

Any questions or concerns regarding the examination, please contact:

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EXAMINEE INFORMATION DOCUMENT

This document is designed to assist eligible applicants prepare for an examination administered by the National Board of Trial Advocacy (NBTA). For the requirements of each specialty area, please visit www.nbtalawyers.org and click "For Attorneys" and scroll down to "Standards" and "Examination Information".

The Examination Specifications provide a list of practice related information/skills that relate to the purpose of certification in the specialty area that may be assessed. **To view Specifications Examination Information Packet in your area of law here: [Exam Information](#)**

PROCESS:

Step 1 Apply and Complete NBTA's online registration. You will choose to pay for the examination and select a date.

Step 2 You can begin your application at the same time if you wish. Application requirements: CLE, Legal Writing, Disclosure of Conduct, Substantial Involvement, Contested Matters, History of Professional Conduct, Application Agreement, and References. *The entire application process must be successfully completed within two years from the online application submission date OR two years from signing up to sit for the Examination (whichever date comes first). E.g., If the application is received 10/20/2023, it must be completed by 10/20/2025.*

Step 3 Once all requirements are satisfied (completion of continuing education in the area of specialty greater than required by general members of the bar, demonstration of a broad-based experience in the specialty area, favorable evaluation by other attorneys and judges familiar with your work in the specialty area and review of your written work) and fees are paid then the Applicant is certified. Please click [here](#) for the entire NBTA Fee Schedule.

REGISTRATION PROCEDURES:

- If you are eligible to sit for an upcoming examination, you will be sent an email with important information for upcoming processes.
- The NBTA Board Certification Examination in all areas of law is offered only as an online examination that must be taken on a laptop computer that has a functional internal webcam and microphone.
- You MUST use an Apple Mac Computer or Windows Computer that is not older than 3-4 years. Your computer MUST have a functioning webcam. Please CLICK on the [FAQ's](#) for further details or contact the NBTA for additional information.
- Testing Accommodations are available to qualified individuals. Please contact the NBTA for the form or for additional information.
- You may take the examination from your home or office. The Examinees are monitored remotely through your webcam. Artificial Intelligence and NBTA Staff will review your examination sessions for any violations in examination rules. Please CLICK on NBTA's Online Examination [FAQ's](#).

COSTS/FEEES:

There is a \$400 Exam and \$400 Application fee. Your exam fee must be received by NBTA by the deadline listed under "Upcoming Events" on NBTA's homepage: <https://www.nbtalawyers.org/>. Payment can be made by either going to: <https://www.nbtalawyers.org/registration/> OR <https://www.nbtalawyers.org/login/>

- The Examination Registration fee is NOT accepted after the deadline. You must re-register for the next examination administration and pay the \$400 examination fee.
- If you cancel less than 24 hours prior to the examination day, you will be charged a \$150.00 "No Show" fee. This fee is due before any certification is granted.

EXAMINATION ADMINISTRATION:

- The purpose of the examination is to verify your basic knowledge of the usual legal procedures, core substantive law and ability that is common to specialists in the area of law tested. The areas examined are listed in the individual Examination Specifications for each area of law. **To View the Examination Information Packet in your area of law here: [Exam Information](#)**
- The examination is a total of 6 hours: A Morning Section (8:30 a.m. – 11:30 a.m.) and an Afternoon Section (12:30 p.m. -3:30 p.m.) in your time zone with an hour break between sections. The Morning Section consists of a maximum of 75 multiple choice questions. The Afternoon Section consists of 3 hours of essay questions.
- You will be required to take a mandatory 2-part mock examination that will need to be completed NO LATER THAN two weeks prior to the date of the examination. Mock Examination 1 is an administrative process that teaches you how to use various features of software for the examination and it will have you take a baseline photo of yourself. See FAQ's for details. Mock Examination 2 will compare your baseline photo and verify that your computer meets the minimum system requirements for taking the examination [Minimum system requirements](#)
- You will receive an email invitation from exambot@examsoft.io to activate an ExamSoft Account. Within the email you will be prompted to create a personal account password. Once you create your password you will follow the prompts to the ExamSoft Student (Examinee) portal. Within that portal you can download Examplify. Once the download is complete you will want to install and then launch Examplify. **Your institution ID is National Board of Trial Advocacy. NOTE: By only entering the letters NBTA, the National Board of Trial Advocacy will come up for you to select.** Once entered in the text field, select your institution from the dropdown menu, then click the gray next button. Next enter your ID and password and sign in.
- Examination questions are geared toward generally applicable legal principles. NBTA's examination is nationally administered.
- The Multiple-Choice questions test an applicant's knowledge of federal law. Individual state law is not tested on the Multiple-Choice section of the examination.
- The examination's essay questions are also designed to be answered under federal law. However, if an applicant's state laws differ from federal law an applicant may indicate the state and the applicable state law but is to respond using federal law as it applies to a given set of facts in the outcome of the issues presented.
- You must not write your name on any part of the examination.
- You must supply your own computer that meets the minimum system requirements for the Examsoft Software.

