not attempt to access my exam file(s) following the examination for the purpose of altering my answers or for any other reason; (3) that I will upload the exam file(s) containing the examination answers, which I completed during the examination, by the published deadline; (4) that I will upload the exam video(s) containing the recordings of my testing environment during the examination, by the published deadline; (5) that a deduction of ten scaled points will be taken from my total written scaled score if I fail to upload my answer file(s) and exam video(s) by the published deadline; (6) that I will receive a grade of zero for each answer or video not uploaded timely if I fail to upload my answer file(s) or my exam video(s) within two weeks of the published deadline; (7) that I will abide by the remote-proctoring rules noted here, as well as any other exam rules, and accept the exam conditions outlined in this document; and, (8) that I cannot challenge my grades or scores received on the exam based on the testing conditions.

Date of Examination Administration: _____ / _____
(Month) (Year)

File Number: _____

Applicant Name (please print): _____

I declare under penalty of perjury, under all applicable laws, that the foregoing is true and correct. Executed on the date indicated below at _____ [City, State, Country].

Applicant E-Signature: _____

Date: _____

REQUEST FOR IN-PERSON TESTING SPACE

If you do not have access to or the ability to obtain the technology required, to a quiet testing space, or to a Wi-Fi connection, or have any other extenuating circumstance that requires you to take the exam in person, please describe your situation here. You will be expected to wear a mask at all times and adhere to the State Bar's and Committee's COVID-19 policies and Healthy Exam Plan. This is not the place to request testing accommodations; those requests must go through the normal petition process in compliance with the published deadlines.