

Testing Conditions for Remote Bar Exam – July 2021

The Delaware Board of Bar Examiners is administering the July 2021 bar exam remotely using the Exemplify software from ExamSoft Worldwide, Inc. (ExamSoft), including the ExamID and ExamMonitor capabilities (software). By downloading the software, an applicant agrees to abide by the testing conditions below and consents to the use of Exemplify, ExamID, and ExamMonitor and the processing of data associated with these services.

The audio and video of each applicant's exam session will be reviewed by artificial intelligence, human proctors and members of the Board for irregularities and compliance with the procedures. An applicant who is found to have violated or attempted to violate any rule or restriction established by the Board related to taking the bar examination may be disqualified from the examination. Furthermore, any actual or attempted violation of any rule or restriction related to the administration of the bar examination may be deemed an issue bearing on the applicant's character and fitness under Supreme Court Rule 52(a)(6).

Exam Format and Procedures

1) Applicants must take the examination on a computer with one monitor, a functional internal webcam and internal microphone. However, an Applicant may use an external webcam or microphone if the Applicant submits the External Device Form to the Board prior to the beginning of the exam. Additional details about the technical requirements for the online administration of the Bar Exam can be found in the "July 2021 Delaware Bar Exam Frequently Asked Questions" (the "FAQs").

2) Applicants must register, install, and certify the exam software by the designated deadline on a computer that meets the minimum system requirements specified by ExamSoft. More information about the minimum system requirements can be found in the FAQs.

3) Applicants must take and upload two mock exams and download the exam files by the designated deadline.

4) Applicants testing under standard conditions will test in 90-minute sessions.

5) Applicants must login and begin the exam according to the Board's standard time schedule, unless the Board approves test accommodations, in which case the applicant must adhere to the approved accommodations schedule.

6) Breaks are not permitted during any 90-minute session of the examination.

7) Except in case of emergency, applicants may not leave the view of their webcam during each testing session. If an applicant finishes early, the applicant must exit the software before leaving the view of the camera. If an emergency necessitates leaving the view of the webcam, the applicant must make an announcement to the camera prior to leaving and must submit an Incident Report Form as described in the FAQs.

8) At the start time for each posted session, the password for that test session will be available. Applicants must retrieve the password, log into the exam file, have their photo taken, advance to the question content and begin testing.

9) Applicants must upload their answers from each test session and the exam monitor files (audio/video) by the established deadlines.

10) A failure or malfunction of an applicant's computer or software, or any other equipment, loss of power or inability to access the internet will not be grounds for any reconsideration or modification of an applicant's score.

The following are permitted on the applicant's desktop, seat or within arm's reach during the exam:

- 1) Lumbar support or a seat cushion.
- 2) Tissues.

The following are prohibited on the desktop or within arm's reach during the exam:

- 1) Writing implements such as highlighters, pens, and pencils.
- 2) Any paper (including scratch paper), whiteboards, chalkboards or other writing surfaces.
- 3) Books, magazines or other written material.
- 4) Book holders or stands.
- 5) Food, drinks and medication, unless pursuant to a Board approved accommodation.
- 6) Bags, purses, backpacks, briefcases, or computer cases.
- 7) Any digital, programmable, Bluetooth or internet-capable devices other than the computer, monitor, keyboard, mouse, webcam and microphone being used to take the exam. Examples of prohibited devices of this nature include (but are not limited to) desktop and laptop computers, televisions, watches (of any kind), fitness trackers, tablets, e-readers, digital notebooks, media players, radios, headphones, earbuds and timers.

The following are prohibited anywhere in the exam room:

- 1) Any person other than the applicant. Applicants must be alone in the room where they are taking the exam and may not communicate with, or receive communication from, anyone during the exam.

2) Applicants may not talk to themselves, other people or pets while testing and they may not read the questions aloud. The only exception to this prohibition is for seeking technical support from Examsoft as described below.

3) Music or white noise. All radios, stereos or other devices that will make audible sounds must be turned off at all times during the exam.

4) Notes, study aids, legal or exam resources.

5) Cameras or any other form of audio or visual recording devices, except for the webcam and microphone used in connection with taking the exam.

6) Mobile or landline phones. If a technology issue occurs, an applicant may retrieve a phone and use it in front of their computer. After a call for technology assistance, be sure the phone is set to silent and remove it from arms' reach. Remove it from the room at the end of that session of the exam.

The following are prohibited during testing:

1) Wearing or using anything that covers or obscures the head, ears, eyes, face or mouth, except for headwear for religious observance. Applicants who wear headwear for religious reasons must notify the Board in advance of the exam. Examples include headsets, headphones, earplugs, earmuffs, and hats. Sunglasses may not be worn unless they are a Board approved testing accommodation.

2) Any action that obscures the applicant's mouth or face. This includes smoking, vaping, chewing gum, eating, drinking, applying lip balm, using eye drops or covering the mouth or face with your hands or anything else.

3) Handwriting.

4) Reading anything other than the exam materials on the computer screen.

5) Making any attempt, or giving the appearance of making an attempt, to bypass or avoid the remote proctoring or security measures.

6) Communicating with, giving, receiving, or seeking assistance or information from, any source for any reason while taking the exam, except for seeking assistance from ExamSoft.

7) Using any computer, camera or recording device anywhere in the exam room other than the registered computer, webcam and microphone.