

State	Using NCBE?	Mental Health/Substance Use Provisions	Date of Change	Notes
NCBE		<p>Question 30: Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner? Note: In this context, "currently" means recently enough that the condition or impairment could reasonably affect your ability to function as a lawyer. Are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 31: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p>		
Alabama	No	<p>Question 41: Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner? NOTE: As used in this question, "currently" means recently enough that the condition or impairment could reasonably affect your ability to function as a lawyer.</p> <p>Question 42: If your answer to Question 41 is YES, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 43: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p>		
Alaska	No	<p>Question 17: Are you currently using narcotics, drugs or intoxicating liquors to such an extent that your ability to practice law would be impaired?</p> <p>Question 18: Are you currently suffering from any disorder that impairs your judgment or that would otherwise adversely affect your ability to practice law?</p>		
Arizona	No	None		
Arkansas	No	<p>Question 10(e): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional or nervous disorder or condition) that in any way currently affects your conduct, or if untreated could affect your conduct, and therefore, your ability to practice law in a competent, ethical, and professional manner in this jurisdiction? If yes, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program? NOTE: "Currently" means sufficiently recent so that the condition could reasonably affect your ability to function as a lawyer.</p> <p>Question 10(f): Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course, of any inquiry, any investigation, or any administrative or judicial proceeding by an education institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p>		<p>These questions are considered "conduct-based." https://www.law360.com/articles/1494448</p>

California	No	<p>Question 12.6: Are you currently the subject of a conservatorship?</p> <p>Question 14.1: Do you have any chemical dependency issues that would currently interfere with your ability to practice law?</p>		
Colorado	No	<p>Question 39: Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical and professional manner? As used in Question 39, "currently" means recently enough so that the condition or impairment could reasonably have an impact on your ability to function as a lawyer.</p> <p>Question 40: If your answer to Question 39 is YES, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 41: Within the past five (5) years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding, by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment or termination procedure?</p> <p>Question 42: Have you ever been declared incompetent or had a conservator appointed to help conduct your affairs?</p>		
Connecticut	No	None	April 2019	<p>Connecticut Bar Examining Committee voted unanimously in January 2019 to switch to "conduct" questions. The questions are as follows:</p> <p>Question 41: Except as provided in Questions 39 and 43 above, have you ever been a party to any civil or administrative proceeding or has any civil or administrative proceeding been instituted by you, on your behalf or against you including, but not limited to...competency or commitment proceedings,...[or] guardianship...?</p> <p>Question 42: Have you ever been convicted of a criminal charge [and] been acquitted by reason of mental disease or defect...?</p> <p>Source: https://www.americanbar.org/groups/bar_services/publications/bar_leader/2019_20/january-february/a-new-look-at-character-and-fitness-bar-leaders-lawyers-others-urge-elimination-of-mental-health-questions/</p>

Delaware	No	<p>Question 27 (A): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent and professional manner? For purposes of this question, "currently" means recently enough that the condition or impairment could reasonably affect your ability to function as a lawyer.</p> <p>Question 27(B): If you answered 'Yes' to Question 27A, are the limitations or impairments caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or because you participate in a monitoring or support program?</p> <p>Question 27(B): If you answered 'Yes' to Question 27A, are the limitations or impairments caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or because you participate in a monitoring or support program?</p> <p>Question 28: Within the past five years, have you asserted any condition, disability, or impairment as a defense to, in mitigation of, or as an explanation for your conduct in response to or in the course of: (a) any arrest; (b) any proposed or actual discipline, sanction, or warning; (c) any proposed or actual termination or suspension from school or employment; (d) any proposed or actual loss or suspension of a license; (e) any inquiry, investigation, or proceeding by an employer, educational institution, government agency, professional organization, or licensing authority; (f) any proceeding administrative or judicial proceeding by an employer, educational institution, government agency, professional organization, or licensing authority; or (g) any allegation that you endangered the safety of others, breached fiduciary obligations, or violated workplace or academic conduct rules?</p>		
District of Columbia	Yes	NCBE Questions 30 and 31		
Florida	No	<p>Question 25: Within the past 5 years, have you been treated for, or experienced a recurrence of, schizophrenia or any other psychotic disorder, a bipolar disorder, or major depressive disorder, that has impaired or could impair your ability to practice law? If your answer to Item 25. is "yes," please: (i) identify each condition for which you received treatment or had a recurrence; (ii) state the beginning and end dates of any treatment (or state "present" if no end date); (iii) state the name and address of each professional who treated you; and (iv) identify any medication that was prescribed for you during treatment. Please direct each treating professional to provide any information or records that the Board may request regarding treatment, which includes, without limitation, hospitalization.</p> <p>Question 26: Within the past 5 years, have you been treated for, or had a recurrence of, a substance-related disorder that has impaired or could impair your ability to practice law? For Item 26., the term "substance-related" includes, without limitation, alcohol, marijuana, cocaine, and misuse of prescription drugs. If your answer to Item 26. is "yes," please: (i) identify each substance involved in your treatment or recurrence; (ii) identify any substance use disorder diagnosis; (iii) state the beginning and end dates of any treatment (or state "present" if no end date); (iv) state the name and address of each professional who treated you; (v) if applicable, state your sobriety date; and (vi) if applicable, describe your participation in any recovery program and your current support system.</p>		<p>The Florida Bar says the following: "The Florida Bar Application asks applicants to disclose only certain thought disorders (Schizophrenia and other psychotic disorders) and mood disorders (Bipolar Disorder and Major Depressive Disorder) that could impair an applicant's ability to practice law. An applicant does not need to disclose any other mental health conditions or treatment, including any counseling for stress or anxiety. The Board supports applicants seeking mental health treatment, and views effective treatment as enhancing the applicant's ability to meet the essential eligibility requirements to practice law." https://www.floridabarexam.org/web/website.nsf/faq.xsp#2126</p> <p>Florida Bar Application Sample: https://www.floridabarexam.org/_85257bfe0055eb2c.nsf/52286ae9ad5d845185257c07005c3fe1/e4ec6f1d23ccee0985258514007bc7a4</p>

