

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI, § 1**

- (x) Memo on original bill
() Memo on amended bill

SENATE BILL # S. 1897-A

ASSEMBLY BILL # A. 2660-A

SENATE SPONSOR(S): Volker

ASSEMBLY SPONSOR(S): Eve

TITLE

AN ACT to amend the Judiciary Law, in relation to the State Board of Law examiners disclosure standards to applicants of standardized tests that license and certify attorneys.

PURPOSE

Increases procedures of the State Board of Law Examiners to provide examination information to applicants of standardized tests that license, or certify attorneys; and to insure that these applicants are aware of challenging procedures.

SUMMARY OF PROVISIONS

The State Board of Law Examiners will be required to place on file questions and answers of examinations; provide such examinations and interpretations of those examinations for a nominal fee; and notify each applicant of the procedures for reviewing challenges to any aspect of the examination. Applicants who fail the examination shall be allowed to request a restoring of his examination; be provided with an opportunity to review his/her examination and the correct answer sheet; and be able to file an appeal of his/her score to the State Board of Law Examiners.

JUSTIFICATION

It is in the State's best interest to insure that all bar applicants be given an equal opportunity to pass the State Bar Examination. Disclosure of past testing materials and applicant examinations allow prospective attorneys to become aware of testing subject matter and methodology so that otherwise qualified attorneys are not defeated in their attempts to pass the bar examination.

Notifying prospective attorneys of the appeals process is imperative to prevent bias in the administration of standardized testing. The appeals process is one method of determining whether qualified applicants are being precluded from bar admission.

LEGISLATIVE HISTORY

1989-90, A.11882-Referred to Ways & Means

1991-92, A.1401-Referred to Rules

1993-94, A.5654-Passed Assembly

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LOCAL FISCAL IMPLICATIONS

None

EFFECTIVE DATE:

This act shall take effect on the first day of November next succeeding the date on which it shall have become a law, and shall apply to examinations administered on and after such date.

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