

Commonwealth of Massachusetts
Supreme Judicial Court
Board of Bar Examiners

Notice to Bar Applicants

Laptop Computer Testing Program

Applicants sitting for the bar examination will have the opportunity to word process the essay portion of the bar exam on their own laptop computers. The Board has contracted with ExamSoft Worldwide, Inc. ([ExamSoft](#)) to use its security software product, SofTest, for the essay portion of the bar examination.

In choosing this option you will be permitted to use your personal laptop computer, pre-loaded with SofTest, to word process answers to the essay portion of the bar examination. This software will block access to notes or any unauthorized programs or information during the course of the examination. The Multistate Bar Examination (MBE) portion of the exam is not available on computer.

- **FEES**

If you elect to participate in this program you will be required to pay two (2) fees: 1) a non-refundable technology fee of \$75.00 payable to the Commonwealth of Massachusetts, as mandated by G.L. c. 221, §37; and 2) a non-refundable software license and service fee of \$100.00 payable directly to ExamSoft.

Please note that these fees are in addition to the \$815.00 court filing fee for your bar application case.

- **REGISTRATION & START-UP**

To be eligible, applicants must file with the Court, together with their bar application materials, the following:

- 1) signed Statement of Compliance;
- 2) completed Registration Form; and
- 3) a bank check or money order for \$75.00 payable to the Commonwealth of Massachusetts (personal checks are not accepted).

Applicants will be contacted directly by ExamSoft by e-mail after the bar application filing deadline and will be provided with instructions for registering with ExamSoft. **Please note that you will be billed directly by ExamSoft for the \$100.00 software license and service fee. DO NOT send this fee to the Court.**

You will work with ExamSoft to register for the laptop computer testing program; download and install the security software; and certify your laptop computer for the bar examination. You will be solely responsible for completing these steps with ExamSoft. It is each applicant's responsibility to register with ExamSoft, pay the appropriate fee and follow all ExamSoft instructions.

IMPORTANT: Registration with ExamSoft will be during a limited, fixed period of time, approximately one month after the bar application filing deadline. Please take particular note of this time period when ExamSoft contacts you by e-mail.

- **ISSUES TO CONSIDER in MAKING YOUR DECISION**

Possible Risks

While every effort is made to minimize the risks of participation in the Laptop Computer Testing Program, before deciding to register it is important to note that the Board does not own or maintain the software used for the laptop computer testing program and cannot guarantee the performance of the software furnished by ExamSoft, Inc. In the event that technical difficulties occur during the bar examination, **you will be required to handwrite your essay answers in the answer books provided and no additional testing time will be provided.** Technical difficulties may include hardware or software malfunctions, data saving or retrieval problems, operator errors or the loss of electrical power at the examination facility.

Communications between Laptop Computer Testing Program Registrants and ExamSoft

- All communications between applicants selecting to participate in the Laptop Computer Testing Program and ExamSoft will be by e-mail.
- You will be contacted at the e-mail address you provide on your bar application. It is your responsibility to maintain the email address provided until the conclusion of the bar examination process. Should unforeseen circumstances require that you change your email address during this time, you are required to provide a new and valid e-mail address to the Court **immediately**.
- ExamSoft will use any identifying information regarding program registrants for the sole purpose of establishing an account for each applicant to register and download software.

Minimum System Specifications for Laptop Computer Users

Applicants must provide their own laptop computer which meets or exceeds system requirements as determined by ExamSoft. Please review the [Laptop Computer Testing Program System Requirements](#) to confirm that your computer meets or exceeds these requirements before registering for this program. **It is imperative that you make sure you are using a dependable laptop computer, and that you test the software on the laptop computer several times prior to examination day.**

Deadline for Upload of Exam Answers

After the conclusion of the bar exam, you will be **required** to upload your essay answers over the Internet to the ExamSoft secure web server prior to being dismissed from the examination on Thursday (except in extraordinary circumstances as determined by the Executive Director or her designee). You must be able to connect the laptop computer you used to take the bar exam to the Internet in order to successfully perform the upload of your essay answers. If there is any possibility that you may not be able to comply with this upload deadline, do not participate in the laptop computer program. **Failure to comply with the upload deadline will result in the disqualification of your answers.**

Technical Problems

If all or any portion of your essay answers are missing due to technical difficulties, you are required to assist the Board in any efforts to retrieve your essay answers including, but not limited to: securing your computer and maintaining the security software and files on your computer until after the results of the examination have been released; not modifying or reformatting the hard-drive on your computer; emailing, uploading or mailing any data or files from your computer that are requested by the software vendor or the Board. **If any portion of your essay answers are unrecoverable, only those portions that are recovered will be graded and included in your examination score.**

Maintaining Laptop Computer Until Exam Results are Released

Applicants shall not re-format their laptop computers or otherwise make any effort to uninstall the SofTest software and the exam files from their laptop computer until after the release of the bar exam results.