- Multiple choice questions must be answered by selecting the correct choice within the testing software application (Exemplify).
- You must keep track of time. Remain alert to the passage of time. Timing devices can be activated as part of Exemplify.
- You MUST type answers within Examsoft which operates much like Microsoft Word.
- You will NOT be granted extra time. If you run out of time you will not be able to complete that portion of the examination.
- All examination answers should be uploaded at the end of the individual session.
- You are permitted to use designated **reference materials** during the examination. Please see below:

AREA OF LAW	MATERIALS PERMITTED IN AREAS OF LAW
Civil Trial	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented
Civil Practice	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented
Complex Litigation	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • The following statutes: 28 U.S.C. §§ 1331, 1332, 1367, 1391, 1404, 1406, 1407, 1441, 1446, 1453, 1713, 1714, and 2283
Criminal Trial	<ul style="list-style-type: none"> • Federal Rules of Evidence • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented
Complex Litigation	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • The following statutes: 28 U.S.C. §§ 1331, 1332, 1367, 1391, 1404, 1406, 1407, 1441, 1446, 1453, 1713, 1714, and 2283
Criminal Trial	<ul style="list-style-type: none"> • Federal Rules of Evidence • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented
Family Trial	<ul style="list-style-type: none"> • Federal Rules of Evidence • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented

Immigration Law	<ul style="list-style-type: none"> • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • INA (Immigration and Nationality Act) and corresponding regulations at 8 CFR, 20 CFR and 22 CFR
Patent Litigation	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • Title 35 of the U.S. Code • Title 21 and 28 of the U.S. Code
Social Security Disability	<ul style="list-style-type: none"> • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • The Social Security Act and Social Security Regulations (West's Federal Social Security Laws is an acceptable compilation of this information) •
Truck Accident	<ul style="list-style-type: none"> • Federal Rules of Evidence • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented • Federal Motor Carrier Safety Regulations • Texas Admin Code - ONLY FOR TEXAS TRUCK ACCIDENT APPLICANTS <p>Texas Civil Practice Remedies - ONLY FOR TEXAS TRUCK ACCIDENT APPLICANTS</p>
Board Eligible	<ul style="list-style-type: none"> • Federal Rules of Evidence • Federal Rules of Civil Procedure • ABA Model Rules of Professional Conduct - FOR MULTIPLE CHOICE & ESSAYS OR • ONLY FOR THE ESSAY SECTION OF THE EXAMINATION - If an applicant's state laws differ from Federal Law, an applicant may indicate the state and the applicable state law but is to respond using Federal Law as it applies to a given set of facts in the outcome of the issues presented

GRADING AND REVIEW:

- A passing score is 75%.
- Multiple Choice questions are 40% of the score and Essays are 60%. A combined score of 75% must be achieved in order to pass the examination. There are a maximum of 75 multiple choice questions. A failing score in the Multiple-Choice ETHICS portion of the examination results in a failure of the entire examination. ONLY the ETHICS portion of the Examination must be retaken and passed if a passing score was achieved on the other sections of the examination.
- Approximately eight weeks after the administration of that examination's date, you will be notified of the results.
- Prior to the release of your results, all failing examinations have already been granted an automatic appeal to the members of the Specialty Program Commission. Members of this commission review the failing examinations and make a final determination. Results are released only after all reviews have been completed.
- Do not delete or uninstall Exemplify or and Exemplify Directory files or Folders until the results of the examination have been released.
- If you have rented a laptop to use during the examination do not return it to the rental company until the results of the examination have been released.

- Results are sent “Confidentially” to your address of record. However, if you wish the results to be sent to an alternate address, notify the NBTA in writing to provide this information.
- The decision of the Specialty Program Commission is final.
- You may retake the examination one time (contingent upon file eligibility). Upon a second failure you are procedurally denied and must wait a calendar year prior to re-applying to NBTA to sit for the examination.
- Re-applications require that a new application be opened, and all standards met and documented. The examination must be re-taken in its entirety.

