

# Workgroup for Social Work Licensure Requirements

**Date:** Nov 14, 2023 **Time:** 10:00 am - 12:00 pm

**Video call link:** <https://meet.google.com/xrz-xifn-cxw>

Or dial: (US) +1 435-574-4520 PIN: 630 381 656#

## Agenda

### **1. Administrative updates**

- a. Update on meeting cadence
- b. Update on ground rules

### **2. Discussion | Exam Passage Rates & NADD position**

- a. Discussion on exam passage rates
- b. Discussion on the NADD plans and position

### **3. Briefing | Social Work Licensure Requirements**

- a. Licensure requirements for Maryland and states in HHS - Region 3  
(Maryland and neighboring states)
- b. Licensure requirements in states where the ASWB Exam is not required
- c. Temporary/provisional licensure

### **4. Public Comment**

### **5. Closing & Next Steps**

# Social Work Exam Passage Rates Maryland Specific Data, 2011-2021<sup>1</sup>

## Maryland - Bachelors Exam Passage Rates, 2011-2021

Number of test-takers and **first-time** pass rates by demographic group 2011 – 2021

State/Province	# test-takers (overall)	Pass rate (overall)
MD	498	61.2%

  

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	7	
	Black	189	39.7%
	Hispanic/Latino	40	67.5%
	Multiracial	12	50.0%
	Native American/Indigenous peoples	0	
	White	235	77.9%
Gender	Men	61	63.9%
	Women	437	60.9%
Age	18 - 29	294	65.3%
	30 - 39	106	54.7%
	40 - 49	59	54.2%
	50 and older	39	59.0%
Language	English	464	62.5%
	Non-English	34	44.1%

## Maryland - Masters Exam Passage Rates, 2011-2021

Number of test-takers and **first-time** pass rates by demographic group 2011 – 2021

State/Province	# test-takers (overall)	Pass rate (overall)
MD	8,003	78.5%

  

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	218	82.1%
	Black	2,708	55.5%
	Hispanic/Latino	458	79.3%
	Multiracial	207	85.0%
	Native American/Indigenous peoples	14	78.6%
	White	4,198	92.8%
Gender	Men	907	74.8%
	Women	7,092	79.0%
Age	18 - 29	4,495	83.0%
	30 - 39	2,094	75.8%
	40 - 49	919	69.0%
	50 and older	495	66.1%
Language	English	7,564	79.4%
	Non-English	439	62.4%

<sup>1</sup> <https://www.aswb.org/exam/contributing-to-the-conversation/aswb-exam-pass-rates-by-state-province/>

## Maryland - Clinical Exam Passage Rates, 2011-2021

Number of test-takers and **first-time** pass rates by demographic group **2011 – 2021**

State/Province	# test-takers (overall)	Pass rate (overall)
MD	4,540	78.7%

  

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	104	84.6%
	Black	1,129	54.1%
	Hispanic/Latino	195	65.6%
	Multiracial	99	87.9%
	Native American/Indigenous peoples	7	
	White	2,905	88.6%
Gender	Men	503	75.5%
	Women	4,035	79.1%
Age	18 - 29	1,405	86.8%
	30 - 39	1,982	79.8%
	40 - 49	687	67.7%
	50 and older	466	65.9%
Language	English	4,347	79.4%
	Non-English	193	62.2%

## Social Work Exam Passage Rates, 2018 - 2021<sup>2,3</sup> Maryland & National Data by Race & Ethnicity

### Maryland - Bachelors Exam - Race/Ethnicity, 2018-2021

Number of test-takers and **first-time** pass rates by demographic group 2018 – 2021

State/Province	# test-takers (overall)	Pass rate (overall)
MD	199	54.3%

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	3	
	Black	69	29.0%
	Hispanic/Latino	28	60.7%
	Multiracial	5	
	Native American/Indigenous peoples	0	
	White	88	70.5%

### National - Bachelors Exam - Race/Ethnicity, 2018-2021

Race/Ethnicity	2018		2019		2020		2021	
	n	Pass rate	n	Pass rate	n	Pass rate	n	Pass rate
Asian	73	60.3%	85	48.2%	85	57.6%	97	71.1%
Black	515	37.5%	475	34.9%	319	33.2%	446	31.6%
Hispanic/Latino	254	52.8%	274	49.6%	175	54.9%	293	54.6%
Multiracial	77	77.9%	69	73.9%	54	77.8%	100	71.0%
Native American/ Indigenous peoples	38	71.1%	34	55.9%	33	57.6%	40	75.0%
White	2,659	76.7%	2,573	75.7%	1,944	75.8%	2,406	77.0%

<sup>2</sup> <https://www.aswb.org/wp-content/uploads/2022/07/2022-ASWB-Exam-Pass-Rate-Analysis.pdf> pages 76-84

<sup>3</sup> The following data compares national passage rates by ethnicity and race from 2018-2021. The national data is limited to 2018-2021 due to the implementation of a new exam concept in 2018.

## Maryland - Masters Exam - Race/Ethnicity, 2018-2021

Number of test-takers and **first-time** pass rates by demographic group **2018 – 2021**

State/Province	# test-takers (overall)	Pass rate (overall)
MD	3,408	74.6%

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	89	85.4%
	Black	1,213	51.4%
	Hispanic/Latino	232	75.0%
	Multiracial	95	83.2%
	Native American/Indigenous peoples	4	
	White	1,676	90.0%

## National - Masters Exam - Race/Ethnicity, 2018-2021

Race/Ethnicity	2018		2019		2020		2021	
	n	Pass rate	n	Pass rate	n	Pass rate	n	Pass rate
Asian	558	68.8%	575	69.6%	535	72.3%	754	71.2%
Black	3,010	45.0%	3,355	44.5%	3,254	45.2%	4,225	43.9%
Hispanic/Latino	1,755	66.4%	2,031	62.1%	1,878	65.3%	2,752	62.0%
Multiracial	400	82.3%	427	79.2%	430	83.7%	585	77.9%
Native American/ Indigenous peoples	96	66.7%	107	59.8%	114	67.5%	136	65.4%
White	10,474	86.2%	11,160	85.1%	9,984	87.1%	12,423	85.3%

## Maryland - Clinical Exam - Race/Ethnicity, 2018-2021

Number of test-takers and **first-time** pass rates by demographic group **2018 – 2021**

State/Province	# test-takers (overall)	Pass rate (overall)
MD	1,891	77.3%

  

Demographic	Group	# test-takers	Pass rate
Race/Ethnicity	Asian	37	81.1%
	Black	513	53.4%
	Hispanic/Latino	91	65.9%
	Multiracial	52	86.5%
	Native American/Indigenous peoples	2	
	White	1,162	88.4%

## National - Clinical Exam - Race/Ethnicity, 2018-2021

Race/Ethnicity	2018		2019		2020		2021	
	n	Pass rate	n	Pass rate	n	Pass rate	n	Pass rate
Asian	574	67.2%	561	68.1%	567	72.1%	768	74.9%
Black	2,187	39.2%	2,293	44.0%	2,634	44.6%	2,932	46.2%
Hispanic/Latino	1,838	62.0%	2,071	62.5%	1,873	67.0%	2,726	65.8%
Multiracial	409	77.8%	436	78.4%	430	80.2%	576	80.7%
Native American/ Indigenous peoples	89	65.2%	98	66.3%	97	63.9%	115	59.1%
White	10,437	82.7%	11,205	82.8%	10,684	83.7%	12,977	85.0%

**National Association of Deans and Directors of Schools of Social Work (NADD)**  
**Licensure Taskforce**  
Position and Plans

- The NADD initiative is not against licensure; but focused on the issue of the ASWB exam that has been shown to be flawed and inequitable.
- While licensure as a tool for “protecting the public” is widely held, the critical aspect of supporting and increasing the workforce, and validating the qualification and experience of diverse social work professional candidates who will serve our most vulnerable and distressed communities are going to be kept front and center in all of the statewide initiatives.

**Plans**

**1. Removal of 1<sup>st</sup> level exam (BSW and new MSW professionals)**

Following the lead of RI, IL, and UT, several programs of social work and allies (NASW, NABSW, BPD) in various states are working to ensure a strong workforce at the early-career professional level by educating and seeking support of legislatures that graduating from a CSWE accredited program fully qualifies a student-candidate to practice social work at the beginning level. This effort will be strengthened by the NADD task force by providing information, coordinating activities of states, and utilizing tactics of community organizing to make this a 50 state initiative.

Note: States who follow this route will also advocate for such alternative pathways to be recognized in the “Compact” legislation that is being considered.

**2. Development of Alternative Pathways to licensure (LCSW/Clinical License)**

Public data, anecdotes collected over time by social work programs, we know that there is decades old issue of disproportionate pass/fail rates in the ASWB clinical exam impacting students of color; students who are older demographically; and those for whom English is a second language. The NADD Task Force will engage allies (NASW/CSWE/NABSW/BPD and others) and experts to ideate and develop alternative pathways to LCSW/Clinical Licensure in all 50 states. Until such time there is **parity/equity** in exam results and

9-9-2023

*\*UMB School of Social Work shared this document with the Maryland Department of Health*

evidenced by peer-reviewed publications of the reliability/validity/ of the ASWB exam, efforts for an alternative pathway will be a strong focus for the taskforce.

Some promising alternative pathways to the ASWB exam that are being ideated and being acted on include:

- Additional 3000 hours of supervised clinical work after failing the clinical exam once. These hours are not “extra” hours but the candidate’s typical employment hours is taken into account. This is a State of Illinois law currently.
- State or regional coalition of social work programs to develop low-stake/high impact standardized CEU programs that candidates enroll in concurrent to their supervised hours required by the state. This can be structured either as programs offered by programs of social work or NASW on the ground and/or through virtual self-paced courses for non-traditional students (like the CITI IRB training programs).
- The taskforce will seek input from faculty and experts on other cost-effective, inclusive, teaching/training programs that will set the candidates for success as a licensed clinical social worker.

Note: States who follow this route will also advocate for such alternative pathways to be recognized in the “Compact” legislation that is being considered.

### **3. Developing credentialing/licensure pathways in Spanish**

Given the changing demography of our student body in every state and the need for competent and trained bilingual (Spanish-English) social workers, the taskforce will work with states/allies developing alternative pathways to ensure that what is developed is offered in the Spanish language to ensure participation and inclusion.

**The above three points are vetted by the NADD licensure taskforce and will form the basis of discussion/negotiation with entities that are working towards a fair, equitable, and responsible pathway for licensing for the social work profession.**

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<b>Bachelor License Requirements</b>						
	<b>Maryland</b>	<b>DC</b>	<b>Virginia</b>	<b>Delaware</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
<b>License Type</b>	Licensed Bachelor Social Worker (LBSW)	Licensed Social Work Associate (LSWA)	Licensed Bachelor Social Worker (LBSW)	Licensed Bachelor Social Worker (LBSW)	Licensed Bachelor Social Worker (LBSW)	Licensed Social Worker (LSW)
<b>Education Requirements</b>	Bachelor of Social Work from a Council on Social Work Education (CSWE) accredited program	Bachelor of Social Work from a CSWE accredited program	Bachelor of Social Work from a CSWE accredited program	Bachelor of Social Work from a CSWE accredited program	Bachelor of Social Work from a CSWE accredited program	Bachelor of Social Work from a CSWE accredited program
<b>Professional Experience required to get license</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Must Pass ASWB Bachelor's Exam?</b>	Yes	Yes	Yes	Yes	Yes	Yes

<b>Master License</b>						
	<b>Maryland</b>	<b>DC</b>	<b>Virginia</b>	<b>Delaware</b>	<b>Pennsylvania</b>	<b>West Virginia</b>
<b>License Type</b>	Licensed Masters Social Worker (LMSW)	Licensed Graduate Social Worker (LGSW)	Licensed Masters Social Worker (LMSW)	Licensed Masters Social Worker (LMSW)	Licensed Social Worker	Licensed Graduate Social Worker
<b>Education</b>	Master of Social Work from a CSWE accredited program	Master of Social Work, or Doctoral Degree in Social Work from a CSWE accredited program	Master of Social Work from a CSWE accredited program	Master of Social Work from a CSWE accredited program	Master of Social Work, or Doctoral Degree in Social Work from a CSWE accredited program	Master of Social Work from a CSWE accredited program
<b>Professional Experience required to get license</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Must Pass ASWB Master's Exam?</b>	Yes	Yes	Yes	Yes	Yes	Yes

**Certified & Clinical License**

	Maryland		DC		Virginia	Delaware	Pennsylvania	West Virginia	
License Type	Licensed Certified Social Worker (LCSW)	Licensed Certified Social Worker - Clinical (LCSW-C)	Licensed Independent Social Worker (LISW)	Licensed Independent Clinical Social Worker (LICSW)	Licensed Clinical Social Worker	Licensed Clinical Social Worker	Licensed Clinical Social Worker	Licensed Certified Social Worker	Licensed Independent Clinical Social Worker
Education	Master's Degree in Social Work	Master's Degree in Social Work Documentation of 12 academic credit hours in clinical course work from a social work program accredited by the Council on Social Work Education (CSWE).	Master's or Doctoral Degree in Social Work	Master's or Doctoral Degree in Social Work	Successfully graduate with a MSW degree with a clinical course of study*	Master's or Doctoral Degree in Social Work	Master's or Doctoral Degree in Social Work	Master's or Doctoral Degree in Social Work	Master's or Doctoral Degree in Social Work Must include a supervised clinical field placement at graduate level, or equivalent post-master's clinical training
Professional Experience required to get license	At least 3,000 hours of social work experience in no fewer than two years, and 100 hours of supervision.	Two years as a licensee with 3,000 hours of supervised experience, of which 1,500 hours must consist of direct patient contact, and 100 hours of periodic direct face to face supervision.	3,000 hours of supervised post-graduate experience in a 2-4 year period For every 32 hours of work, 1 must be supervised, and 100 hours of supervision must be face-to-face.	3,000 hours of supervised <b>clinical</b> post-graduate experience in a 2-4 year period For every 32 hours of work, 1 must be supervised, and 100 hours of supervision must be face-to-face.	3,000 hours of supervised post-master's degree experience in the delivery of "clinical social work services" and "ancillary services" within a 2 -4 year period. Must include: 1-4 per week of individual face-to-face supervision, for a total of 100 hours, and 1,380 hours of face-to-face client interaction.	3,200 hours of supervised clinical experience	Two years, or 3,000 hours of supervised clinical experience	Two years full time, or 3,000 hours of part time, supervised post master's social work experience	Two years full time, or 3,000 hours of part time, supervised post master's <b>clinical</b> social work experience. 100 hours of clinical supervision, 70 hours face to face
Master's licensure required to get clinical license	Yes	Yes	Yes	Yes	No, but requires supervision in line with other states.	No, but requires supervision in line with other states	Yes	No, but requires supervision in line with other states.	No, but requires supervision in line with other states.
Must Pass ASWB Clinical Exam?	No, must pass ASWB Advanced Generalist Exam	Yes	No, must pass ASWB Advanced Generalist Exam	Yes	Yes	Yes	Yes	No, must pass ASWB Advanced Generalist Exam	Yes

\* A clinical course of study is graduate coursework with specialized advanced courses in human behavior and the social environment, social justice and policy, psychopathology, and diversity issues; research; clinical practice with individuals, families, and groups; and a 600 hour clinical practicum that focuses on diagnostic, prevention, and treatment services

**States with Alternative Paths to licensure**

	Illinois		Utah		
	Licensed Social Worker	Licensed Clinical Social Worker	Social Service Worker	Certified Social Worker	Licensed Clinical Social Worker
<b>Education</b>	A graduate or bachelor's degree in social work from an accredited program	A master's degree in social work or a doctoral degree in social work from an accredited program	1. Bachelor's degree in Social Work, or 2. Master's degree in Psychology, Marriage and Family Therapy or Mental Counseling, or 3. Bachelor's degree in another field, and - Completed three semester hours each in the area of Social Welfare Policy, Human Growth and Development, and Social Work Practice Methods -Completed 2,000 hours of qualifying experience, with a supervisor completed experience form, or 4. Completed the first academic year of a CWSE approved Master's of Social Work curriculum and practicum	Master's or Doctorate degree in Social Work	A master's degree in a social work program accredited by the CSWE, or  A doctoral degree that contains a clinical social work concentration and practicum
<b>Required Experience</b>	For those seeking licensure with a Bachelor's Degree, a total of three years of supervised experience is required  This is not required for those with graduate degrees	For those with master's degrees, 3,000 hours of supervised clinical professional experience are required  For those with doctorates, 2,000 hours of supervised clinical experience is required	N/A	N/A	3,000 hours of experience while licensed as a Utah CSW in two years, under supervision, must include 2 hours of suicide prevention, 1,000 hours of supervised training in mental health therapy, not less than 100 of the hours under direct supervision.
<b>ASWB Exam Required</b>	No	Yes	No	No	Yes. must pass the ASWB Clinical Exam

## **Provisional Social Work Licensure Requirements for Different States**

Provisional licensure requirements for social workers vary among states. The average length of a provisional license is a year long period. For most states, the provisional license applies to both bachelor and master educated social workers who are in the process of taking their licensure exam. The fee for provisional licensure also varies depending on the state, with the cheapest being \$10, and the most expensive being \$100. These fees are in addition to the fee of the exam. There is a split among states for the level of autonomy one has when practicing under the provisional license. Some states allow social workers to practice independently, while others require supervision.

### **Neighboring states in HHS Region 3:**

#### West Virginia:

- Applies to: BSW or MSW
- Length of time: 6 months
- Fee: unknown
- Other information: Not required to have supervision with provisional license. West Virginia also offers a provisional license to those who have bachelor's degrees in a field related to social work.

### **States that have Provisional Social Work Licenses and Their Requirements:**

#### Alaska:

- Applies to: BSW or MSW
- Length of time: one year
- Fee: unknown
- Other information:

#### Arkansas:

- Applies To: LSW (bachelor's ) or LMSW (master's)
- Length of time: one year
- Fee: unknown
- Other information: Must have criminal background check done before provisional license can be granted

#### Arizona:

- Applies to: BSW and MSW
- Length of time: one year
- Fee: \$50 fee
- Other information: can apply to those who are currently licensed or certified by a behavioral health entity in another state, cannot engage in the independent practice of behavioral health, must practice behavioral health only under direct supervision

#### Colorado:

- Applies to: MSW
- Length of time: unknown
- Fee: unknown

Research Performed November 2023

- Other information: Provisional licensure is available to marriage and family therapists, professional counselors, psychologists and social workers who have education appropriate to their fields and who work under supervision in a residential child care facility. An offer of employment from a residential childcare facility is also accepted<sup>1</sup>

Connecticut:

- Applies to: MSW
- Length of time: four months
- Fee: \$50
- Other information:

Florida:

- Applies to: MSW
- Length of time: two years
- Fee:\$100 fee
- Other information: can practice as a clinical social worker under the direct supervision of another clinical social worker, must have at least one face-to-face meeting with your supervision every month to maintain your license, and can apply for a provisional license if currently in a program but have yet to meet all the education requirements

Idaho:

- Applies to: MSW
- Length of time: Valid until applicant passes the exam
- Fee: unknown
- Other information: Must be under the supervision of a Licensed Social Worker

Indiana:

- Applies to: MSW
- Length of time: one year
- Fee:unknown
- Other information: does not matter the number of times the individual passes or fails the required examination to become a licensed social worker

Kansas:

- Applies to: BSW or MSW
- Length of time: one year
- Fee: \$25<sup>2</sup>
- Other information: must be under supervision of a licensed social worker

Kentucky:

- Applies to: BSW or MSW
- Length of time: 8 months
- Fee: unknown

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<sup>1</sup> “Colorado Social Work License for SWP, LCSW Certification in CO.” *Public Health*, 18 Nov. 2021, [www.publichealthonline.org/human-services/colorado-social-work-license/](http://www.publichealthonline.org/human-services/colorado-social-work-license/).

<sup>2</sup> State of Kansas - Office of Information Technology Services. “Welcome to the Behavioral Sciences Regulatory Board.” *Kansas Behavioral Sciences Regulatory Board (KSBSRB) Home*, [ksbsrb.ks.gov/](http://ksbsrb.ks.gov/). Accessed 10 Nov. 2023.

- Other information: Has nonclinical and clinical permits. Those who obtain clinical permits must be supervised by LCSW's

**Maine:**

- Applies to: BSW or MSW
- Length of time: renewable
- Cost of both is \$70 in addition to the cost of a criminal background check
- Other information: LSX, Licensed Social Worker, Conditional: entry level requiring a bachelor's degree that is sufficiently related to social work or social welfare and a LSW conditional must obtain four hours per month of supervision. MC, Licensed Master Social Worker, Clinical Conditional: MSW, may practice the scope of MSW social work, but cannot practice as a clinical social worker independently. This is for those who are in the process of earning their LCSW. Must have 4 hours of consultation a month

**Minnesota:**

- Applies to: those who English is not their first language or were born outside of the US, or did not earn a passing score on the ASWB exam
- Length of time: three years
- Fee: unknown
- Other information:

**Nevada:**

- Applies to: BSW or MSW
- Length of time: 9 months for Social Worker, 3 years for Clinical Social Worker
- Fee: unknown
- Other information: Must apply to the next available exam

**New Mexico:**

- Applies to: MSW
- Length of time: one year
- Fee: unknown
- Other information: After the Board reviews one's application, a one-year provisional license will be issued if they have determined that all requirements are met except the licensure exam and the cultural course<sup>3</sup>

**New York:**

- Applies to: MSW
- Length of time: one year
- Fee: \$294 fee for licensure, additional \$70 fee for limited permit
- Other information: supervisor must verify at least three years of full-time experience in diagnosis, psychotherapy and assessment-based treatment planning, submit proof of completion of coursework or training in the identification and reporting of child abuse offered by a New York State approved provider, must be at least 21 years of age, and must be under supervision of LCSW

**Oklahoma:**

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<sup>3</sup> "New Mexico Social Work Licensing Requirements." *SocialWorkGuide.Org*, [www.socialworkguide.org/licensure/new-mexico/](http://www.socialworkguide.org/licensure/new-mexico/). Accessed 10 Nov. 2023.

- Applies to: BSW or MSW
- Length of time: one year
- Fee: unknown
- Other information:

**South Dakota:**

- Applies to: unknown
- Length of time: valid until applicant passes exam
- Fee: unknown
- Other information:

**Texas:**

- Applies to: BSW or MSW
- Length of time: 6 months
- Fee: unknown
- Other information: Texas has an alternate program for individuals who have, on at least two occasions, come very near the passing score yet failed. This is referred to as the Alternate Method of Examining Competency (AMEC) Program<sup>4</sup>

**Wisconsin**

- Applies to: BSW or MSW
- Length of time: 9 months with one time renewal
- Fee: Additional \$10 fee that accompanies the cost of the \$165 exam fee<sup>5</sup>
- Other information:

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<sup>4</sup> “Texas Social Work License: MSWGuide.Org - TX.” *MSWGuide.Org* |, 19 Oct. 2021, [www.mswguide.org/social-work-licensure-in-texas/](http://www.mswguide.org/social-work-licensure-in-texas/).

<sup>5</sup> “Wisconsin Social Work License Requirements.” *SocialWorkGuide.Org*, [www.socialworkguide.org/licensure/wisconsin/](http://www.socialworkguide.org/licensure/wisconsin/). Accessed 10 Nov. 2023.



**INSTRUCTIONS FOR THE APPLICATION FOR INDEPENDENT PRACTICE**

November 2019

Dear Licensee:

Attached is the **APPLICATION FOR INDEPENDENT PRACTICE** which may be submitted by a Licensed Bachelor Social Worker (LBSW) and a Licensed Master Social Worker (LMSW) in order to be approved by the Board for INDEPENDENT PRACTICE.

**COMAR 10.42.02 Social Work Practice**

**.02 Definitions.**

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

**(9) "Independent practice" means the practice of licensed social work without the requirement of social work supervision.**

**.06 Independent Practice.**

A. An LCSW-C may engage in the independent practice of social work.

B. An LCSW may engage in the independent practice of social work, except when formulating a diagnostic impression, a diagnosis or providing psychotherapy.

**C. An LBSW or LMSW may not engage in the independent practice of social work until the licensee is approved by the Board for independent status in accordance with this regulation.**

**D. An LBSW or LMSW shall practice in accordance with the restrictions set forth in Health Occupations Article, §19-307, Annotated Code of Maryland.**

**E. An LBSW or LMSW licensed on or before January 1, 2008 shall:**

(1) Have actively practiced bachelor or master social work under social work supervision;

(2) Have completed at least 10 years of social work experience under social work supervision;

(3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland; and

(4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**F. An LBSW or LMSW licensed on or after January 1, 2008 shall:**

(1) Have actively practiced bachelor or master social work under social work supervision;

(2) Have completed at least 3 years as an active licensee with at least 4,500 hours and a minimum of 150 hours of periodic face-to-face supervision;

(3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland; and

(4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**G. An LBSW or LMSW licensed on or after July 1, 2021 shall:**

(1) Have actively practiced bachelor or master social work under the supervision of **Board approved** social work supervision;

(2) Have completed at least 3 years as an active licensee with at least 4,500 hours and a minimum of 150 hours of periodic face-to-face supervision;

(3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland; and

(4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**H. The Board shall approve an application to engage in independent practice provided:**

(1) The application is complete; and

(2) The applicant practiced social work in accordance with the statute and regulations in effect at the time the bachelor or master social worker practiced in Maryland.

**I. The Board may not approve the licensee to engage in independent practice if the licensee fails to demonstrate sufficient supervised experience.**

(1) The Board may require the applicant to complete up to 1,500 additional supervised social work experience; and

(2) Reapply for independent practice.

**► DO NOT SUBMIT THIS APPLICATION IF YOU WERE NOT SUPERVISED BY AN LCSW OR LCSW-C WHILE PRACTICING SOCIAL WORK**

**▶ PRACTICING SOCIAL WORK WITHOUT THE REQUIRED SW SUPERVISION IS A VIOLATION OF THE BOARD'S REGULATIONS AND SUBJECT TO DISCIPLINARY ACTION.**

Please be sure to review the ENTIRE regulation COMAR 10.42.02 Social Work Practice which can be found on the Board's website under the tab "Statute and Regulations."

**▶▶ PLEASE ALLOW 8 WEEKS FOR THE BOARD OFFICE TO PROCESS YOUR APPLICATION ◀◀**

**EXCEPT FOR SIGNATURES PLEASE PRINT ALL INFORMATION**

**FEE:** There is no fee to apply for independent practice.

**NAME CHANGE PLEASE NOTE:** If your name is different from what is on file with the Board it will NOT be changed. Please include a copy of the legal documentation of a change in name. You can check your name on the Board's website by selecting the "License Verification" tab.

**POSTAL ADDRESS – PHONE NUMBERS – EMAIL ADDRESS PLEASE NOTE:** If different from what is on file with the Board, your postal address, phone number(s), and email address will be changed to what is on the application.

Failure to notify the Board of a change in address within 60 days per COMAR 10.01.16.H may result in a \$50 fine per COMAR 10.05.02A(10)

**RACE / ETHNIC IDENTIFICATION:** Check all that apply.

American Indian or Alaska Native (A person having origins in any of the original peoples of North or South American, including Central America and who maintain tribal affiliations or community attachments)

Asian (A person having origins in any of the original peoples of the Far East, Southeast Asian, or the Indian subcontinent including, for example: Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.)

Black or African American (A person having origins in any of the black racial groups of Africa.)

Native Hawaiian or other Pacific Islander (A person having origins in the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.)

White (A person having origins in any of the original peoples of Europe, the Middle East or North Africa.)

Answer the question with a yes or a no.

Are you of Hispanic or Latino origin? (A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.)

Disclosure of race ethnicity or gender is not a requirement of licensure, but the information provided will be used for identity purposes and criminal background checks only.

**EDUCATION:** The year the BSW or MSW degree was conferred, name of the College / University, City & State.

**LICENSES HELD:** List the Maryland social work license first and list all other licenses held (active, inactive or non-renewed) in ANY state.

**LICENSEE'S AFFIDAVIT:** Signatures and initials should be original.



MARYLAND BOARD OF SOCIAL WORK EXAMINERS
4201 Patterson Avenue, Baltimore MD 21215-2299
Phone #: 410-764-4788 Toll Free #: 1-800-526-2541 www.health.maryland.gov/bswe/

APPLICATION FOR INDEPENDENT PRACTICE

PERSONAL INFORMATION

Your NAME must be your LEGAL NAME and it will appear on all documents as listed below.

Last Name And Generational Indicator (JR., III etc.)

[Grid for last name and generational indicator]

First Name / Middle Name / Initial

[Grid for first name / middle name / initial]

Maiden Name

[Grid for maiden name]

PLEASE NOTE: YOUR ADDRESS; PHONE NUMBERS; & EMAIL ADDRESS WILL BE RECORDED AS LISTED BELOW

Address Line One

[Grid for address line one]

Address Line Two (Apt #)

[Grid for address line two]

City State Zip Code

[Grid for city, state, zip code]

Home Phone [Grid]

Work Phone [Grid] Extensions [Grid]

Cell Phone [Grid]

Email Address \_\_\_\_\_ (E-mail address is used by the Board to send notices & newsletter)

Social Security Number [Grid]

Date of Birth [Grid] Month Day Year

Race Are you of Hispanic or Latin origin? [Yes] [No]

Gender [Male] [Female]

[American Indian/Alaska Native] [Asian] [Black/African American] [Native Hawaiian/ Pacific Islander] [White] [Other]

Date Application Rec'd: \_\_\_\_\_

Date Reviewed \_\_\_\_\_

GJH TDW NNC BJL DAE LCB
PENDING WF: \_\_\_\_\_

Date Approved \_\_\_\_\_

GJH TDW NNC BJL DAE LCB

Date Disapproved \_\_\_\_\_

GJH TDW NNC BJL DAE LCB

Date Added to DB \_\_\_\_\_

GJH TDW NNC BJL DAE LCB

EDUCATION

MSW Graduation Year \_\_\_\_\_ College / University \_\_\_\_\_

Highest Degree Earned \_\_\_\_\_ City \_\_\_\_\_

[BSW] [MSW] State \_\_\_\_\_

LICENSES HELD List all Social Work Licenses (Active, Inactive or Non-Renewed) HELD in ANY state including Maryland.

Table with 7 columns: State, License Number, License Type, Issuance Date, Expiration Date, History of Discipline, FOR BOARD USE ONLY. Includes a row for MD.



**MARYLAND BOARD OF SOCIAL WORK EXAMINERS**

4201 Patterson Avenue, Baltimore, Maryland 21215  
Phone #: 410-764-4788 Toll Free #: 1-877-526-2541  
<http://www.health.maryland.gov/bswe/>

**SUPERVISION VERIFICATION FORM**  
**FOR INDEPENDENT PRACTICE**

Name of Supervisee

Name of Board Approved Supervisor

**All Information Shall Be Provided By The Social Work Supervisor.**

Name and address of the **supervisee's/applicant's** social work **practice site** where supervisee worked:

Name of Agency (1)  Address Line 1

Address Line 2  City  State  Zip Code

Dates of supervision: From (2)  to (3)  = Total number of weeks (4)

(For hours obtained in MD, the date supervision began cannot pre-date the issuance date of the applicant's license)

Supervisee number of hours worked per week (5)  X weeks worked = Total Hours (6)

Supervision hours provided: Individual  + Group  = Total Hours (7)

---

**SUPERVISOR INFORMATION**

MD Social Work Lic #  Date of Lic Issued:

Out of State SW Lic #  State  Issued On  Lic Title

---

**AFFIDAVIT**

I do solemnly declare and affirm, under the penalties of perjury, that the information contained on this Supervision Verification Form is true and correct.

Signature \_\_\_\_\_ Date

PLEASE SIGN IN BLUE INK

If you have had more than one supervision, please copy this form and submit one form for each supervision.

**BASED ON THE ISSUANCE DATE OF YOUR LICENSE PLEASE INITIAL E, F, or G.**

**Initial** \_\_\_\_\_ **E. An LBSW or LMSW licensed on or before January 1, 2008 shall:**

- (1) Have actively practiced bachelor or master social work under social work supervision;
  - (2) Have completed at least 10 years of social work experience under social work supervision;
  - (3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland;
- and
- (4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**Initial** \_\_\_\_\_ **F. An LBSW or LMSW licensed on or after January 1, 2008 shall:**

- (1) Have actively practiced bachelor or master social work under social work supervision;
  - (2) Have completed at least 3 years as an active licensee with at least 4,500 hours and a minimum of 150 hours of periodic face-to-face supervision;
  - (3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland;
- and
- (4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**Initial** \_\_\_\_\_ **G. An LBSW or LMSW licensed on or after July 1, 2021 shall:**

- (1) Have actively practiced bachelor or master social work under the supervision of **Board approved** social work supervision;
  - (2) Have completed at least 3 years as an active licensee with at least 4,500 hours and a minimum of 150 hours of periodic face-to-face supervision;
  - (3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland;
- and
- (4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article §19-302, Annotated Code of Maryland.

**H. The Board shall approve an application to engage in independent practice provided:**

- (1) The application is complete; and
- (2) The applicant practiced social work in accordance with the statute and regulations in effect at the time the bachelor or master social worker practiced in Maryland.

