

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE: §
BOARD OF BAR EXAMINERS OF §
THE DELAWARE SUPREME §
COURT RULES 5, 15 and 51 §

Before **STRINE**, Chief Justice; **HOLLAND, VALIHURA, VAUGHN**, and **SEITZ**, Justices (constituting the Court *en Banc*).

ORDER

This 19th day of January, 2017, it appears to the Court that it is desirable to amend Rules 5, 15(b) and 51(f) of the Rules of the Board of Bar Examiners of the Delaware Supreme Court. The amendments shall be effective immediately.

NOW, THEREFORE, IT IS ORDERED as follows:

(1) Rule 5 is amended by deleting the language shown below in strikethrough and adding the language shown below in underline:

Rule 5. Filing of application and fee.

(a) *Time.* An applicant who desires to take the Bar Examination shall electronically file with the Board, on forms provided by the Board, an application for admission to the Bar. The application shall be filed with the Board no later than ~~May~~ 15 May 1 of the year in which an applicant seeks to take the examination. Notwithstanding anything to the contrary contained herein, under no circumstances will an application be

accepted after ~~May 15~~May 1. Instructions regarding the application process shall be posted on the Board's website.

(b) *Fees*. A timely application shall be accompanied by a non-refundable application fee as follows:

(i) For Applications filed on or before April 1:

Applicants not yet admitted in another jurisdiction \$700

Applicants admitted to practice in another jurisdiction \$800

(ii) For Applications filed after April 1 but on or before ~~May 15~~May 1:

Applicants not yet admitted in another jurisdiction \$1400

Applicants admitted to practice in another jurisdiction \$1600

(2) Rule 15(b) is amended by deleting the language shown below in strikethrough and adding the language in underline:

(b) *Form and timing of requests*. Applicants with a disability seeking accommodations with respect to the manner in which the Bar Examination is administered must timely file with the Board a completed Application for Testing Accommodations. An Application for Testing Accommodations must be filed ~~at the same time as the applicant's Application for Admission to the Delaware Bar,~~ no later than April 1 of the year in which an applicant seeks to take the examination and must contain all information, verifications, and supporting documentation upon which the applicant is relying in support

of the accommodations requested. If the disability for which an applicant is seeking accommodations existed more than fifteen (15) days prior to the final filing deadline, this deadline will ~~not be extended for any reason~~ extended only upon good cause shown and will under no circumstances be extended beyond May 1. Applicants may file an Application for Testing Accommodations on an emergency basis after the filing deadline only if the disability for which the applicant is seeking accommodations is based, on an injury or impairment acquired after the final filing deadline or within fifteen (15) days prior to the final filing deadline. Failure to get an appointment with or diagnosed by a specialist or treating professional prior to the final filing deadline is not grounds to file an Application for Testing Accommodations on an emergency basis. The Application for Testing Accommodations, verification forms, and instructions for requesting accommodations with respect to the manner in which the Bar Examination is administered are available online at the Board's website.

(2) Rule 51(f) is amended by deleting the language shown below in strikethrough and adding the language in underline:

(f) Except as provided in Rule 43(b) as to persons who serve without compensation, any ~~Any~~ person who is permitted to practice pursuant to Supreme Court Rule 55 shall be required to sit for the Bar Examination at the earliest opportunity following such person's authorization to practice

under such Rule and shall continue to do so until such person has satisfied the requirements for admission and has been admitted to the Delaware Bar, or until such person has become disqualified to practice pursuant to Supreme Court Rule 55 by reason of the provisions of subparagraph (g) hereof.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice