



# The State Bar *of California*

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## **OPEN AGENDA JANUARY 2020 COMMITTEE OF BAR EXAMINERS ITEM O-100**

### OPEN SESSION MINUTES

#### THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA

December 6 and 7, 2019

State Bar of California Offices  
180 Howard Street  
San Francisco, California

A meeting of the Committee of Bar Examiners of The State Bar of California convened in open session at 9:10 a.m., Friday, December 6, 2019, in a meeting room at the State Bar offices in San Francisco, Robert S. Brody, Chair, presiding. Officers and members present were: Robert S. Brody, Chair, Esther P. Lin, Vice-Chair, Angeli O. Agatep, M.D., James A. Bolton, Ph.D., Alex H. Chan, James H. Efting, James P. Fox, Kareem Gongora, Dolores Heisinger, Michael A. Iseri, Larry Kaplan, Paul A. Kramer, Alexander C. Lawrence, Jr., Bethany J. Peak, Vincent Reyes, and Patricia M. Villalobos, Members. Members Judge Shelly B. Torrealba and David A. Torres were absent. State Bar staff members in attendance were: Leah Wilson, Executive Director; Donna Hershkowitz, Chief Programs Office; Vanessa Holton, General Counsel; Amy C. Nuñez, Director III, Admissions; Lisa Cummins, Program Manager III, Christina Doell, Program Manager I; Tammy Campbell, Program Manager I; Tara Clark, Program Manager I; Natalie Leonard, Principal Program Analyst; David Lane, Attorney; Kim Wong, Administrative Supervisor; Caroline Holmes, Attorney II; Danette Mata, Program Supervisor; Vincent Au, Program Supervisor; Saida Gomez; Investigator; Zane Halvorsen; Investigator; Cindy Nguyen; Investigator; Tony Thiele, Investigator; Richard Thompson, Investigator; Todd Smitherum, Investigator; Awndrea Yeboah, Investigator. Also in attendance were: Dr. Roger Bolus, Dean Greg Brandes, Dean Brian Purtill, Chris Punongbayan, Julian Sarkar, Dean Myron Steeres, Julia Weber, and Dean Elizabeth Xyr. The open session portion of the meeting concluded at approximately 2:40 p.m. at which time the Deans and guests left the meeting. The meeting went into closed session at approximately 3:00 p.m. Member Angeli Agatep left the meeting at 4:00 p.m. The closed session concluded at approximately 4:20 p.m. The meeting was reconvened in closed session beginning at 9:05 a.m. on Saturday, December 7, 2019. All Committee officers and members who were present on Friday were also present on Saturday, except: Members

Angeli Agatep and Larry Kaplan. The only State Bar staff in attendance on Saturday were Donna Hershkowitz, Lisa Cummins and Kim Wong. Also in attendance were members of the Examination Development and Grading (EDG) Team: Amy Gee, David Kelley, Laura Meyers, Regan Yamasaki, and Paul Webb. Chair Robert Brody left the meeting at 10:20 a.m. The meeting adjourned at 10:40 a.m.

#### PUBLIC COMMENT

*Julian Sarkar:* Mr. Sarkar, attorney, expressed concerns pertaining to the Report on the California Bar Examination to the Supreme Court, the 2-day bar examination, and the challenges and financial costs to examinees taking the bar examination multiple times.

#### OCTOBER 18, 2019 COMMITTEE OF BAR EXAMINERS PUBLIC MEETING MINUTES

It was moved, seconded and duly carried that the minutes taken during the public session of the meeting on October 18, 2019, be approved.

Moved by Kramer, seconded by Heisinger.

#### SEPTEMBER AND OCTOBER 2019 KEY STATISTICAL INDICATORS

It was by common consent agreed that the September and October 2019 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

#### SCHEDULE FOR JANUARY 31, 2020 COMMITTEE MEETING

It was by common consent agreed that the schedule for the January 31, 2020 Meeting, which will be held at the State Bar of California Offices in Los Angeles, California, be received and filed.

#### EXAMINATIONS

##### THE DRAFT REPORT TO THE SUPREME COURT ON THE JULY 2019 CALIFORNIA BAR EXAMINATION

It was moved, seconded and duly carried that the draft Supreme Court Report on the July 2019 California Bar Examination be finalized and submitted to the Court.

Moved by Fox, seconded by Chan.

**REPORT PREPARED BY THE COMMITTEE PSYCHOMETRICIAN ON THE IMPACT OF THE  
MODIFIED (2-DAY) CALIFORNIA BAR EXAMINATION**

It was moved, seconded and duly carried that the Report on the Impact of the Modification of the California Bar Examination from a Three-Day to a Two-Day Format, prepared by Roger Bolus, Ph.D. and dated August 31, 2019, be received and filed and that the report be authorized for publication.

Moved by Fox, seconded by Gongora.

**2019 – 2020 EXAMINATIONS GOALS**

It was moved, seconded and duly carried that the 2019 – 2020 Examinations goals be approved.

Moved by Villalobos, seconded by Lawrence.

**OPERATIONS AND MANAGEMENT**

**EXAMINATION AND ADMINISTRATION APPEALS PROCESS REVIEW**

It was moved, seconded and duly carried that the Committee of Bar Examiners approve and adopt the “Policies and Procedures Regarding Staff Review, Determination, and Administrative Review of Chapter 6 Conduct Violations” and the “Procedures Regarding Requests for Review by the Committee of Bar Examiners of State Bar’s Chapter 6 Findings and Recommendations.”

Moved by Lin, seconded by Lawrence.

**2019 – 2020 OPERATIONS AND MANAGEMENT GOALS**

It was moved, seconded and duly carried that the 2019 – 2020 Operations and Management goals be approved.

Moved by Gongora, seconded by Reyes.

**EDUCATIONAL STANDARDS**

**REPORT ON LADY JUSTICE LAW SCHOOL VOLUNTARY SURRENDER OF REGISTRATION**

It was moved, seconded and duly carried that pursuant to Rule 4.268 of the Unaccredited Law School Rules the written request of Lady Justice School of Law to terminate the school’s registration as an unaccredited law school be received; that the request be granted; that the law school’s name be removed from the list of registered, unaccredited law schools as maintained by the State Bar of California; that students enrolled in the law school’s program receive credit for their study at the law school through December 6, 2019,

subject to the requirements related to passage of the First Year Law Students' Examination; that Molly Brown be designated the permanent custodian of the law school's records and student transcripts and be required to provide such records and transcripts upon the future request of any former student or graduate of the law school; and that the law school be required to immediately remit outstanding fees due to the State Bar and to provide a final November 2019 Annual Report, with the Annual Fee waived, to fully effectuate a closure in good standing.

Moved by Peak, seconded by Gongora.

#### 2019 – 2020 EDUCATIONAL STANDARDS GOALS

It was moved, seconded and duly carried that the 2019 – 2020 Educational Standards goals be approved.

Moved by Chan, seconded by Lin.

#### MORAL CHARACTER

#### 2019-2020 MORAL CHARACTER GOALS

It was by moved, seconded and duly carried that the 2019 – 2020 Moral Character goals be approved.

Moved by Bolton, seconded by Kramer.

#### PRESENTATION ON THE DYNAMICS OF SEXUAL ASSAULT AND SURVIVOR RESPONSE

It was by common consent agreed that the Committee's appreciation be extended to Julia Weber for her presentation on the Dynamics of Sexual Assault and Survivor Response.

#### ADJOURNMENT

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 10:40 a.m., Saturday, December 7, 2019.