**I. The Board may not approve the licensee to engage in independent practice if the licensee fails to demonstrate sufficient supervised experience.**

- (1) The Board may require the applicant to complete up to 1,500 additional supervised social work experience; and
- (2) Reapply for independent practice.

**Initial** \_\_\_\_\_ I have read and understand that regulations above taken s from **COMAR 10.42.08.07** which has been in effect since July 1, 2004.

**Responsibilities of a Supervisor. A. A supervisee shall: (1) Participate in a minimum of 3 hours of face-to-face supervision per month with the supervisee's supervisor; (2) Prepare for supervision using case materials related to the supervisee's social work practice; and (3) Maintain documentation, for at least 5 years, of supervisory sessions including dates, duration, and focus of supervision, to be available for verification to the Board, on request by the Board or its authorized agent.**

**Initial** \_\_\_\_\_ I do hereby affirm that my SW practice as an LSWA/LBSW or LGSW/LMSW was supervised as required by **COMAR 10.42.08.**

**Initial** \_\_\_\_\_

- 1) In initialing **E**: I am not required to enclose any additional forms
- 2) In initialing **F**: I have enclosed the required Supervision Verification Form for Independent Practice
- 3) In initialing **G**: I have enclosed the required Supervision Verification Form for Independent Practice and I have enclosed a signed contract(s) for supervision.

**Initial** \_\_\_\_\_ I do hereby affirm that all statements made herewith are true and correct to the best of my knowledge and belief. Furthermore, I voluntarily consent to a thorough review of my present and past employment and other activities for the purpose of verifying my qualifications for Independent Practice.

**Licensee's Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

## News Releases



# NASW Opposes Association of Social Work Boards (ASWB) Exams

Feb 03, 2023

**WASHINGTON, D.C.** - The National Association of Social Workers (NASW) opposes the Association of Social Work Boards (ASWB) social work licensing exams after a review of ASWB data shows significant disparities in pass rates for prospective social workers of color, older adults, and those who speak English as a second language.

NASW is prepared to oppose the Social Work Interstate Compact Legislation being developed by the Council of State Governments (CSG) if the bill is not substantially improved, including the removal of provisions which codify the ASWB exams. NASW is eager to work with CSG to develop multi-state social work practice legislation.

In an August 2022 statement after the release of the ASWB data, NASW committed to working closely with its partners to propose innovative solutions that reduce harm and increase diversity at all levels of social work practice.

These efforts will initially target removal of non-independent social work practice exams which may be biased, and support efforts to strengthen competency measures.

NASW looks forward to working with its partners to implement these strategic initiatives and to promoting the diversity and well-being of the social work profession, and the health and well-being of the populations social workers serve.

*The National Association of Social Workers (NASW), in Washington, DC, is the largest membership organization of professional social workers. It promotes, develops, and protects the practice of social work and social workers. NASW also seeks to enhance the well-being of individuals, families, and communities through its advocacy.*

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# NABSW Open Letter to Association of Social Work Board (ASWB)

Thursday, December 15, 2022

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## NABSW Open Letter to Association of Social Work Board (ASWB)

The National Association of Black Social Workers, Inc. (NABSW) is comprised of people of African ancestry. We are committed to enhancing the quality of life and empowering people of African ancestry through advocacy, human services delivery, and research. Therefore, NABSW finds it necessary to formally respond to the demographic data released by the Association of Social Work Board (ASWB).

NABSW works to create a world in which people of African ancestry will live free from racial domination, economic exploitation, and cultural oppression. Unfortunately, the demographic data released by ASWB lacks information that would provide the necessary data relevant to causality or correlation. Therefore, we cannot accept the reported data and outcomes that have resulted in multiple failed attempts and millions of dollars spent by African American professionals.

African Americans have been practicing Social Work professionally for over 100 years. The institutional barriers experienced by thousands of practitioners to receive the highest level of licensure are not a failure of the test takers but a failure of the testing process. We must acknowledge the historical aspect of the information and the discriminatory practices prevalent systemically in Social Work education and licensure.

NABSW stands firm in our collaboration with national, international, and other appropriate groups who assume the responsibility of safeguarding the rights of Black people and Black communities. Collectively we must address the profound injustices and historical practices integrated into the fabric of truth in disclosure.

The ASWB data demonstrate that racial discrimination is prevalent in assuring equitable opportunities to achieve licensing warrants immediate action. NABSW believes ASWB claim to "provide support and services to the social work regulatory community to advance safe, competent, and ethical practices to strengthen public protection.

To ensure the Missions of both NABSW and ASWB, we respectfully demand the following:

- Additional data be released to include the differentiation and scoring process data.
  - Alternative pathways to licensure are implemented, including modular testing and conditioning for the exam.
  - ASWB to document support to state Social Work license board of passage of those who failed by 10 points or less
  - ASWB to provide free test taking for those who have failed three or more times
  - ASWB to contract with professional social work organizations and practitioners to provide culturally appropriate supports

NABSW believes immediate action is needed to assist those impacted. We are willing to work with ASWB and other professional Social Work organizations to ensure diversity, equity, and inclusion for all practitioners.





# COUNCIL ON SOCIAL WORK EDUCATION

STRENGTHENING THE PROFESSION OF SOCIAL WORK

*Leadership in Research, Career Advancement, and Education*

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333 John Carlyle Street, Suite 400, Alexandria, VA 22314 TEL 703.683.8080 FAX 703.683.8099 www.cswe.org

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West Virginia Board of Social Work  
State of West Virginia  
Board of Social Work  
PO Box 5459  
Charleston WV 25361

October 3, 2022

Dear Social Work Licensing Examiner:

As president and chief executive officer of the Council on Social Work Education (CSWE), I write to you on behalf of social work education programs across the country. As you are likely aware, the Association of Social Work Boards (ASWB) recently released a report documenting examination pass rates across different levels of the social work profession. Although the data needs further analysis, the descriptive statistics suggest alarming disparities for exam-takers in several categories. The most egregious disparity impacts Black test takers. In addition, Indigenous, and other People of Color also pass at lower rates than White test-takers; those that speak English as a second language pass at lower rates than native English speakers; and older test-takers pass at lower rates than younger ones. Given that the ASWB exam is the only national licensing examination available, these data raise grave concern that the need for a diverse health, behavioral health, and social service workforce (of which social workers are a considerable portion of providers<sup>1</sup>) is being significantly impeded.

As the national body for social work education in the United States, Puerto Rico, and Guam, the CSWE urges you to:

- a. Suspend the use of the ASWB exam until a thorough analysis has been completed which will suggest evidenced-based recommendations to correct for inequities.
- b. Consider graduation from a CSWE-Accredited social work education program evidence of beginning competence to practice social work as a professional social worker (granting all graduates licensure or pre-licensure status).
  - a. The only exception to the above involves the license to practice clinical social work. CSWE supports the need for a post-graduate process to license practice at this level, however if the ASWB exam remains central to this process, further analysis of the descriptive data must also occur for this category to identify possible issues.

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<sup>1</sup> [U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov) 2020 report indicates there are 715,600 social workers that work in Child, Family, School, Healthcare, Mental Health, and Substance abuse treatment settings.



## COUNCIL ON SOCIAL WORK EDUCATION

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333 John Carlyle Street, Suite 400, Alexandria, VA 22314 TEL 703.683.8080 FAX 703.683.8099 [www.cswe.org](http://www.cswe.org)

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- c. Consider the action taken by the state of Illinois (January 1, 2022) through the [Public Act 102-0326](#), whereby a licensing examination is no longer required for licensure as an Illinois Licensed Social Worker (LSW).
- d. Consider decoupling the Interstate Compact, currently in development, from the ASWB licensure exam.

Thank you for your consideration. I would be happy to engage with you further about the concerns and/or recommendations I offer.

Sincerely,

A handwritten signature in black ink that reads 'Darla Spence Coffey'. The signature is written in a cursive, flowing style.

Darla Spence Coffey, PhD, MSW  
President and Chief Executive Officer  
[dcoffey@cswe.org](mailto:dcoffey@cswe.org)

Connecticut-

<https://naswct.org/wp-content/uploads/2015/03/LMSW-LASW-key-Provisions-letterhead.pdf>

Minnesota- **Qualifications during grandfathering for licensure as LISW.** (a) To be licensed as a licensed independent social worker, an applicant for licensure under this section must provide evidence satisfactory to the board that the individual has completed a graduate degree:

(1) in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board; or

(2) in psychology, sociology, marriage and family therapy, human services, or social and behavioral sciences from an accredited college or university; or

(3) with a major in any field from an accredited college or university, and one year of experience in the practice of social work according to section 148E.010, subdivision 11.



# NASW-IL Advocacy At Work: Gov. Signs HB 2365 Providing Alternative to ASWB Exam

*Governor Pritzker Signs Landmark Bill to Strengthen Our Mental Health Workforce by Forging an Equitable Path for Social Work Licensure*



*NASW-Illinois Chapter membership helps us to push for legislation that supports a more equitable profession and a better life for your clients. As the largest membership association in Illinois advocating on behalf of social workers, consider adding your voice to our efforts and join/renew your NASW membership today.*

Governor J.B. Pritzker has taken a momentous step towards fostering equity and inclusivity in the field of social work by signing House Bill 2365, a groundbreaking bill that establishes an alternative to the ASWB test for clinical licensure. This landmark legislation marks a significant milestone in the quest to create a more equitable path for aspiring social workers, ensuring that opportunities are accessible to a diverse pool of talent across Illinois.

HB2365 builds on the success of previous legislation that removed the Association of Social Work Boards (ASWB) exam for non-independent clinical licensure, by creating a first-in-the-nation alternative path for independent clinical social workers to complete the licensure process. Under the new law, social workers will need to acquire a master's degree in social work, obtain 3,000 hours of intense clinical supervision by a licensed clinical social worker, and have attempted to pass the ASWB exam at least once in the past 5 years. Social workers will be given the opportunity to either continue to retake the exam or pursue an alternative path that would add on an additional 3,000 hours of supervised work experience before applying to the state for independent licensure.

The bill's chief senate sponsor and licensed school social worker, Senator Karina Villa said: "Social workers do so much for our residents. They advocate for our most vulnerable populations, helping to foster a sense of inclusivity and cohesion in our communities. With social worker shortages hitting across the US, it is important to consider what is in the best interest of the people who need these types of services the most. By supporting people who are dedicated to empowering individuals and families, we can improve the quality of life for thousands of Illinoisans."

The ASWB exam has long been a standard requirement for individuals seeking to enter the social work profession. However, this assessment has, at times, posed a barrier for many aspiring social workers who possess exceptional skills and abilities but face disparities in standardized testing environments. This new law reflects the governor's continued commitment to dismantling systemic barriers and opening doors to a more diverse and talented social work workforce.

The bill's chief house sponsor, Representative Lindsey LaPointe, MSW, added: " For all of us working to increase access to mental health support in Illinois and nationwide, it's crystal clear that our shortage of clinicians is a central issue. Once law, HB2365 will rapidly increase the social work workforce by removing the barrier of the LCSW exam—an exam shown to be racially and age biased. I'm proud that Illinois is leading the way to broaden and build up the mental health workforce with the ultimate goal of access."

The bill's implementation will incorporate an apprentice approach to evaluating the competence and capabilities of aspiring social workers, offering them a fair and unbiased opportunity to demonstrate their qualifications. This alternative assessment will take into account a broader range of factors such as practical experience, interpersonal skills, and the ability to navigate real-life scenarios that social workers often encounter on the job. In the spirit of collaboration, bill sponsors Sen. Villa and Rep. LaPointe worked closely with social work advocacy groups, educators, and providers to develop a framework that ensures the highest standards of professional competency while fostering a more inclusive approach to social work licensure.

National Association of Social Workers, Illinois Chapter (NASW-IL) Board President Latesha Newson, MSW, LCSW, stated: "The National Association of Social Workers, Illinois Chapter, couldn't be prouder to have lent our support and resources to see this become a reality. This is a measure of justice; transformative justice for those who have been locked out of a profession that they are fully qualified and prepared to be in. As social workers, we are charged to remove barriers and challenge systems that perpetuate inequities to change, and we have done just that! We look forward to welcoming new LCSWs as colleagues and the impact that they will make in the lives of the people they serve."

As the new alternative assessment takes effect on January 1, 2024, it is anticipated that more social workers with disabilities, older social workers, and those from underrepresented backgrounds and marginalized communities will be empowered to pursue their passion for creating positive change and providing critical support to those in need. At a time when Illinois is facing a significant mental health workforce shortage, the state cannot afford to leave fully qualified professionals on the sidelines due to biased testing.

Cassandra Walker, LCSW, CCTP, an organizer for the #StopASWB coalition and owner of Intersections Center for Complex Healing PLLC reflected: "The reckoning around ASWB has been coming for decades, and I am happy to see this first step signed into law here in Illinois. We fought long and hard for those social workers who have been unjustly barred or pushed out of clinical work in their communities. Despite the abuse and attacks used against us, we will keep working to make social work live up to the promises it makes on paper. I hope that other professions and states follow our example and push this work further as it is clear that these kinds of tests are not making us safer, don't measure what they claim, and generally weaken our ability to properly staff organizations in professions which already have massive shortages."

Governor Pritzker's decisive action in signing this bill underscores the importance of creating a diverse and equitable workforce in the field of social work and will serve as a nation-leading model for other states to follow.