Renting, Leasing or Borrowing Laptop Computers

If you rent, lease or borrow a laptop computer for the bar examination, you do so at your own risk, knowing that in the event of technical difficulties, you may not be able to retrieve backup files that may be necessary to recover your essay answers. If you no longer have access to the computer after the conclusion of the examination, you may not be able to retrieve files which could assist in the recovery of missing portions of your essay answers. Should you choose to rent or borrow a computer, you should arrange to keep the computer until after the results of the examination have been released.

You may only register for this program if you are able to comply with all of the conditions set forth above.

To register for the Laptop Computer Testing Program for the essay portion of the bar examination, please complete the [Laptop Computer Registration Form](#) as well as the [Statement of Compliance Form](#). These forms must be submitted to the Court with the \$75.00 technology fee together with your completed Bar Application on or before the [filing deadline](#).

Should you have any questions regarding the download and use of the SofTest software please consult ExamSoft's website, www.ExamSoft.com or call ExamSoft support at (866) 429-8889.

Massachusetts Bar Examination Laptop Computer Testing Program

Minimum System Requirements

SofTest can be used on virtually any modern computer (i.e. purchased within the last 3-4 years). Specific system requirements are noted below.

SofTest cannot be used on virtual operating systems such as Microsoft's Virtual Machine, Parallels, VMware, VMware Fusion or any other virtual environments, unless approved by the institution.

PC Requirements:

- CPU = 2GHz Intel® Core™/Celeron™ or equivalent x86 processor
- RAM = highest recommended for the operating system or 2GB
- Hard Drive = highest recommended for the operating system or 1 GB of free space.
- Operating System = English 32-bit Versions of Windows XP, 32-bit and 64-bit Versions of Windows Vista, Windows 7, and Windows 8. Only genuine versions of Windows Operating Systems are supported.
- ExamSoft does not support Tablet devices.
- Internet connection for SofTest Installation, Exam Download and Upload
- Screen Resolution must be 1024x768 or higher.
- Adobe Reader (Version 9 or 11) is required for exams containing PDF attachments.
- Administrator level account permissions (Instructions)

Mac Requirements:

- CPU = Intel processor
- RAM = 2 GB
- Hard Drive = 1 GB or higher free disk space
- Operating System = OS X 10.6 (Snow Leopard), OS X 10.7 (Lion), OS X 10.8 (Mountain Lion), and 10.9 (Mavericks). Only genuine versions of Mac Operating Systems are supported.
- Server version of Mac OS X is not supported.
- The iPad is not supported.
- SofTest may not be used in a virtual operating systems.
- Software = Internet connection for SofTest Installation, Exam Download and Upload
- Administrator level account permissions (Instructions)

Commonwealth of Massachusetts
Supreme Judicial Court
Board of Bar Examiners

REGISTRATION FORM

LAPTOP COMPUTER TESTING PROGRAM

I, _____, agree to participate in Laptop Computer Testing Program for the essay
(Last Name, First Name & Middle Name) portion of the Massachusetts Bar Examination.

I understand that I must provide my own laptop computer.

I understand that, to register, this completed Registration Form, the fee of \$75.00 in the form of a bank check or money order payable to the Commonwealth of Massachusetts, and the signed Statement of Compliance, must be received (not postmarked) by the Court, with my bar application on or before the bar application filing deadline.

I understand that this completed Registration Form will be provided to ExamSoft Worldwide, Inc. (ExamSoft), the vendor corporation that will be responsible for the technological implementation of this program.

I understand that, as a requirement of participation in this program, I will pay directly to ExamSoft a separate and additional fee of \$100.00. I will be contacted by ExamSoft after ExamSoft has received documentation from the Board of Bar Examiners confirming my participation in the program and will be billed directly by ExamSoft for the \$100.00 fee.

I understand that I must complete all procedures, including the mock exam, required by ExamSoft. I am aware that the software may not be used with personal computer (PC) emulation software.

I understand that I am solely responsible for reading carefully all of the information provided to me relative to my participation in this laptop computer testing program and for adhering to all rules and regulations associated with the laptop computer testing for the essay portion of the bar examination.

I understand that failing to comply with these instructions or to meet a deadline will render me ineligible for the program.

Signed: _____

Date: _____

FULL NAME (as it appears on your Bar Application):

Last Name, First Name & Middle Name

COMPLETE ADDRESS:

Address 1

Address 2

City, State, Zip Code

TELEPHONE NUMBER(S):

Day & Evening Telephone

*EMAIL ADDRESS (REQUIRED):

E-Mail Address (as it appears on your Bar Application)

Include the completed *Registration Form*, *Statement of Compliance*, and the *technology fee of \$75.00* made payable to the Commonwealth of Massachusetts in the form of a money order or bank check (no personal checks) with your completed bar application at the address below by the filing deadline.