AFTER CERTIFICATION:

- Each year certified attorneys must return a Disclosure Statement and pay Annual Reporting fees. By signing the statement, you are verifying that you continue to meet the requirements for certification. Every 5 years a Recertified attorney must again show that he or she has satisfied the Continuing Education and Substantial Involvement in the specialty area and receive favorable references. NO EXAMINATION IS REQUIRED.

Examination Waiver Information

One important requirement of the National Board of Trial Advocacy certification process is passing a written examination in the area of certification. The purpose of the examination is to test your proficiency, knowledge, and experience in trial law.

However, there may be some situations in which you qualify for an examination waiver. If your state/applicable organization tests those same attributes, NBTA may recognize the examinations in lieu of taking its examination. See below for those states/organizations that qualify:

AAML Fellows

**Arizona - Civil & Criminal Applicants,
Florida - Civil, Criminal and Family Applicants,
Minnesota - Civil Applicants,
New Jersey – Civil, Criminal and Family Applicants,
New Mexico - Civil Applicants
North Carolina – Criminal*, Family* and SSD* Applicants and
Texas – Civil** & Criminal Applicants**

*Florida applicants: If you are contemplating applying for NBTA board certification in civil trial law, criminal trial law or family trial law please DO NOT APPLY unless you are already board certified by the Florida Bar in a similar specialty area. All other specialty areas you must include the disclaimer “Not Certified as a Specialist by The Florida Bar” following Florida bar Rule 4-7.14. If you are interested in applying for certification with the Florida Bar, please contact them at 850-561-5850.

*Texas applicants: If you are contemplating applying for NBTA board certification in civil trial law, criminal trial law or family trial law please DO NOT APPLY unless you are already board certified by the Texas Board of Legal Specialization in the same specialty area. If you are contemplating applying for NBTA board certification in truck accident law, please DO NOT APPLY unless you are already board certified by the Texas Board of Legal Specialization in Personal Injury Trial Law. If you are interested in applying for certification with the Texas Board of Legal Specialization, please contact them at 833-413-0253.

To obtain a waiver from the NBTA examination requirement, please contact the Executive Director from the state agency or organization by which you are certified and provide a letter on official stationery that confirms the following:

- 1) that you have taken and passed the state or organization certification examination.
- 2) that you are currently certified, have continuously maintained your certification, and are in good standing with that agency.

NBTA POLICY DOCUMENT: Inspection of Examination/Retention
(Board Approved– November 4, 2014)

Within 60 days after the announcement of the results of an NBTA examination, an applicant who has failed to pass a specialization certification examination may inspect his or her examination in such manner and place as the NBTA designates.

PROCEDURE:

1. Failure of Examination:

- Following the failure by an applicant of the Spring or Fall examination he or she will be notified in writing of his or her failure and informed of the examination inspection policy.
- An applicant must timely notify NBTA in writing that he or she wishes to review that examination.

2. Inspection of Examination

- NBTA upon request by an applicant will set up an inspection site at the NBTA Office or at a location geographically located as close as possible to the requesting applicant.
- Upon completion of the proctored location arrangement, NBTA will send a filled in copy of the Multiple-Choice Examination, a copy of the Essay portion of the Examination and a copy of the applicant's answers.
- Only the Applicant will be permitted to review his or her examination at a proctored site for an hour's time.
- The applicant is not permitted to copy or make notes of the examination in any way.
- At the end of the hour all examination materials must be returned to the proctor for transmission to the NBTA Offices.
- Upon the date marking the 60th day after the announcement for that examination, all an applicant's examination materials shall be destroyed.

3. Passage of Examination:

- Following the passage by an applicant of the Spring or Fall examination he or she shall be notified in writing of his or her passage.
- At the date of the announcement of his or her passage of the examination all his or her examination materials shall be destroyed.

4. Examination:

- NBTA shall retain a copy of each administered examination in a secure location and in a secure medium that is accessible only to authorized personnel. All confidential information as to each applicant's examination score will be deleted after 60 days and no information concerning the applicant's file will be provided to a third party.

NBTA POLICY DOCUMENT: Testing Accommodations
(Board Approved– February 16, 2013)

It is the Policy of the NBTA to administer a specialization certification examination in a manner that does not discriminate, on the basis of a disability, against a qualified applicant with a disability in accordance with the Americans with Disabilities Act, as amended (ADA). A qualified applicant with a disability who is otherwise eligible to take the specialization certification examination may file a request for special testing accommodation if by virtue of a disability the applicant cannot demonstrate, under standard testing conditions, that the applicant possesses the essential skills and aptitudes that the NBTA has determined to be the basis for issuance of certification as a legal specialist.