Georgia	No	<p>Question 18.1: Have there been any instances of litigation (...lunacy, guardianship...) in which you have been a party or which you initiated or which was initiated on your behalf?</p> <p>Question 25: Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner? As used in this question, "currently" means recently enough that the condition or impairment could reasonably affect your ability to function as a lawyer. Are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program? Note: Please be aware that you may be asked to contact your treating physician, counselor and/or hospital and request that your records and/or a summary of your treatment be sent to the Office Bar Admissions. The Board to Determine Fitness of Bar Applicants is aware of HIPAA requirements</p> <p>Question 26: Has your functioning at school or at work ever been sufficiently impaired (as the result of substance abuse, alcohol abuse, or a mental, emotional, or nervous or behavior disorder or condition) as to require inpatient or outpatient treatment?</p> <p>Question 27: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority, or in connection with an employment disciplinary or termination procedure?</p>		
Hawaii	Yes with supplemental application	None		While Hawaii uses the NCBE form as a template, it has opted to omit questions regarding mental health. https://www.law360.com/articles/1494448
Idaho	No	<p>Question 26: Have you ever been declared a ward of any court or adjudicated an incompetent person (including designation as a conservatee or protected person)?</p> <p>Question 31: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any administrative or judicial proceeding or investigation; any inquiry or other proceeding; or any proposed termination by an educational institution, employer, government agency, professional organization or licensing authority?</p> <p>Question 32(b): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional or nervous disorder or condition) that in any way affects your ability to practice law in a competent and professional manner?</p> <p>Question 32(c): If your answer to the question 32(b) is affirmative, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or because you participate in a monitoring program?</p>		
Illinois	No	None		

Indiana	No	None	2020	<p>In 2020, the Indiana Supreme Court removed mental health questions from the bar application, which now focus solely on conduct. They are as follows:</p> <p>Question 14(b): Question 14: Have you ever been a party in a civil court case or proceeding?... Guardianship.</p> <p>Question 24: Within the past ten years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p> <p>Sources: https://myble.courts.in.gov/browseapplication.action?id=9 https://www.theindianalawyer.com/articles/jlap-bar-application-changes-promote-mental-health</p>
Iowa	No	None		<p>While Iowa uses the NCBE form as a template, it has opted to omit questions regarding mental health. https://www.law360.com/articles/1494448</p>
Kansas	No	Question 40: Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) which in any way affects your ability to practice law in a competent and professional manner? Note: "Currently" means recent enough that the condition or impairment could reasonably affect your ability to function as a lawyer.		

