



The State Bar *of California*

OPEN AGENDA

APRIL 2020

COMMITTEE OF BAR EXAMINERS ITEM O-100

OPEN SESSION MINUTES

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA

January 31, 2020

State Bar of California Offices
845 S. Figueroa Street
Los Angeles, 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, January 31, 2020, in a meeting room at the State Bar offices in Los Angeles, 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., James H. Efting, Kareem Gongora, Dolores Heisinger, Michael A. Iseri, Larry Kaplan, Paul A. Kramer, Alexander C. Lawrence, Jr., Bethany J. Peak, Vincent Reyes, Judge Shelly B. Torrealba, and Patricia M. Villalobos, Members. Members Alex H. Chan and David A. Torres were absent. State Bar staff members in attendance were: Donna Hershkowitz, Interim Executive Director/Chief of Programs; 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; Kenneth Holloway, Attorney III. Also in attendance were: Robert Aguilar, Robert Bir, Rebecca Birmingham, Dean Greg Brandes, Dean Michael Clancey, Laura Doud, Dean Elizabeth Eyr, Dean Jay Frykberg, Dean Jackie Gardina, Neil Gupta, Dean Lisa Hutton, Dr. Robert Kasamatsu, Ann Lakhman, Dean George Leal, Dean Andrea Lua, Dean Kevin Marshall, Mark Padilla, Juan Carlos Pallares, Dean Marty Pritikin, Joachim Ro, Dean Mary Schofield, Dean Ira Spiro, Dean Myron Steeves, Joan Tajon, and Halie Turigliatti. The open session portion of the meeting concluded at approximately 2:20 p.m. at which time the Deans and guests left the meeting. The meeting went into closed session at 2:20 p.m. Supreme Court Principal Attorney to Chief Justice, Neil Gupta left the meeting at 3:00 p.m. Member James Bolton left the meeting at 3:30 p.m. The closed session concluded at approximately 4:35 p.m.

COMMEMORATION OF COMMITTEE MEMBER AND FORMER STATE BAR PRESIDENT

The Committee of Bar Examiners dedicated its meeting on January 31, 2020, in commemoration of the passing of a Committee member and former State Bar President James Fox.

PUBLIC COMMENTS

Andrea Lua: Dean Lua, Pacific Coast University (PCU), along with guests: Robert Bir; Rebecca Birmingham; Laura Doud; Robert Aguilar; Robert Kasamatsu; Mark Padila; Joachim Ro; Joan Tajon; expressed their appeals and concerns about the Notice of Intent to Terminate Accreditation Pursuant to Rule 4.171(D) and requested that the Committee of Bar Examiners (CBE) placed PCU on probation. (Attachment O-403.)

George Leal: Dean Leal, Irvine University College of Law (IUCOL) expressed his gratitude to Dean Heather Georgakis and Natalie Leonard about the Inspection Report and invited the CBE to visit IUCOL. (Attachment O-401.)

DECEMBER 6 AND 7 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 December 6 and 7, 2019, be approved.

Moved by Villalobos, seconded by Heisinger.

COMMITTEE OF BAR EXAMINERS 2020 CHARGE AND WORK PLAN

It was by common consent agreed that the Committee of Bar Examiners 2020 Charge and Work Plan be approved for transmittal to the Board of Trustees.

NOVEMBER AND DECEMBER 2019 KEY STATISTICAL INDICATORS

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

SCHEDULE FOR APRIL 24 AND 25, 2020 COMMITTEE MEETING

It was by common consent agreed that the schedule for the April 24 and 25, 2020 Meeting, which will be held at the State Bar of California Offices in San Francisco, California, be received and filed.

EXAMINATIONS

TECHNICAL REPORT ON THE OCTOBER 2019 FIRST-YEAR LAW STUDENTS' EXAMINATION

It was moved, seconded and duly carried that the technical report on the October 2019 First-Year Law Students' Examination dated January 3, 2020, which was prepared by Roger Bolus, Ph.D., be received and filed.

Moved by Lin, seconded by Lawrence.

2019 – 2020 EXAMINATIONS GOALS

It was moved, seconded and duly carried that the 2019 – 2020 Examinations goals be approved with a change as follows:

6. Review and consider report on proposed sampling plan for selection of California Bar Examination question subjects, as part of the implementation of the Appendix I recommendation to develop such a plan. If appropriate, consider and decide whether to implement proposed sampling plan.

~~January~~ April 2020 / Ongoing

Moved by Lin, seconded by Gongora.

OPERATIONS AND MANAGEMENT

JULY 2019 CALIFORNIA BAR EXAMINATION COST-ANALYSIS

It was moved, seconded and duly carried that the report on costs for administering the July 2019 California Bar Examination be received and filed.

Moved by Kramer , 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 with the changes as follows:

4. In conjunction with Examinations, review report to be prepared by the Committee's psychometrician on the financial and psychometric impact of the modified (2-Day) California Bar Examination, as requested by the Board of Trustees to be done after the new examination format has been administered for two years to determine whether there are any problems or disparities.

~~March~~ April 2020

8. In conjunction with Operations and Management, consider report prepared by the State Bar's Office of Finance on the financial and budgetary impacts of the transition to the modified (2-Day) California Bar Examination.

April 2020

Moved by Kramer, seconded by Peak.

EDUCATIONAL STANDARDS

LADY JUSTICE LAW SCHOOL REQUEST FOR VOLUNTARY TERMINATION OF REGISTRATION

It was moved, seconded and duly carried that that pursuant to Rule 4.268 of the Unaccredited Law School Rules the written request of Lady Justice Law School terminate the school's registration as an unaccredited law school be received and filed; 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 **January 31, 2020**; 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 any outstanding fees due to the State Bar of California and to provide a final November 2019 Annual Report, with the annual fee waived.

Moved by Lin, seconded by Gongora.

REPORT ON IRVINE UNIVERSITY COLLEGE OF LAW INSPECTION REPORT

It was moved, seconded and duly carried that the Irvine University College of Law's progress reports related to inspection recommendations be received and filed in satisfaction of the school's obligation and agreement to address all mandatory and suggested recommendations identified in its most recent Periodic Inspection Report.

Moved by Peak, seconded by Reyes.

NOTICE OF INTENT TO TERMINATE ACCREDITATION PURSUANT TO RULE 4.171(D) – SOUTHERN CALIFORNIA INSTITUTE OF LAW

It was moved, seconded and duly carried that the school's most recent response to its continuing Notice of Noncompliance, as well as the inspection report summarizing the conversation with the school on October 24, 2019 be received and filed; that the Committee find the school to be in a continued state of noncompliance warranting termination of accreditation; and that the Southern California Institute of Law receive a Notice of the

Committee's Intent to Terminate its Accreditation based on the school's noncompliance with Rule 4.160(N) and Guideline 12.1.

Moved by Heisinger, seconded by Peak.

NOTICE OF INTENT TO TERMINATE ACCREDITATION PURSUANT TO RULE 4.171(D) –
PACIFIC COAST UNIVERSITY

It was moved, seconded and duly carried that the notice of intent to terminate Pacific Coast University accreditation based on the school's noncompliance with Rule 4.160(N) and Guideline 12.1. be postponed to the April Committee meeting.

Moved by Gongora, seconded by Heisinger.

REQUEST FOR MAJOR CHANGE – TRINITY LAW SCHOOL ONLINE J.D. PROGRAM

It was moved, seconded and duly carried that Trinity Law School's Request for a Major Change allowing a fully online J.D. program be received and filed; that the request be granted effective immediately; that within ninety days of committee approval, the school be required to advise the Committee of the date that it intends to begin offering the online J.D. program; and that as part of the school's 2020 Annual Report, the school should include a progress report regarding the status of the program.