**Important Note:** The law's effective date is not until January 1, 2024, and as such, the application and verification process for the alternative path is not yet available. The chapter will post further updates closer to the end of the year when the department has more information. You can learn more about what is in the law here: [Learn More About Social Work Exam Alternative Bill HB2365 SA1 \(naswil.org\)](#)

*For more about NASW-Illinois Chapter's legislative efforts, please visit the chapter "News" tab and click on the "Advocacy" sub-tab. Here you'll find all of our latest news including a recent advocacy update and movements on the many bills which the NASW-Illinois Chapter is currently tracking.*

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*The National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world, with over 120,000 members. The NASW-Illinois Chapter is one of the association's largest chapters representing over 20,000 licensed Illinois social workers and school social workers, with over 5,000 active members. NASW strives to advance social work careers, grow social work businesses, and protect the profession.*

## Oregon's new bar-exam alternative is the first of its kind



By [Anumita Kaur](#)

November 16, 2023 at 8:47 p.m. EST

Law school students can now bypass the bar exam by completing an apprenticeship to become a lawyer in Oregon — the first state in the country to offer the alternative to the widely dreaded, often criticized exam.

Other states are considering similar experience-based options beyond the traditional bar, including California, Utah and Washington, signaling a potential nationwide shift in how lawyers are licensed.

“Oregon is really thrilled to be the first, and we’re excited to have other states join us,” said Adrian Smith, chair of the Oregon Board of Bar Examiners, which administers the test. “It offers an opportunity to create a pathway for people, who we know are out there, for whatever reason, are not able to demonstrate their skills through standardized testing.”

The new approach is “more inclusive, more practice-oriented and equally able to test individuals’ competence and ability to practice law,” Smith added.

Critics for years have [said](#) that the two-day, multiple-choice test administered in each state to aspiring lawyers isn’t a realistic reflection of what it’s like to practice law, and that its claim to measure minimum competence for the job is dubious. Like many standardized tests, the exam has produced scores with racial disparities for decades, [The Washington Post reported](#), sharpening concerns regarding a lack of diversity in the legal field.

The covid-19 pandemic sowed seeds for an alternative to the bar exam after it [upended](#) the ability of states to administer the test in the first place. Oregon officials spent about three years crafting the apprenticeship program’s standards, which the Oregon Supreme Court approved last week. Law school students will have the opportunity to choose between the traditional bar exam and the supervised practice portfolio examination in May, Smith said.

The new pathway [requires](#) that a person who attended an American Bar Association-accredited law school complete 675 hours of law practice under the supervision of a lawyer. That person then must submit documents to the Oregon Board of Bar Examiners, which will then grade the portfolio to assess whether a person has met the bar.

While the program garnered widespread support, some expressed concerns about the rigor of the portfolio-based examination. Judge Karen Ostrye, who presides over Oregon's 7th Judicial District, said during a public comment period that 675 hours of supervised practice is "inadequate" and that the requirement should be raised to 2,000 hours. A handful of others said the program could lead to underqualified people becoming lawyers.

"The effect will be to create a second-class tier of lawyers who will be seen as unable to pass the bar. Prospective clients with any sophistication will avoid them," stated commenter Bennett Goldstein.

Smith, of the bar exam board, emphasized that the program was crafted with the input of dozens of lawyers.

"This does not lower the bar. This is a rigorous program that tests competence in real time, in a real-life, meaningful way," she said. "The bar exam is not the only way to test an individual's competence. Reviewing actual documents that they have created under supervision while practicing as a lawyer is an excellent way to assess their competence as a lawyer."

The National Conference of Bar Examiners (NCBE), which develops licensing tests used across the country for bar admission, supports the move.

The NCBE "shares Oregon's commitment to ensuring legal competence and readiness to practice for its newest attorneys," said Sophie Martin, director of communications. "Specific licensure standards are set by each state's admission authorities; we continue to support all jurisdictions in their work to help achieve a competent, ethical and diverse legal profession."

While some states' accreditations are transferrable — granting flexibility in lawyers' ability to move and practice across the nation — Oregon's apprenticeship pathway will not translate across state lines.

Still, Logan Cornett, a director of research at the University of Denver's Institute for the Advancement of the American Legal System, applauded Oregon's new program, saying that it broadens the path for Americans to become lawyers.

The traditional bar exam is "very time-constrained, closed-book, multiple-choice. These conditions do not reflect in any meaningful way what law practice looks like," Cornett said. "Oregon's approach and other states that are looking at implementing other similar non-exam pathways to license are closer to what the realities of the practice are."

Many stand to benefit, she added: students with immense anxiety related to the sit-down exam, and those who prefer to learn and be licensed in a "real-world situation," Cornett said. "Particularly anyone who immediately sees themselves in a client-facing role, which is actually a lot of new lawyers. Those folks are going to benefit a lot from these practice-based approaches."

Students of color probably will also benefit, according to Cornett. The bar exam has "at least contributed" to a bottleneck in inclusion and equity in the legal profession, she said, which means alternatives may increase diversity in the field.



Gaps in pass rates between White students and students of color widened in 2022 for the second straight year, Reuters reported in April. In 2022, the first-time pass rate for White examinees was 26 percentage points higher than Black test-takers.

About 81 percent of lawyers were White in 2022, according to the American Bar Association's most recent figures, while non-Hispanic White people are just under 59 percent of the U.S. population. About 5 percent of lawyers are Black even though about 14 percent of the U.S. population is Black.

Oregon's apprenticeship approach may lower financial barriers, too. Bar exam preparation can cost thousands of dollars, and many prospective lawyers feel pressured to take time off work to adequately prepare for the rigorous test, Cornett said.

"The exam has sort of evolved to advantage people with economic privilege," she said.

California officials are set to consider a similar portfolio-based examination this month, according to Lawyer Licensing Resources, a group of law professors. A Utah Supreme Court working group completed a report on a multistep alternative to the traditional bar exam, and the Washington Supreme Court has a task force developing recommendations related to an alternative bar exam. Other states are in the process of doing so as well.

The NCBE plans to debut a new bar exam in 2026, Reuters reported in January.

"This is part of what has always been an evolving bar," said Jo Perini-Abbott, director of the Portland-based Lewis and Clark Law School's advocacy center.

The bar exam now looks vastly different than it did 40 years ago, Perini-Abbott said. She served as the chair of the Oregon Board of Bar Examiners from 2020 to 2021, and sat on the board from 2017 to 2023.

Perini-Abbott is happy that her law students will have the option to begin working and keep working.

"They won't have to stop working to take two to three months off to prepare for the bar, or incur the cost of exam review courses," she said. This will benefit students who are already spending their last year of law school in an externship — many of whom are nontraditional students.

Ultimately, the addition of a new pathway, she said, "will mean a better-trained body of lawyers."