Kentucky	No	<p>Question 17: Are you currently, or have you been, within the last five (5) years, (a) addicted to, or (b) undergone treatment for the use of narcotics, drugs, prescription drugs or the excessive use of intoxicating liquor? Treatment would include not only any medical program but also any rehabilitation, professional assistance or monitoring program, such as Alcoholics Anonymous, Narcotics Anonymous, or Cocaine Anonymous.</p> <p>Question 18: Are you currently, or have you been within the last five years, (a) diagnosed with or (b) treated for any of the following: Schizophrenia or any other psychotic disorder, delusional disorder, bipolar or manic depressive mood disorder, antisocial personality disorder, or any other condition which significantly impairs your behavior, judgment, understanding, capacity to recognize reality, or ability to function in school, work, or other important life activities? (If you are uncertain of a diagnosis, it is your responsibility to check with your treating health care professional.)</p> <p>Question 19: Are you currently, or have you been within the last five years, (a) diagnosed with or, (b) treated for any physical condition (e.g., stroke, head injury, dementia, brain tumor, heart disease) that has resulted in significant memory loss, significant loss of consciousness or significant confusion?</p> <p>Question 20: Within the past five years have you suffered from, been diagnosed with or been treated for kleptomania, compulsive gambling, pedophilia, exhibitionism or voyeurism?</p> <p>Question 21: Within the past 5 years, have you ever raised the issue of consumption of drugs or alcohol or the issue of a mental, emotional, nervous, or behavioral disorder or condition as a defense, mitigation, or explanation for your actions in the course of any administrative or judicial proceeding or investigation; any inquiry or other proceeding; or any proposed termination or suspension by an educational institution, employer, government agency, professional organization, or licensing authority?</p> <p>Question 22(a): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner? "Currently" means recent enough that the condition or impairment could</p>		
Louisiana	Yes	NCBE Questions 30 and 31		
Maine	No	<p>Question 25: Do you currently use any drug, narcotic or substance which use is illegal under state or federal law?</p> <p>Question 26: Are there any other facts not disclosed hereto concerning your background, history, experience or activities which may have a negative bearing on your character, fitness, or eligibility to practice law in Maine?</p>		**recently removed 2022

Maryland	No	8(a). The following is a complete list of all civil actions, including suits in ... and other statutory proceedings,... lunacy, guardianship... to which I am or ever have been a party.		<p>**recently removed, effective Feb 2023 Removed "Impairment" section, also known as the "mental health questions"</p> <p>From Board: Removal of the mental health questions is intended to shift the focus away from diagnosis and treatment in the absence of conduct that implicates good moral character and fitness for admission. The Board expects to add new conduct-based questions and revise other existing questions to the Character Questionnaire in order to increase its ability to uncover conduct that may implicate an applicant's moral character and fitness for the practice of law in Maryland. The Board will update you on progress in that regard. Where the character & fitness investigation reveals concerning past conduct (e.g., a motor vehicle/alcohol violation; dismissal/absence from employment or school) follow-up inquiry regarding mental health/substance abuse diagnosis and treatment may be relevant and appropriate to determine whether the applicant possesses the present good moral character & fitness for admission to the Maryland bar.</p>
Massachusetts	No	None		
Michigan	No	None	March 2020	<p>Per an order by the Michigan Supreme Court in March 2020, the mental health questions on the Michigan Bar Exam application were replaced with a conduct-based question, beginning with the February 2021 exam. It is as follows:</p> <p>Within the past five years, have you exhibited any conduct or behavior that could call into question your ability to practice law in a competent, ethical, and professional manner?</p> <p>https://www.michbar.org/News/NewsDetail/nid/5681/Changes-Coming-to-Mental-Health-Questions-on-Bar-Exam-Application</p>

<p>Minnesota</p>	<p>No</p>	<p>Question 4.34: Have you EVER raised the issue of consumption of drugs or alcohol, or the issue of a mental, emotional, or behavioral disorder or condition, or the issue of compulsive gambling as a defense, in mitigation, or as an explanation for your actions in any administrative or judicial proceeding or investigation?</p> <p>Question 4.35: Since the age of eighteen have you EVER been declared legally incompetent, been placed under conservatorship or guardianship, been involuntarily hospitalized, or been placed under an involuntary hold?</p> <p>Question 4.36: Have you EVER been diagnosed with and/or received treatment for pedophilia, exhibitionism, voyeurism, kleptomania, pyromania, or compulsive gambling?</p> <p>Question 4.37: Do you have, or have you had within the last two years, any condition, including but not limited to the following: (a) an alcohol, drug or chemical abuse or dependency condition, (b) a mental, emotional, or behavioral illness or condition, (c) a compulsive gambling condition, that impairs, or has within the last two years impaired, your ability to meet the Essential Eligibility Requirements for the practice of law set forth in Rule 5A of the Rules for Admission to the Bar?</p> <p>Question 4.38: If your answer to Question 4.37 is "Yes," is the condition that impairs or has impaired your ability to meet the Essential Eligibility Requirements for the practice of law set forth in Rule 5A reduced or ameliorated because you have had treatment, are receiving ongoing treatment, are taking medication, or are participating in a support program (such as Alcoholics Anonymous), counseling, or therapy?</p> <p>Question 4.39: Within the past two years, have you continued to use drugs or alcohol after a professional advised you to discontinue use?</p> <p>Question 4.40: Within the past two years, have you continued to gamble after a professional advised you to discontinue gambling?</p> <p>Question 4.41: Within the past two years, have you discontinued treatment or medication for a condition that at any time</p>		
<p>Mississippi</p>	<p>No</p>	<p>None</p>		<p>Question 32: Have you engaged in any inappropriate, illegal, immoral or irresponsible behavior over the last five years that you or others have attributed to consumption or use of prescription, non-prescription or other drugs, alcohol or other intoxicating substances?</p>