Moved by Efting, seconded by Gongora.

REQUEST FOR MAJOR CHANGE – JOHN F. KENNEDY UNIVERSITY
COLLEGE OF LAW ONLINE J.D. PROGRAM

It was moved, seconded and duly carried that that John F. Kennedy University College of Law's Request for a Major Change allowing a fully online J.D. program be received and filed; that the request be granted effective immediately; that, within ninety days of committee approval, the school be required to advise the Committee of the date that it intends to begin offering the online J.D. program; and that as part of the school's 2020 Annual Report, the school should include a progress report regarding the status of the program.

Moved by Lin, seconded by Peak.

APPLICATION FOR PROVISIONAL ACCREDITATION – CONCORD LAW SCHOOL

It was moved, seconded and duly carried that Concord Law School's Application and Self-Study for Provisional Accreditation be received and filed; that the Committee determine that the law school appears to substantially comply with the Rules for Accredited Law Schools and Guidelines for Accredited Law Schools; and that staff be directed to schedule an inspection of the school within sixty days to verify whether the law school is in substantial or full compliance with the Rules for Accredited Law Schools and Guidelines for Accredited Law

Schools; and that the Inspection Report be presented to the Committee to allow a final decision on this application.

Moved by Gongora, seconded by Peak.

APPLICATION FOR PROVISIONAL ACCREDITATION – NORTHWESTERN CALIFORNIA
UNIVERSITY SCHOOL OF LAW

It was moved, seconded and duly carried that Northwestern California University School of Law's Application and Self-Study for Provisional Accreditation be received and filed; that the Committee determine that the law school appears to substantially comply with the standards; and that staff be directed to schedule an inspection of the school within sixty days to verify that the school is in substantial or full compliance with the Rules for Accredited Law Schools and Guidelines for Accredited Law Schools; and that the Inspection Report be presented to the Committee to allow a final decision on this application.

Moved by Lin, seconded by Peak.

REQUEST FOR MAJOR CHANGE – UNIVERSITY OF WEST LOS ANGELES
CAMPUS MOVE – CHATSWORTH CAMPUS

It was moved, seconded and duly carried that the Committee of Bar Examiners accept and file the University of West Los Angeles School of Law's application for Major Change; and that the school's request to move its campus in Chatsworth from 9201 Oakdale Avenue, #201, Chatsworth, California to 19900 Plummer St, Chatsworth, California be granted effective on or about April 1, 2020.

Moved by Gongora, seconded by Kramer.

APPLICATION TO AFFIRM ACCREDITATION – UNIVERSITY OF LA VERNE COLLEGE OF LAW
TRANSITION TO STATE BAR ACCREDITATION

It was moved, seconded and duly carried that the Committee affirm La Verne University College of Law's deemed accredited status; waive the timelines associated with independent State Bar Accreditation and Rules 4.121 through 4.145 of the Accredited Law School Rules; find that the school has demonstrated its compliance with the Rules for Accredited Law Schools and Guidelines for Accredited Law Schools; that the Committee confirm that the school is currently deemed accredited as a California Accredited Law School; that the application for accreditation be granted, effective as the date of this action or the date of this action; and, that the school's name be included on the list of law schools accredited by the Committee effective immediately; the school is directed to undergo a full inspection within twelve months of this action, submit an Annual Report using the 2019 Form and Fee, and agree to pay all inspection fees assessed by the State Bar of California under the Schedule of Charges and Deadlines and otherwise remain in continuous compliance with the Accredited Law School Rules and Guidelines for Accredited Law School Rules.

Moved by Gongora, seconded by Lin.

2019 – 2020 EDUCATIONAL STANDARDS GOALS

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

Moved by Lin, seconded by Peak.

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 Lin, seconded by Lawrence.

ADJOURNMENT

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 4:35 p.m., Friday, January 31, 2020.