Supreme Judicial Court for the County of Suffolk
Clerk Maura S. Doyle
John Adams Courthouse
One Pemberton Square, Suite 1300
Boston, MA 02108

Commonwealth of Massachusetts
Board of Bar Examiners

STATEMENT OF COMPLIANCE

LAPTOP COMPUTER TESTING PROGRAM

I, _____, elect to participate in the Laptop Computer Testing Program
(Last Name, First Name & Middle Name (Bar Applicant) for answering the essay portion of the bar examination using my own laptop computer. I understand that I am required to pay to the Commonwealth of Massachusetts a non-refundable technology fee of \$75.00 and a software license and service fee of \$100.00 directly to ExamSoft, Inc.

I understand and agree to the terms and conditions set forth below, in addition to those set out in the Notice to Bar Applicants Laptop Computer Testing Program and Laptop Computer Testing Program Registration Form.

I am responsible for correctly pre-installing required software from ExamSoft, Inc. for use during the essay portion of the bar exam. I will follow the procedures set out at www.examsoft.com/mabar and agree to be bound by ExamSoft's terms and conditions, as listed on its website.

2. The Board of Bar Examiners (Board), its staff and ExamSoft, are not liable for technical difficulties that occur when using a laptop computer during the bar examination including, but not limited to: hardware or software malfunctions; data saving or retrieval problems; power failure; software incompatibilities; operator errors; or other technical problems. In the event of any technical difficulties, I will begin or continue the bar examination by writing my answers in the answer books provided. Should this happen, I will be required to handwrite the balance of my bar exam.

3. I understand that, in the event of technical difficulties during the bar exam, no additional testing time will be given to me.

4. Should all or a portion of my essay answers become lost or unrecoverable, I will not hold the Board, ExamSoft, or any of their employees, agents, representatives and/or affiliates liable. The Board has no obligation to undertake efforts to retrieve any portion of my essay answers that may be lost or missing. Should I experience technical difficulties, I will promptly assist the Board in every way, including presenting my laptop computer to the Board or its designee, either at the exam site or the Board's office. If all or a portion of my essay answers are lost or unrecoverable, only those portions that are retrieved will be graded. If I do not receive a passing score on the bar exam, I understand that I cannot request, nor will I receive, reconsideration or modification of my essay grades for any reason directly related to the Laptop Computer Testing Program.

5. I am required to report to the bar exam testing area on Thursday, the day of the essay portion of the examination, no later than 8:30 a.m., to set up my laptop computer at my assigned seat and begin the boot-up procedures for the software. I will follow the instructions provided. In the event of any technical difficulties, I will immediately notify a proctor who will provide me with answer books to handwrite the bar exam. I understand that if the software is not fully functioning by the time the morning announcements begin, I will be required to handwrite my answers. If I arrive late for any reason I may, at the discretion of the Board or its designee, be disqualified from using my laptop computer for the bar exam. In such an instance, I will be required to handwrite my answers in the answer books provided, in my assigned seat in the computer testing area.

6. My laptop computer must remain in the testing area until the examination is finished for the day.

7. My essay answers must be uploaded to ExamSoft's secure web server as directed prior to leaving the exam site (except in extraordinary circumstances as determined by the Executive Director or her designee). Failure to upload my answer files may result in the disqualification of my essay answers.

8. The Executive Director of the Board of Bar Examiners or her designee has the authority to determine my eligibility to participate in the Laptop Computer Testing Program.

9. I hereby release, discharge and exonerate the Board, its employees, agents, representatives and/or affiliates from any and all liabilities of every nature and kind arising out of the option to use my own laptop computer for the essay portion of the bar exam. I understand that no technical assistance will be provided during the administration of the exam in the event of a computer or software problem.

By signing below, I agree to the terms and conditions set forth above for participating in the Laptop Computer Testing Program. To register for the Laptop Computer Testing Program, include your signed Statement of Compliance, the completed Laptop Computer Registration Form, technology fee of \$75.00 made payable to the Commonwealth of Massachusetts in the form of a money order or bank check (no personal checks) with your completed bar application to the Court on or before the filing deadline.

Applicant Signature: _____

Applicant Name: _____
Last Name, First Name & Middle Name

Date: _____

Include the completed *Registration Form, Statement of Compliance, and the technology fee of \$75.00* made payable to the Commonwealth of Massachusetts in the form of a money order or bank check (no personal checks) with your completed bar application at the address below by the filing deadline.

**Supreme Judicial Court for the County of Suffolk
Clerk Maura S. Doyle
John Adams Courthouse
One Pemberton Square, Suite 1300
Boston, MA 02108**