Missouri	No	<p>Question 17: In the past ten years, have you been the subject of any proceeding for commitment based upon incompetency, mental health, or substance abuse?</p> <p>Question 21: In the past five years, have you been required to undergo any court-ordered evaluation or treatment for the use or abuse of any substance including drugs or alcohol? (Include evaluations or treatment required in connection with any arrest for DWI, DUI, etc.)</p> <p>Question 29(a): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical and professional manner?</p> <p>Question 29(b): If you answered "YES" to question 29.A., are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 30: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p>		
Montana	Yes	NCBE Questions 30 and 31		
Nebraska	No	<p>Question 26(A): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner?</p> <p>Question 26(B): If your answer to Question 26(A) is yes, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 27: Within the past five years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?</p> <p>Questions 25 and 26 refer to mental health and link to Form 7 which is an authorization to release medical information. It states: By signing below, I authorize the above provider to provide information, without limitation, relating to mental illness or the use of drugs and alcohol, including copies of records, concerning advice, care, or treatment provided to me, to representatives of the Nebraska State Bar Commission who are involved in conducting an investigation into my moral character, professional reputation, and fitness for the practice of law. I understand that any such information as may be received will be reported only to the Nebraska State Bar Commission. The information will be used or disclosed at my request. This authorization will expire one year from the date of my notarized signature below.</p> <p>Form 8: Asks for dates of treatment, provider information, description of the condition, and any treatment or monitoring program.</p>		

Nevada	No	<p>Question 40: Are you now or have you ever been dependent upon, an abuser of, or treated for any condition involving your use of any drug, chemical, narcotic, hypnotic or hallucinatory or other illegal or controlled substance or alcohol?</p> <p>Question 41: Have you ever been subject to any proceedings which sought your declaration as a ward of any court, other than as a juvenile ward, or an adjudication that you were incompetent or mentally ill?</p> <p>Question 42: In the past ten years, have you been diagnosed with, been treated or sought counseling for bi-polar disorder, schizophrenia, paranoia, or any other psychiatric disorder, or have you ever been committed to any institution for the treatment of any such condition?</p>		
New Hampshire	No	None	2020	<p>In 2020, New Hampshire removed questions from its bar application about mental health history, diagnosis, or treatment when determining character and fitness for bar admissions.</p> <p>https://www.courts.nh.gov/news-and-media/new-hampshire-removes-questions-mental-health-conditions-bar-admissions-applications</p> <p>The state has tailored its application to focus on conduct-based questions. https://www.law360.com/articles/1494448</p>
New Jersey	No	<p>Section 9(l): Subsequent to your 18th birthday, have you or your property EVER been placed under the control of a guardian, conservator, trustee, receiver, special fiscal agent or any other custodian?</p> <p>Section 12(B): Do you CURRENTLY have any condition or impairment (including but not limited to substance abuse, alcohol abuse, or a mental, emotional or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical and professional manner and in compliance with the Rules of Professional Conduct, the Rules of Court, and applicable case law?</p> <p>Section 13(E): Has any other jurisdiction in which you applied EVER requested that you submit to an alcohol, drug, mental health or other evaluation in connection with your application?</p>		
New Mexico	Yes	NCBE Questions 30 and 31		