PROCEDURE:

1. Requests:

- A request for an accommodation for the Spring or Fall examination shall be made in writing and must be received 21 days prior to the date of the general examination's administration.
- The Request shall include the following minimum information: Contact information of the requestor (name, address etc.), the date scheduled for the general administration of the examination, and a description of the applicant's disability and the special accommodation requested. The specific reason for the request with any additional documentation in support of the request must be submitted on a Form prescribed by NBTA.

2. Decisions on the Requests:

- NBTA shall take steps reasonable and necessary for it to reach a fair determination before the general examination.
- The Request shall be reviewed by the Staff in consultation with the Dean of Faculty.
- A decision on a request shall be completed within 14 days of the receipt of the request.
- A denial of a Request may be appealed to the full Specialty Program Commission and shall be filed within 7 days of the applicant's receipt of the denial. The appeal shall be conducted on the basis of the record compiled and the applicant shall be limited to a written argument in support of the appeal.

3. Availability of Request Forms

All forms necessary to complete a request shall be available at no charge from the NBTA Office.

NBTA POLICY DOCUMENT: Alternate Examination Administration Day for Religious Reasons
(Board Approved– February 16, 2013)

It is the Policy of the NBTA to permit an applicant to take a specialization certification examination on an alternate date if the applicant for religious reasons is unable to take the examination on the date selected for general administration. This alternate examination day administration must not compromise the validity and reliability of the specialization certification examination for which it is requested.

PROCEDURE:

1. Requests:

- A request for change of date of the Spring or Fall examination shall be made in writing and must be received 21 days prior to the date of the general examination's administration.
- The Request shall include the following minimum information: Contact information of the requestor (name, address etc.) the date scheduled for the general administration of the examination and the alternate administration date requested. The specific reason for the request with any additional documentation in support of the request (on a Form prescribed by NBTA).

2. Decisions on the Requests

- NBTA shall take steps reasonable and necessary for it to reach a fair determination before the examination.
- The Request shall be reviewed by the Staff in consultation with the Dean of Faculty.
- A decision on a request shall be completed within 14 days of the receipt of the request.
- A denial of a Request may be appealed to the full Specialty Program Commission and shall be filed within 7 days of the applicant's receipt of the denial. The appeal shall be conducted on the basis of the record compiled and the applicant shall be limited to a written argument in support of the appeal.

3. Availability of Request Forms

All forms necessary to complete a request shall be available at no charge from the NBTA Office.

NBTA POLICY DOCUMENT: Completion of Examination
(Board Approved– February 16, 2013)

It is the Policy of the NBTA to permit an applicant to sit for a specialization certification examination twice (contingent upon file eligibility). If an applicant fails the second administration of the examination (any part or the entire examination) an applicant's file will be procedurally denied. Thereafter, an applicant must wait a calendar year from the date of last unsuccessful examination before re-applying to sit for a specialization certification examination, so that an applicant can demonstrate that the applicant possesses the essential skills and aptitudes that the NBTA has determined to be the basis for issuance of certification as a legal specialist.

PROCEDURE:

1. Failure of Examination:

- Following first failure by an applicant of the Spring or Fall examination he or she shall be notified in writing of his or her failure and informed of the examination completion policy.
- Following the second failure by an applicant of the Spring or Fall examination he or she shall be notified in writing that; he or she failed; and that his or her application has been procedurally denied; and the date of the next general examination's administration that he or she will be eligible to attend.
- Procedural closure of an applicant's file for failing the examination twice is final and not appealable.

NBTA POLICY DOCUMENT: Examination Waiver

When an applicant has been certified as a specialist by an NBTA recognized state board or other NBTA recognized specialty certification organization, and the NBTA Examination Committee has determined that that state's or organization's certification examination is substantially equivalent to the NBTA examination, the taking of the NBTA examination in that area may be waived.

PROCEDURE:

1. Documentation of the following must be submitted in writing:

- **Statement from the Executive Director of the State Agency or Director of the specialty certification organization that:**
 - **the applicant has taken and passed a written examination in the specialty area in which he or she is seeking NBTA certification;**
 - **Statement that the applicant has continuously maintained certification in that specialty area; and**
 - **Statement that the applicant is currently in good standing.**

2. Waiver of Examination Fee