New York	No	None	February 2020	<p>On February 26, 2020, in a State of the Judiciary address, New York Chief Judge Janet DiFiore announced that mental health questions were removed from the state bar application, effective immediately. https://www.americanbar.org/groups/bar_services/publications/bar_leader/2019_20/january-february/a-new-look-at-character-and-fitness-bar-leaders-lawyers-others-urge-elimination-of-mental-health-questions/</p> <p>The new question asks: “Within the past seven years, have you asserted any condition or impairment as a defense, in mitigation or as an explanation for your conduct in the course of any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority; or in connection with an employment disciplinary or termination procedure?”</p> <p>https://www.abajournal.com/news/article/new-york-removes-mental-health-questions-from-state-bar-application</p> <p>https://archive.nysba.org/mentalhealthinquiry/</p>
North Carolina	Yes	NCBE Questions 30 and 31		
North Dakota	Yes	NCBE Questions 30 and 31		
Ohio	Yes with supplemental application	<p>NCBE Questions 30 and 31 with additional questions:</p> <p>Question 6: State whether, since filing the Registration Application, you...(v) have been declared legally incompetent or placed under a guardianship or conservatorship as an adult?</p> <p>Question 10(a): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that was not disclosed in your Registration Application and that in any way affects your ability to practice law in a competent, ethical, and professional manner?</p> <p>Question 10(b): If your answer to Question 10(a) is yes, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question 12(a): Since filing the Registration Application, have you suffered from, been diagnosed with, or been treated for kleptomania, compulsive gambling, pedophilia, exhibitionism, or voyeurism?</p>		<p>Uses NCBE Character and Fitness Application, submitted during 2L year, along with a supplemental questionnaire, submitted during 3L year.</p> <p>The Ohio bar is considering dropping the question about mental health status from its character and fitness application. https://www.law.com/2022/07/18/ahead-of-the-curve-examining-character-fitness-mental-health-questions</p> <p>*Removed Nov 15, 2022 and effective Jan 17, 2023</p> <p>Removes evidence of mental or psychological disorder from enumerated factor for consideration related to applicant's character and fitness https://www.supremecourt.ohio.gov/ruleamendments/documents/Character%20Investigation%20(FINAL).pdf</p>
Oklahoma	Yes with supplemental application	NCBE Questions 30 and 31		

Oregon	No	<p>22(c): Are you currently subject to a petition for guardianship, conservatorship, or civil commitment, or have you been subject to a guardianship, conservatorship, or civil commitment within the past five years that may affect your current ability to practice law in a competent, ethical, and professional manner? ("Ethical manner" means compliance with the Oregon Rules of Professional Conduct.)?</p> <p>22(e): Within the past five years have you used alcohol or drugs to such an extent that it could impair your current ability to practice law in an ethical manner? Do not answer this question in the affirmative if you have successfully completed, or are receiving, treatment for alcohol or drug use and do not currently use alcohol or drugs to such an extent that it could impair your current ability to practice law in an ethical manner. ("Ethical manner" means compliance with the Oregon Rules of Professional Conduct.)</p> <p>22(f): Within the last five years, have you used any drug that is currently illegal under Oregon state law and that was illegal to use under the laws of the jurisdiction in which you used the drug?</p>		<p>Oregon made changes to its bar application in 2019 to an "impact" model.</p> <p>https://www.osbar.org/_docs/admissions/ExamApplication.pdf</p>
Pennsylvania	No	Are you currently addicted to, or dependent upon narcotics, intoxicating liquors, or other substances?		
Rhode Island	No	<p>Question 26(A): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner?</p> <p>Question 26(B): If your answer to Question 26(A) is yes, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p> <p>Question RI-23: During your adulthood, have you ever been placed under guardianship or conservatorship in any legal proceeding?</p>		
South Carolina	No	<p>Question 11(b): [B]elow list all...incapacity [or] guardianship [proceedings] to which you are or have ever been a party.</p> <p>Question 14(b)(i): Do you currently have any condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) that in any way affects your ability to practice law in a competent, ethical, and professional manner? As used in Question 14 (b), "currently" means recently enough that the condition or impairment could reasonably affect your ability to function as a lawyer.</p> <p>Question 14(b)(ii): If your answer to Question 14 (b)(i) is YES, are the limitations caused by your condition or impairment reduced or ameliorated because you receive ongoing treatment or because you participate in a monitoring or support program?</p>		
South Dakota	Yes with supplemental application	NCBE Questions 30 and 31		
Tennessee	Yes	None		While Tennessee uses the NCBE form as a template, it has opted to omit questions regarding mental health. https://www.law360.com/articles/1494448

Texas	No	None		<p>Texas has announced that it will be removing mental health questions as of August 2022.</p> <p>https://www.americanbar.org/groups/diversity/disabilityrights/resources/character-and-fitness-mh/</p> <p>Question 7.2 Mitigation: Within the past 5 years, have you asserted any condition or impairment as a defense, in mitigation, or as an explanation for your conduct in the course of any inquiry, investigation, or administrative or judicial proceeding by an educational institution, governmental agency, professional organization, or licensing authority; or in connection with an unemployment claim, employer discipline, or termination procedure?</p>
Utah	No	<p>Question 60: Within the last five years have you used illegal drugs or substances, or prescription medications without the authorization or supervision of a licensed health care professional, or in a manner contrary to the health care professional's recommendations?</p> <p>Question 61: Within the last five years have you conducted yourself in such a manner as to endanger the health or safety of yourself or others? (Examples: suicide attempts, reckless driving, substance abuse).</p> <p>Question 62: Do you have a current condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) which affects your conduct that has not been or is not currently being treated effectively or for which the treatment is unstable?</p> <p>Question 63: Are there any other incidents, issues, or behaviors, not herein before described, having bearing on your character or fitness for admission to the Bar? This would include, but is not limited to, excessive alcohol use (e.g. drinking at work, binge drinking) or illegal activities (e.g. domestic abuse, drunk driving, stealing) that may not have come to the attention of law enforcement.</p>		
Vermont	Yes	NCBE Questions 30 and 31		
Virginia	No	<p>Question 18.1: Within the past five (5) years, have you ever raised the issue of consumption of drugs or alcohol or the issue of a mental, emotional, nervous or behavioral disorder/condition as a defense, mitigation, or explanation for your actions in the course of any of the following: (A) Administrative proceeding or investigation? (B) Judicial proceeding or investigation? (C) Probation, suspension or dismissal by an educational institution?</p> <p>Question 18.2: Within the past five (5) years, has the issue of drugs or alcohol or the issue of a mental, emotional, nervous or behavioral disorder/condition brought about a termination, proposed termination, request to resign, or any other disciplinary action by any of the following: (A) Educational institution? (B) Employer? (C) Government agency? (D) Professional organization? (E) Licensing authority?</p>	January 2019	<p>The Virginia Board of Bar Examiners replaced questions about applicants' mental health conditions and treatment with the following:</p> <p>Question 17.1: Within the past five years, have you exhibited any conduct or behavior that could call into question your ability to practice law in a competent, ethical, and professional manner?</p> <p>Question 17.1(B): Within the past five (5) years, have you sought or been directed to seek treatment for your conduct or behavior?</p> <p>https://abacolap.wordpress.com/2019/02/11/virginia-strips-bar-application-of-mental-health-related-questions/</p> <p>https://barexam.virginia.gov/pdf/SampleCFQ.pdf</p>
Washington	No	None		
West Virginia	Yes	NCBE Questions 30 and 31		

<p>Wisconsin</p>	<p>No</p>	<p>Question 33(a): Within the past five years have you ever cited consumption of drugs or alcohol in the course of any inquiry or investigation, administrative or judicial proceeding, or proposed termination or other disciplinary action as an explanation for your failure to meet a deadline or as a defense, mitigation or explanation of those matters?</p> <p>Question 33(b): Within the past five years have you ever cited physical or mental illness, or an emotional, nervous or behavioral disorder in the course of an inquiry or investigation, administrative or judicial proceeding, or proposed termination or other disciplinary action as an explanation for your failure to meet a deadline or as a defense, mitigation or explanation of those matters?</p> <p>Question 33(c): Within the past five years have you ever cited consumption of drugs or alcohol as an explanation for your poor academic or professional performance?</p> <p>Question 33(d): Within the past five years have you ever cited physical or mental illness, or an emotional, nervous or behavioral disorder as an explanation for your poor academic or professional performance?</p> <p>Question 34: Within the past five years, have you been diagnosed and or treated for dependency upon any drug, including alcohol, or been compelled to submit to an assessment or screening for same?</p>	<p>2019</p>	<p>The Wisconsin Board of Bar Examiners replaced questions about applicants' mental health conditions and treatment with the following:</p> <p>Question 35: Within the past five years, have you exhibited any conduct or behavior that could call into question your ability to practice law in a competent, ethical, and professional manner? If you answer 'yes,' please provide an explanation on Page 12.</p> <p>https://www.wicourts.gov/services/attorney/docs/sampleadmissapp.pdf</p>
<p>Wyoming</p>	<p>Yes</p>	<p>NCBE Questions 30 and 31</p>		